

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA
ENVIRONMENTAL PRESERVATION AND CONSERVATION
Senator Dean, Chair
Senator Oelrich, Vice Chair

MEETING DATE: Monday, February 21, 2011

TIME: 4:00 —6:00 p.m.

PLACE: *Toni Jennings Committee Room, 110 Senate Office Building*

MEMBERS: Senator Dean, Chair; Senator Oelrich, Vice Chair; Senators Detert, Jones, Latvala, Rich, and Sobel

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Presentation by Herschel T. Vinyard, Jr., Secretary, Department of Environmental Protection		Presented
2	Presentation by the Northwest Florida Water Management District on: 2010-2011 Budget 2011 Legislative Priorities		Presented
3	Presentation by the Suwannee River Water Management District on: 2010-2011 Budget 2011 Budget Priorities		Presented
4	Presentation by the St. Johns River Water Management District on: 2010-2011 Budget 2011 Legislative Priorities		Presented
5	Discussion of proposed legislation relating to onsite sewage treatment and disposal systems		Discussed

No Presentation Materials

Senate Environmental and Preservation Committee

February 21, 2011

**Northwest Florida Water Management District
FY 2011/12 Budget and Budget Priorities**

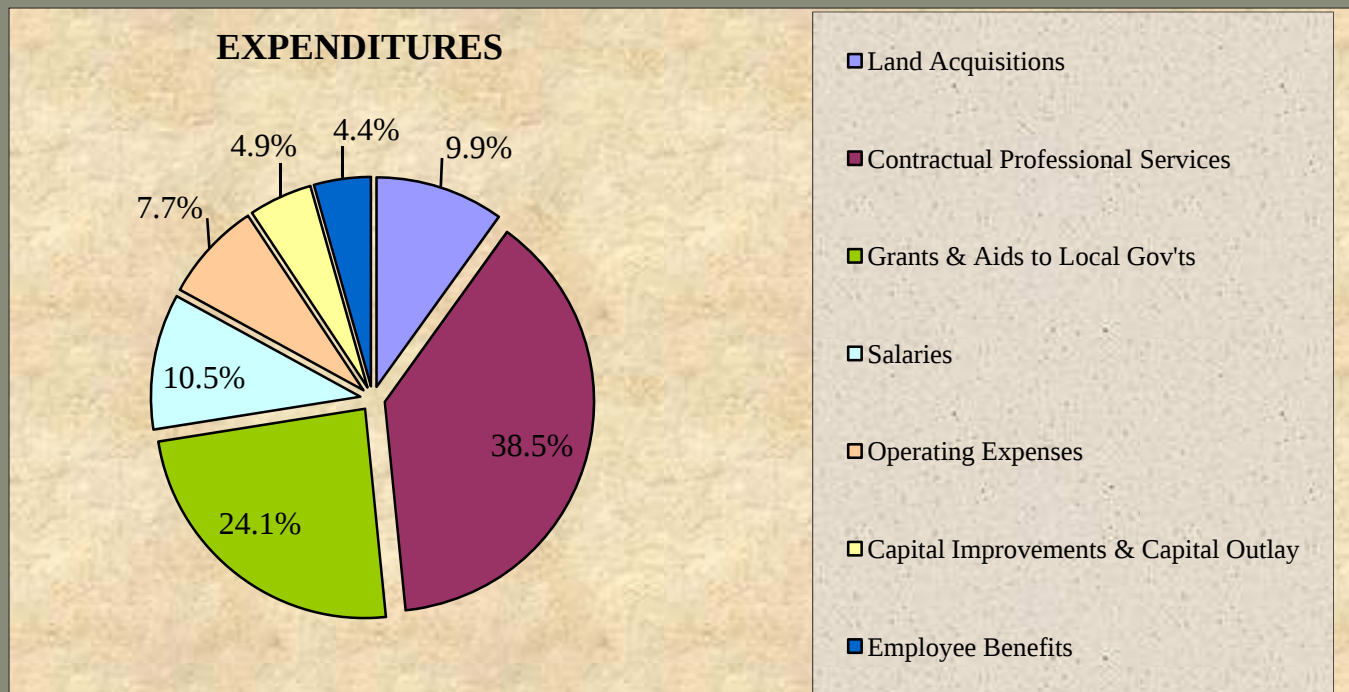
Northwest Florida Water Management District
Proposed Fiscal Year 2010-2011 Budget
Expenditures - Combined Funds

EXPENDITURES

Land Acquisitions	\$ 6,315,609
Contractual Professional Services	\$ 24,515,786
Grants & Aids to Local Gov'ts	\$ 15,334,867
Salaries	\$ 6,679,252
Operating Expenses	\$ 4,918,128
Capital Improvements & Capital Outlay	\$ 3,124,872
Employee Benefits	\$ 2,799,500

Total Expenditures

\$ 63,688,014



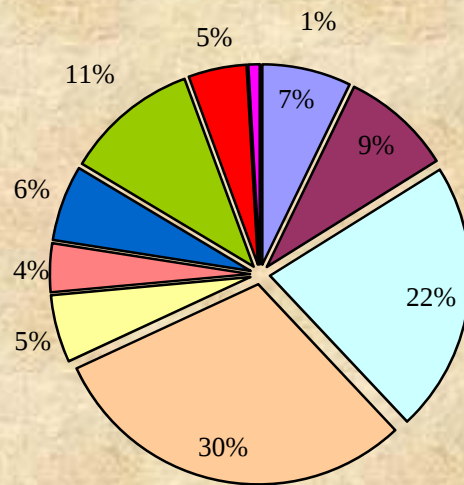
Northwest Florida Water Management District
Proposed Fiscal Year 2010-2011 Budget
Revenues - Combined Funds

REVENUES

Florida Forever	\$ 4,735,500
Water Protection & Sustainability	\$ 5,892,867
DOT Mitigation	\$ 14,435,359
Water Mgmt Lands Trust Fund	\$ 19,851,395
Ecosystem Management Trust Fund	\$ 3,599,624
Contracts and Grants	\$ 2,589,952
Ad Valorem Taxes	\$ 4,032,525
Federal Funds	\$ 7,121,449
Other (timber sales, interest, penalties, refunds, misc.)	\$ 3,098,415
Regulatory Permits	\$ 605,500

Total Revenues	\$ 65,962,586
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REVENUES



- Florida Forever
- Water Protection & Sustainability
- DOT Mitigation
- Water Mgmt Lands Trust Fund
- Ecosystem Management Trust Fund
- Contracts and Grants
- Ad Valorem Taxes
- Federal Funds
- Other (timber sales, interest, penalties, refunds, misc.)
- Regulatory Permits

Northwest Florida Water Management District

Selected FY 2010/11 Priority Projects

Water Supply Development

Okaloosa County Surface Water Reservoir

District to purchase land needed for an off-line reservoir utilizing water from the Shoal River. The reservoir will be used as a source of water supply for the coastal area of the Okaloosa County.

