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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 the C-51 reservoir project for which the South Florida 4 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 the Department of Environmental Protection to waive 13 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: 20 21 Paragraphs (c), (d), and (e) of subsection (9) Section 1. of section 373.4598, Florida Statutes, are amended, and 22 23 paragraph (f) is added to that subsection, to read: 24 373.4598 Water storage reservoirs. -25 (9) C-51 RESERVOIR PROJECT.-

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CODING: Words stricken are deletions; words underlined are additions.

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- (c) For Phase II of the C-51 reservoir project, The district may negotiate with the owners of the C-51 reservoir project site for the acquisition of any portion of the project not already committed to utilities for alternative water supply purposes or to enter into a public-private partnership. The district may acquire land near the C-51 reservoir through the purchase or exchange of land that is owned by the district or the state as necessary to implement Phase II of the project. The state and the district may consider potential swaps of land that is owned by the state or the district to achieve an optimal combination of water quality and water storage. The district may not exercise eminent domain for the purpose of implementing the C-51 reservoir project.
- (d) If state funds are appropriated for Phase I or Phase II of the C-51 reservoir project:
- 1. The district, to the extent practicable, must shall operate the reservoir project to maximize the reduction of high-volume Lake Okeechobee regulatory releases to the St. Lucie or Caloosahatchee estuaries, in addition to maximizing the reduction of harmful discharges providing relief to the Lake Worth Lagoon. However, the operation of Phase I of the C-51 reservoir project must be in accordance with any operation and maintenance agreement adopted by the district;
- 2. <u>In addition to any permitted amounts for water supply,</u> water made available by the reservoir <u>project must shall</u> be used

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for natural systems in addition to any allocated amounts for water supply; and

- 3. Any Water received from Lake Okeechobee may only not be available to support consumptive use permits if such use is in accordance with district rules.
- (e) Phase I of the C-51 reservoir project may be funded by appropriation or through the water storage facility revolving loan fund as provided in s. 373.475. Phase II of the C-51 reservoir project may be funded by appropriation, pursuant to this section, pursuant to s. 373.475, as a project component of CERP, or pursuant to s. 375.041(3)(b)4.
- (f) The district may enter into a capacity allocation agreement with a water supply entity for a pro rata share of unreserved capacity in the water storage facility and may request the department to waive repayment of all or a portion of a loan issued pursuant to s. 373.475. The department may authorize such waiver if, in its determination, it has received reasonable value for such waiver. The district is not responsible for repaying any portion of a loan issued pursuant to s. 373.475 which is waived pursuant to this paragraph.

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