

1                                    A bill to be entitled  
 2                    An act relating to the C-51 reservoir project;  
 3                    amending s. 373.4598, F.S.; revising the portions of  
 4                    the C-51 reservoir project for which the South Florida  
 5                    Water Management District may negotiate; revising  
 6                    water storage and use requirements specified for the  
 7                    project if state funds are appropriated for the  
 8                    project; specifying that Phase II of the project may  
 9                    be funded by appropriation, in addition to other  
 10                    sources; authorizing the district to enter into  
 11                    certain capacity allocation agreements and to request  
 12                    a waiver for repayment of certain loans; authorizing  
 13                    the Department of Environmental Protection to waive  
 14                    such loan repayment under certain conditions;  
 15                    specifying that the district is not responsible for  
 16                    repayment of such waived loans; providing an effective  
 17                    date.

18  
 19    Be It Enacted by the Legislature of the State of Florida:  
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21                    Section 1. Paragraphs (c), (d), and (e) of subsection (9)  
 22                    of section 373.4598, Florida Statutes, are amended, and  
 23                    paragraph (f) is added to that subsection, to read:

24                    373.4598 Water storage reservoirs.—  
 25                    (9) C-51 RESERVOIR PROJECT.—

26 (c) ~~For Phase II of the C-51 reservoir project,~~ The  
 27 district may negotiate with the owners of the C-51 reservoir  
 28 project site for the acquisition of any portion of the project  
 29 not already committed to utilities for alternative water supply  
 30 purposes or to enter into a public-private partnership. The  
 31 district may acquire land near the C-51 reservoir through the  
 32 purchase or exchange of land that is owned by the district or  
 33 the state as necessary to implement ~~Phase II of~~ the project. The  
 34 state and the district may consider potential swaps of land that  
 35 is owned by the state or the district to achieve an optimal  
 36 combination of water quality and water storage. The district may  
 37 not exercise eminent domain for the purpose of implementing the  
 38 C-51 reservoir project.

39 (d) If state funds are appropriated for ~~Phase I or Phase~~  
 40 ~~II of~~ the C-51 reservoir project:

41 1. The district, to the extent practicable, must ~~shall~~  
 42 operate the reservoir project to maximize the reduction of high-  
 43 volume Lake Okeechobee regulatory releases to the St. Lucie or  
 44 Caloosahatchee estuaries, in addition to maximizing the  
 45 reduction of harmful discharges ~~providing relief~~ to the Lake  
 46 Worth Lagoon. However, the operation of Phase I of the C-51  
 47 reservoir project must be in accordance with any operation and  
 48 maintenance agreement approved by the district;

49 2. In addition to any permitted amounts for water supply,  
 50 water made available by the reservoir project must ~~shall~~ be used

51 | for natural systems ~~in addition to any allocated amounts for~~  
52 | ~~water supply; and~~

53 | 3. ~~Any~~ Water received from Lake Okeechobee may only ~~not~~ be  
54 | available to support consumptive use permits if such use is in  
55 | accordance with district rules.

56 | (e) Phase I of the C-51 reservoir project may be funded by  
57 | appropriation or through the water storage facility revolving  
58 | loan fund as provided in s. 373.475. Phase II of the C-51  
59 | reservoir project may be funded by appropriation, pursuant to  
60 | this section, pursuant to s. 373.475, as a project component of  
61 | CERP, or pursuant to s. 375.041(3)(b)4.

62 | (f) The district may enter into a capacity allocation  
63 | agreement with a water supply entity for a pro rata share of  
64 | unreserved capacity in the water storage facility and may  
65 | request the department to waive repayment of all or a portion of  
66 | a loan issued pursuant to s. 373.475. The department may  
67 | authorize such waiver if, in its determination, it has received  
68 | reasonable value for such waiver. The district is not  
69 | responsible for repaying any portion of a loan issued pursuant  
70 | to s. 373.475 which is waived pursuant to this paragraph.

71 | Section 2. This act shall take effect July 1, 2019.