Walton County Inland Wellfield

Provide financial assistance for an additional water main across Choctawhatchee Bay connecting the existing inland wellfield to the high demand coastal communities.

Bay County Inland Wellfield

Final engineering and bid construction of Bay County Wellfield with 5.0 million gallons per day (Mgal/day) capacity and 30 Mgal/d emergency capacity. Bay County currently relies on Deer Point Lake Reservoir to meet the majority of public water supply needs. This project will ensure sufficient potable water supplies are available in the event of a hurricane or other event impacting the existing surface water supply.

Coastal Interconnect Project

Complete initial engineering for interconnection of coastal utilities from Gulf County to Santa Rosa County (120 miles). Implementation of regional water system Interconnections will increase water supply reliability and resiliency in coastal panhandle communities.

Econfina Creek First Magnitude Spring

Purchase of first magnitude spring in the Econfina Creek Basin. The spring discharges directly to Econfina Creek which is the primary source of inflow to Deerpoint Lake. Deerpoint Lake is the source of water supply for Bay County including Panama City, Panama City Beach and Tyndall Air Force Base.

Northwest Florida Water Management District

Selected FY 2010/11 Priority Projects

Implementation of Wetlands Component of Environmental Resource Permitting and Continued Improvement to Stormwater Component

Phase II, the wetland component of the Environmental Resource Permitting (ERP) program, was implemented in October 2010. The rules provide compliance with legislative initiatives to streamline the regulatory process allowing permits to be issued from one agency and submission of one joint application to manage stormwater and wetlands impacts and will increase protection of the wetlands.

Apalachicola-Chattahoochee-Flint River Basin Dispute

With the termination of the ACF Compact, all inactive litigation from 1980 was restarted. Currently, there are several cases before Federal District Courts and Appeal Courts. The District's role is to serve as the State of Florida's technical expert in the areas hydrology, hydrologic modeling and operation of the federal multi-purpose reservoirs in the basin. Most of this effort currently supports the legal team from the Governor's Office, Department of Environmental Protection and Office of the Attorney General.

Restoration Projects

Econfina Creek Springs Complex

In the current fiscal year complete the restoration of Sylvan and Pitt Springs in The Econfina Creek Basin. Design restoration of Williford Spring also in the Econfina Creek Springs Complex (Washington County). Restoration is for long-term protection of the springs, protection of water supply for Bay County and enhanced public recreation.

Potential Land Acquisition

Apalachicola River Acquisition

Bluffs and Ravines Area of Upper Apalachicola River -Acquisition of 1,350 acres of floodplain area in the upper reach of the river and adjoining properties owned by the Nature Conservancy and the State of Florida.

Northwest Florida Water Management District Water Supply Development Initiative

Primary Goal: Develop new sources or new source areas to **meet the 2030-2040 water supply needs** of the coastal population centers of Northwest Florida.

Further Requirements:

- ④ Diversify sources to include ground water and surface water supplies to prevent over-development of any single source and for **drought protection**.
- ④ Ensure **emergency sources of supply** are available immediately following natural disasters (hurricanes) for public health and safety, military bases, and key industries and for post-disaster recovery.
- ④ **Interconnect the coastal water systems** in Gulf, Bay, Walton, Okaloosa and Santa Rosa Counties (120 miles) to further increase diversification of sources.
- ④ Eliminate unsustainable withdrawals from the Floridan Aquifer in the coastal areas.

Northwest Florida Water Management District
Water Supply Development Initiative

Progress in Implementing Water Supply Initiative

Completed

1. **Santa Rosa County** - Inland wellfield using the Sand-And-Gravel Aquifer is complete along with transmission line to southern part of county. Wellfield is in operation and supplying water to the entire coastal area of Santa Rosa County and to Santa Rosa Island.
2. **Okaloosa County** – New inland source area developed for large capacity Floridan Aquifer wells and new transmission line to the coastal area of Okaloosa County have been completed.
3. **Walton County** – Inland Wellfield using Floridan Aquifer completed along with transmission lines. The wellfield is in operation and providing water to southern Walton County and Destin. The capacity of the wellfield was recently doubled.

