

CHAPTER 2019-68

Committee Substitute for Committee Substitute for House Bill No. 95

An act relating to the C-51 reservoir project; amending s. 373.4598, F.S.; revising the portions of the C-51 reservoir project for which the South Florida Water Management District may negotiate; revising water storage and use requirements specified for the project if state funds are appropriated for the project; specifying that Phase II of the project may be funded by appropriation, in addition to other sources; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraphs (c), (d), and (e) of subsection (9) of section 373.4598, Florida Statutes, are amended to read:

373.4598 Water storage reservoirs.—

(9) C-51 RESERVOIR PROJECT.—

(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 approved by the district;~~

2. In addition to any permitted amounts for water supply, water made available by the reservoir project must shall be used for natural systems ~~in addition to any allocated amounts for water supply;~~ and

3. ~~Any~~ Water received from Lake Okeechobee may ~~not~~ be available to support consumptive use permits only 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.

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

Approved by the Governor June 7, 2019.

Filed in Office Secretary of State June 7, 2019.