Northwest Florida Water Management District
Water Supply Development Initiative

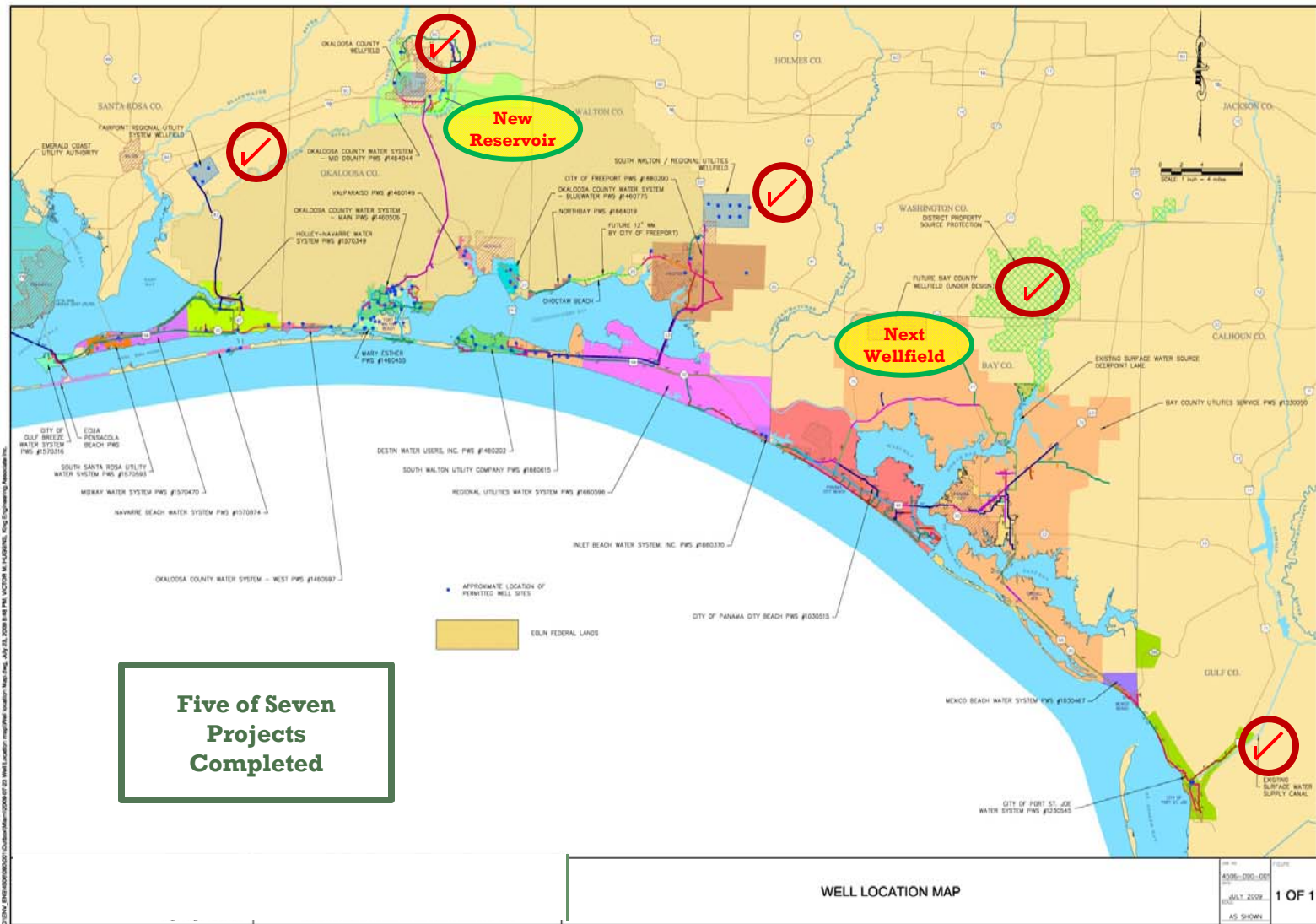
Progress in Implementing Water Supply Initiative

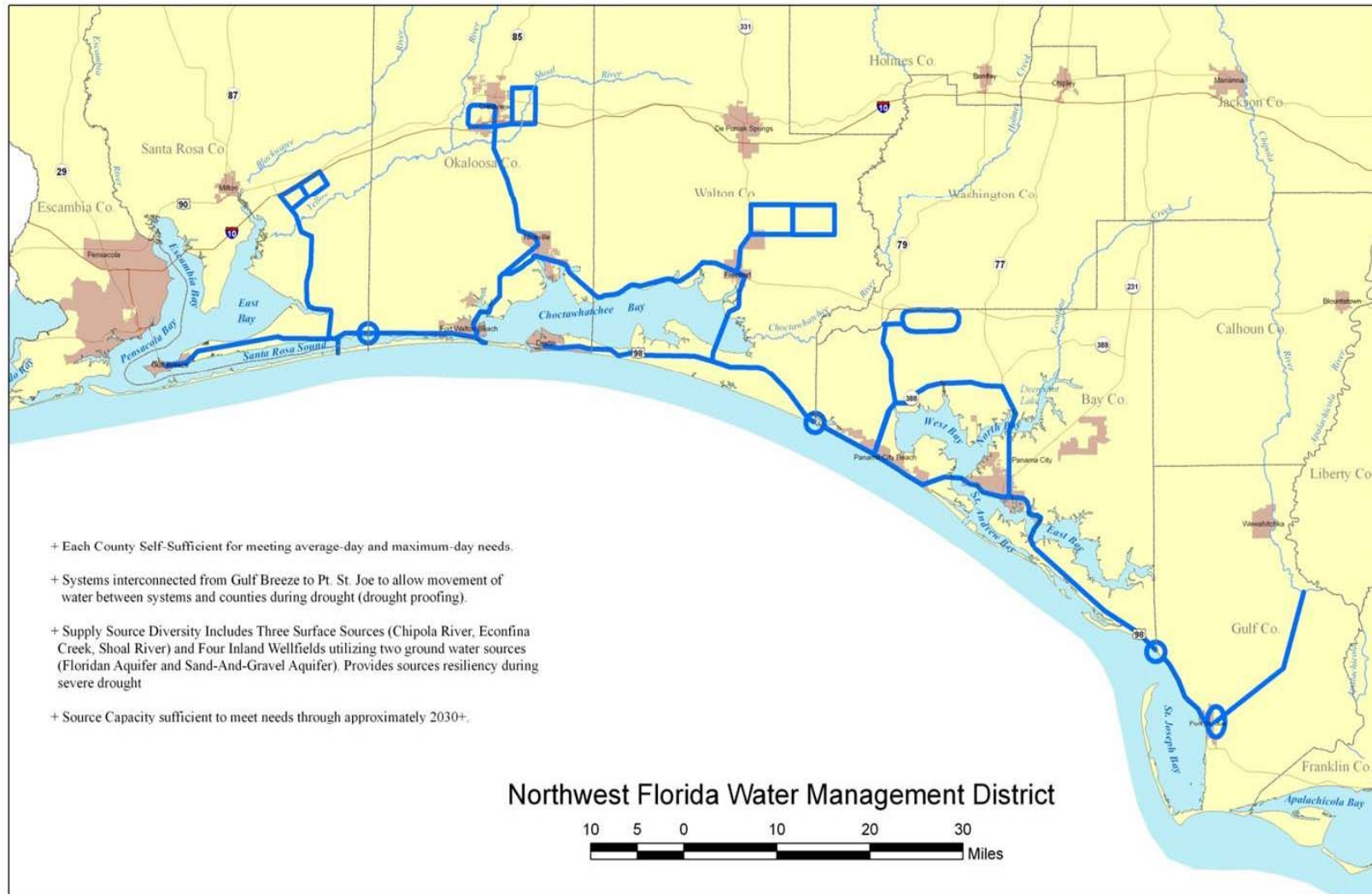
Completed (continued)

4. **Bay County** – Bay County relies on Deerpoint Lake for water supply. The primary source of water inflow to the lake is Econfinia Creek which is fed by springs. The District has completed acquisition of the recharge area over for the springs (50,000 acres) to ensure protection of the Bay County.
5. **Gulf County (Port. St. Joe)** - Completed development of new surface water source of supply (Chipola River) for Port. St. Joe and a new surface water treatment plant.

In Progress

6. **Okaloosa County** – Develop Shoal River as an additional source of supply
7. **Bay County** - Install a new source of water for use in emergencies.





Northwest Florida Water Management District
Environmental Resource Permitting
(Stormwater and Wetland Regulations)

E-Permitting Status (100% of permitting activities from submittal of application to issuance of the permit can be done online).

- Permit application, design drawings and engineer certification can be submitted online at anytime.
- Electronic payment of permit fee.
- Applicant may determine online if a proposed activity is exempt. If so, a letter verifying exemption is automatically generated.
- Notifications, Requests for Additional Information and correspondence routinely transmitted electronically to applicant. Applicant responses may be provided electronically at anytime and automatically logged.
- Electronic transmittal of Approved Permit.
- Applicant may check the status of their application online at anytime.
- Incompleteness questions are standardized to facilitate online responses from the engineer.
- Net Meetings with applicants engineers at their home offices with links to show project plans, maps and documents.
- Online video conferencing is available for pre-application meetings.
- Video Tutorials, Maps, forms, brochures are available online.

Northwest Florida Water Management District
Environmental Resource Permitting
(Stormwater and Wetland Regulations)

ERP Permitting Metrics

969 - permits issued from May 2008 to January 2011

14 days – average time to issue permit when application is complete (statute allows 90 days).

31% - Number of permits issued with no request for additional information (RAI).

56% - Number of permits issued with only one request for additional information.

99% - Number of permits issued with two or less Requests for Additional information. **87%** issued with one or less Requests for Additional Information.

650 - Number of Pre-Applications Meetings held to date.

250 – Number of public assistance presentations and tutorial sessions held by staff at different areas of the District.



Suwannee River Water Management District Budget Overview And District Priorities

Senate Environmental Preservation And Conservation Committee

Senator Charlie Dean, Chair

February 21, 2011



Budget Summary

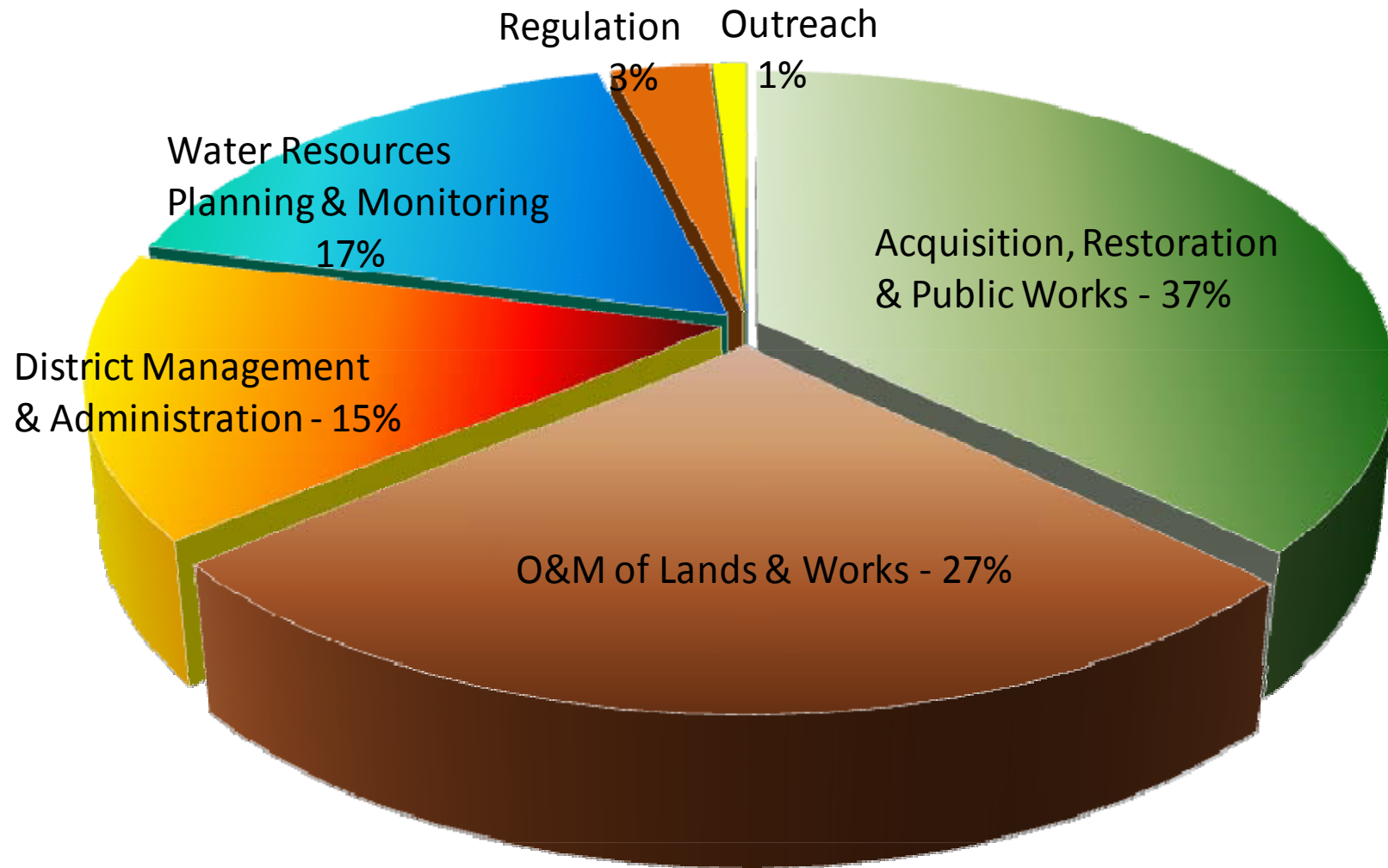
- Millage rate 0.4399
- \$5.9M in ad valorem
- Approximately \$750,000 decrease
- FY 2011 Budget is \$56.5M
- Ad valorem = 10.4% budget
- 68 staff members for 22 years



Accomplishments

- 💧 Water Supply Assessment Report
- 💧 Lake City Phase 2 Reuse Project
- 💧 Monticello Reuse Project
- 💧 Cedar Key Conservation Pilot Project
- 💧 Nature Coast Regional Water Supply Authority Wellfield Protection Area
- 💧 FEMA Digital Maps and Outreach
- 💧 Prescribed Burns

FY 2011 Programs





District Priorities

- 💧 Springs Protection
 - ~ Monitoring & Data Collection
 - ~ Minimum Flows and Levels
- 💧 Upper Santa Fe Regional Water Supply Plan
- 💧 Conservation
 - ~ Suwannee River Partnership
 - ~ The Ichetucknee Partnership
 - ~ Retrofits

Program Challenges

💧 Funding

- ~ Minimum Flows and Levels
- ~ Monitoring: Quality, Quantity
- ~ Water Supply
- ~ EPA Nutrient Standards



Questions?



St. Johns River Water Management District

**Update to the
Senate Environmental Preservation and
Conservation Committee**



**St. Johns River
Water
Management
District**

February 21, 2011

Presentation Topics

- Budget Overview
- Priority Projects/ Efforts For This Year
- Water Shortage Update
- Legislative Priorities

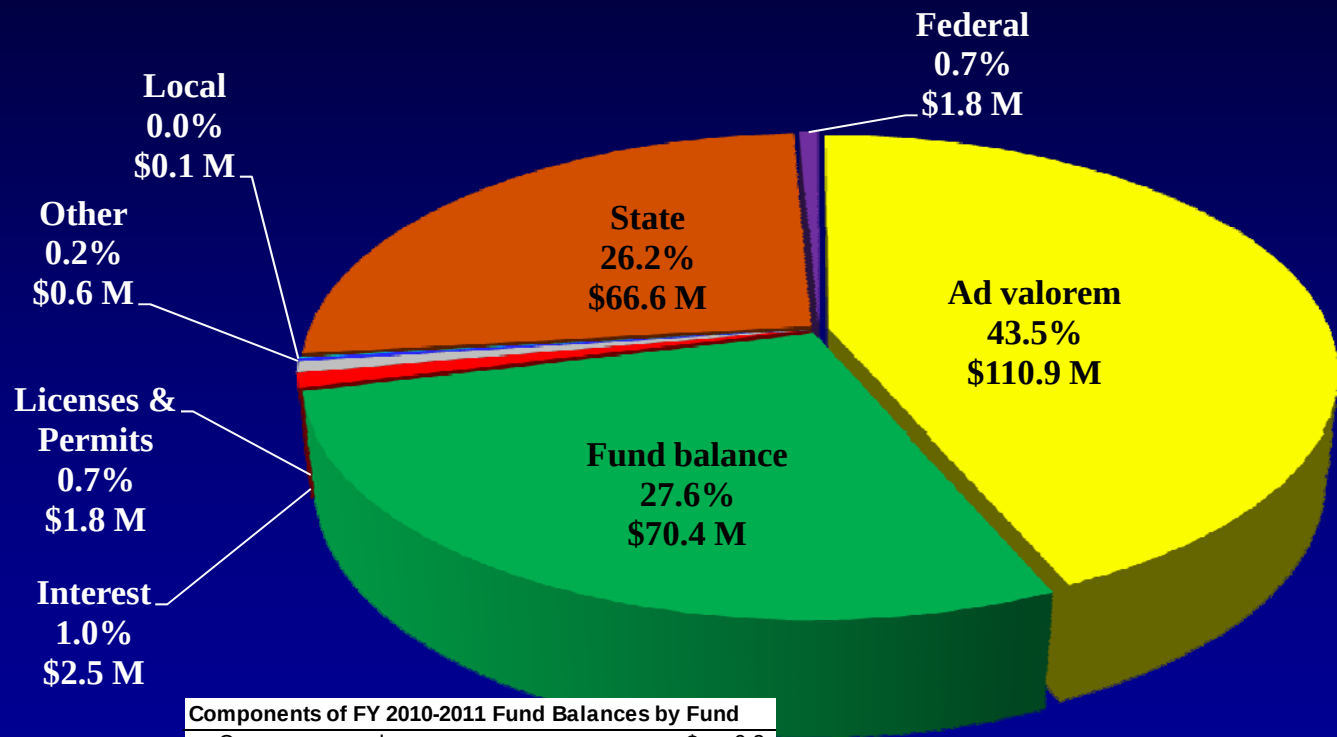


St. Johns River
Water
Management
District

Budget Overview

Where the Money Comes From

FY 2010-2011 Budget: \$254.7 M



Components of FY 2010-2011 Fund Balances by Fund

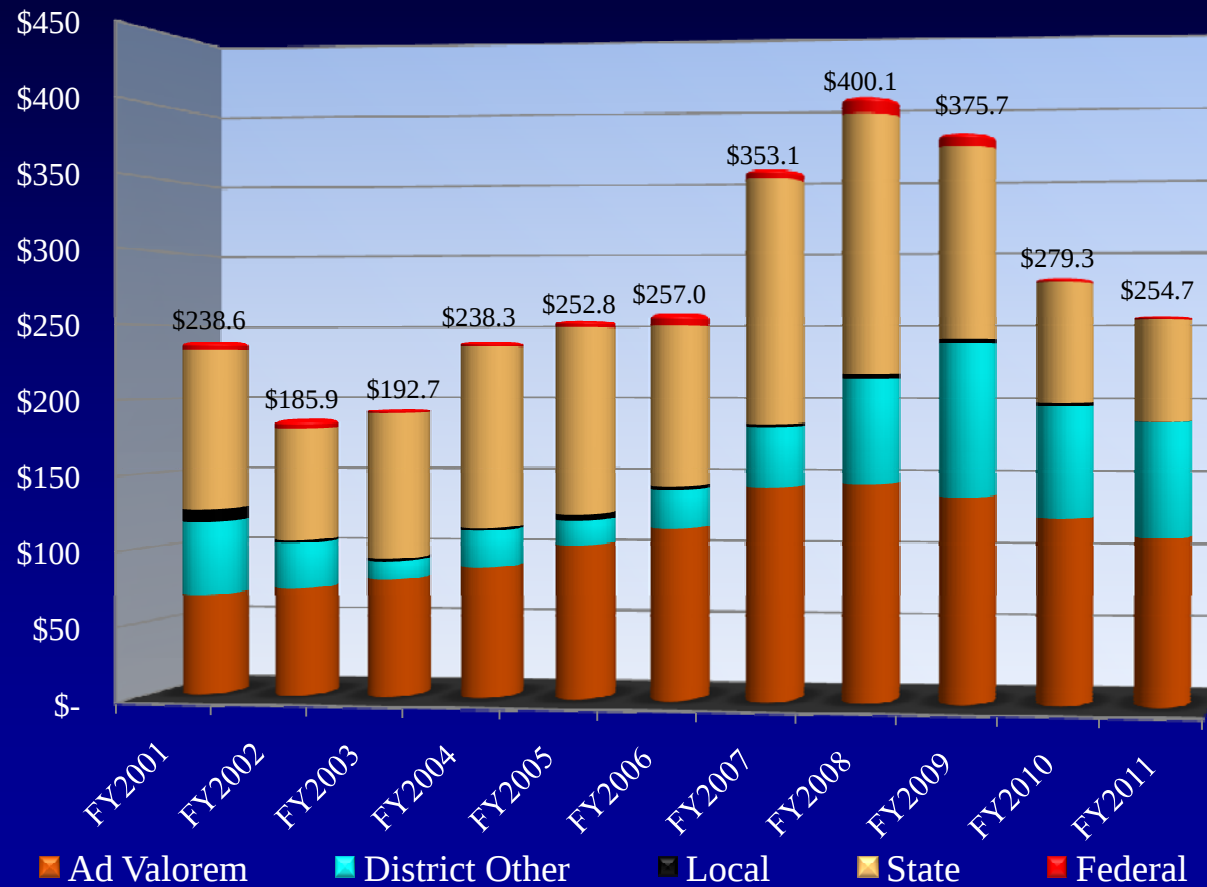
Carryover encumbrances	\$ 9.2
Fellsmere Water Management	\$ 5.7
Apopka NSRA	\$ 1.5
Water Conservation & Demand Mgt	\$ 4.4
Reserve Acquisition, Capital, Coop Projects	\$ 6.3
Reserve for Contingencies	\$ 10.0
Subsequent Year Exp (rebudgets from 09-10)	\$ 5.7
General Fund	\$ 42.8
Water Protection & Sustainability	\$ 26.5
Other Capital Projects	\$ 1.1
TOTAL	\$ 70.4



St. Johns River
Water
Management
District

Budget Overview

Ten Year Revenue Budget History by Source (in \$Millions)



St. Johns River
Water
Management
District

Budget Overview

Taxes Levied
FY 2000-2001 through FY 2010-2011 and
Estimated for FY 2011-2012



St. Johns River
Water
Management
District

Budget Overview

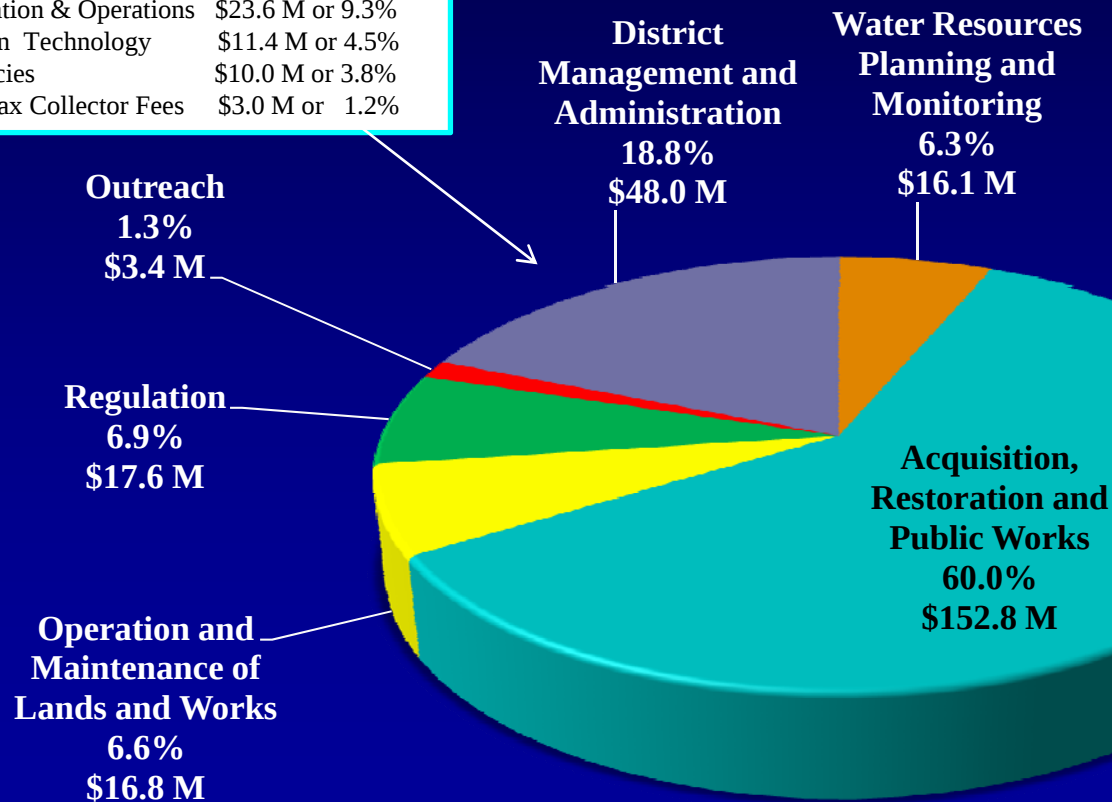
Where the Money Goes

by Program

FY 2010-2011 Budget: \$254.7 M

District Management & Administration Budget
\$48.0 M or 18.8%

Administration & Operations	\$23.6 M or 9.3%
Information Technology	\$11.4 M or 4.5%
Contingencies	\$10.0 M or 3.8%
Property Tax Collector Fees	\$3.0 M or 1.2%



St. Johns River
Water
Management
District

Core Missions



Water Supply

Work with water users to implement regional strategies that achieve a sustainable water supply that satisfies existing and future population needs while protecting the environment



Water Quality and Natural Systems Protection and Improvements

Protect Water quality and natural systems of the District and improve those resources

Core Missions



Flood Protection

Prevent increases in flooding and operate and maintain the District's regional flood control projects

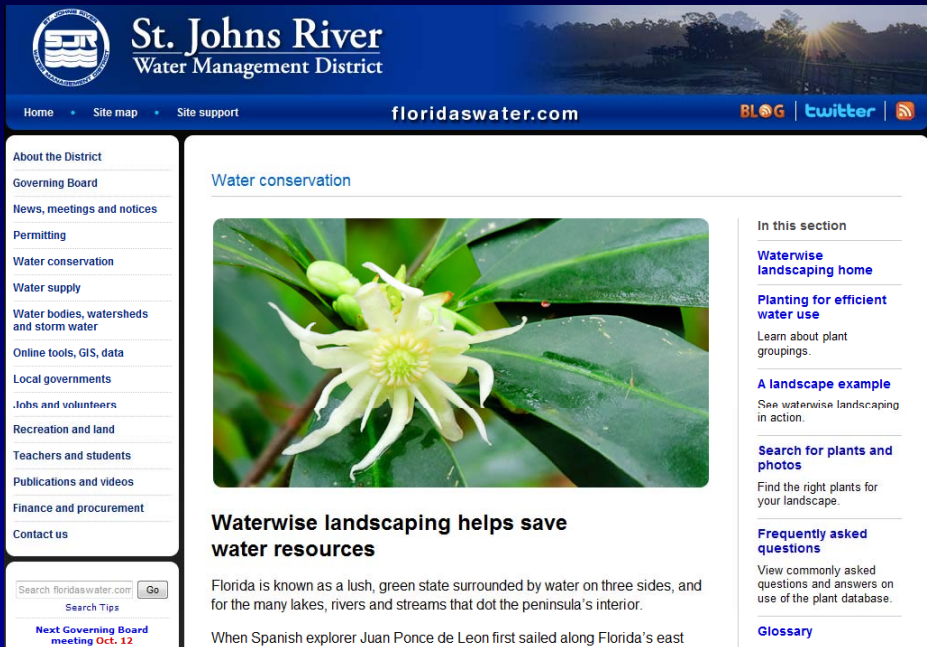


Organizational Efficiency and Effectiveness

Provide an organizational structure and tools that result in and reward continuous improvement and enhanced service delivery

Five-Year Priority Projects

Water Supply Water conservation



The screenshot shows the St. Johns River Water Management District website. The header includes the district's logo, name, and navigation links (Home, Site map, Site support) along with the website URL (floridaswater.com) and social media links (BLOG, twitter, RSS). The left sidebar lists various topics: About the District, Governing Board, News, meetings and notices, Permitting, Water conservation, Water supply, Water bodies, watersheds and storm water, Online tools, GIS, data, Local governments, Jobs and volunteers, Recreation and land, Teachers and students, Publications and videos, Finance and procurement, and Contact us. The main content area is titled "Water conservation" and features a large image of a white star-shaped flower. Below the image, the text reads: "Waterwise landscaping helps save water resources. Florida is known as a lush, green state surrounded by water on three sides, and for the many lakes, rivers and streams that dot the peninsula's interior. When Spanish explorer Juan Ponce de Leon first sailed along Florida's east". To the right of the image, there is a "In this section" sidebar with links: "Waterwise landscaping home", "Planting for efficient water use" (with a sub-link "Learn about plant groupings"), "A landscape example" (with a sub-link "See waterwise landscaping in action"), "Search for plants and photos" (with a sub-link "Find the right plants for your landscape"), "Frequently asked questions" (with a sub-link "View commonly asked questions and answers on use of the plant database"), and "Glossary".



Five-Year Priority Projects

Water Quality

Fellsmere water management area



**St. Johns River
Water
Management
District**

Five-Year Priority Projects

Water Quality

Lake Apopka North Shore restoration



St. Johns River
Water
Management
District

Five-Year Priority Projects

Water Quality

C-1 Western Rediversion



St. Johns River
Water
Management
District

Water Shortage Update

- Water levels in the District are low and below normal precipitation is forecasted
- SJRWMD has ramped up monitoring and are communicating with local governments
- Water Shortage Coordinator designated and drought response team identified
- Team developing an action plan so SJRWMD is fully prepared to respond and coordinate with other agencies
- SJRWMD advantage – year round irrigation conservation requirements functionally equivalent to a Phase II water shortage restriction

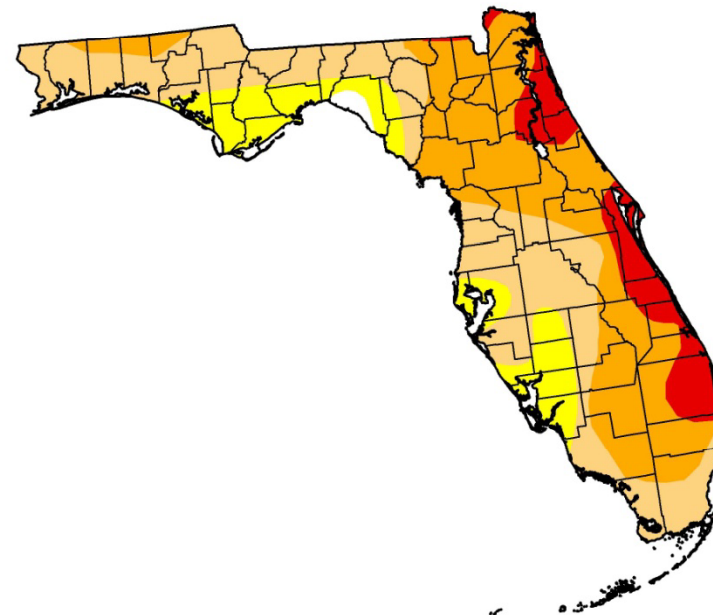


Water Shortage Update

U.S. Drought Monitor Florida

February 15, 2011
Valid 7 a.m. EST

	Drought Conditions (Percent Area)					
	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	0.87	99.13	84.98	47.58	10.58	0.00
Last Week (02/08/2011 map)	0.87	99.13	84.98	47.58	10.58	0.00
3 Months Ago (11/16/2010 map)	9.77	90.23	47.79	24.64	1.97	0.00
Start of Calendar Year (12/28/2010 map)	0.18	99.82	86.04	50.84	20.21	0.00
Start of Water Year (09/28/2010 map)	54.97	45.03	18.02	4.22	0.00	0.00
One Year Ago (02/09/2010 map)	100.00	0.00	0.00	0.00	0.00	0.00



Intensity:

 D0 Abnormally Dry	 D3 Drought - Extreme
 D1 Drought - Moderate	 D4 Drought - Exceptional
 D2 Drought - Severe	

The Drought Monitor focuses on broad-scale conditions.
Local conditions may vary. See accompanying text summary
for forecast statements.

<http://drought.unl.edu/dm>



Released Thursday, February 17, 2011
M. Rosencrans, CPC/NOAA

Legislative Priorities

- Water Management Lands Trust Fund funding of Land Management Activities
- Florida Forever Trust Fund
- Alternative Water Supply



Questions

Michael Slayton

mslayton@sjrwmd.com

321-508-0801



St. Johns River
Water
Management
District

floridaswater.com

Summary of Proposed Septic Tank Legislation

The draft bill:

1. Repeals all provisions of the septic tank evaluation program from SB 550, except for the ban on land spreading of septage. This activity is prohibited after January 1, 2016.
2. Directs the Department of Health to develop a model septic tank evaluation program ordinance.
3. Makes adoption of an evaluation program voluntary for municipalities and counties with Outstanding Florida Waters or nutrient impaired water bodies.
4. Allows the Department of Environmental Protection (DEP) and the municipalities and counties to cooperate to exempt geographic areas from the ordinance requirements. Directs the DEP to adopt rules to provide scientific methodologies, data or tools to assist them in this process.
5. Allows municipalities and counties to adopt stricter evaluation procedures than the model ordinance if they meet certain criteria. All documentation must become part of the public record before adoption of stricter procedures.
6. Grandfathers in any municipality or county that adopts evaluation procedures before January 1, 2012.

1 A bill to be entitled

2 An act relating to onsite sewage treatment and disposal
3 systems; amending s. 381.0065, F.S.; revising legislative
4 intent; directing the Department of Health to develop a model
5 septic tank ordinance; providing minimum requirements for the
6 model ordinance; allowing qualifying counties and municipalities
7 to adopt a septic tank evaluation program ordinance; allowing
8 adoption of more stringent procedures providing certain criteria
9 are met; exempting counties or municipalities that adopt a
10 septic tank evaluation program ordinance before January 1, 2012;
11 eliminating provisions directing the Department of Health to
12 create and administer a statewide septic tank evaluation
13 program; eliminating procedures and criteria for the evaluation
14 program; repealing s. 381.00656, F.S., to terminate the grant
15 program for repair of onsite sewage treatment disposal systems
16 identified pursuant to the evaluation program, to conform;
17 amending s. 381.0066, F.S.; eliminating provisions authorizing
18 the department to collect an evaluation report fee; eliminating
19 provisions relating to disposition of fee proceeds and a
20 revenue-neutral fee schedule; providing an effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:

23 Section 1. Paragraph (a) of subsection (1) of section
24 381.0065, Florida Statutes is amended, and paragraphs (a)
25 through (i) of subsection (5), of that section, are repealed,
26 and new paragraphs (a) through (f), of that section, are added
27 to read:

28 381.0065 Onsite sewage treatment and disposal systems;
29 regulation.—

(1) LEGISLATIVE INTENT.—

(a) It is the intent of the Legislature that proper management of onsite sewage treatment and disposal systems is paramount to the health, safety, and welfare of the public. ~~It is further the intent of the Legislature that the department shall administer an evaluation program to ensure the operational condition of the system and identify any failure with the system.~~

(5) EVALUATION AND ASSESSMENT.—

(a) The department shall develop a model septic tank evaluation program ordinance by January 1, 2012, that may be adopted and enforced by counties and municipalities. The ordinance must, at a minimum:

1. Require evaluations of all septic tanks within the county's or municipality's jurisdiction every five years.

2. Require a licensed septic tank contractor to evaluate the septic tank, mound and drainfield to ensure compliance with Chapter 64E-6, Florida Administrative Code.

3. Require a licensed septic tank contractor to determine whether the septic tank requires a pumpout. If the contractor determines a pumpout is not necessary, he or she must estimate the date when a pumpout will become necessary and provide that date to the septic tank owner and the local health unit.

4. Exempt septic systems that require an operating permit.

5. Require 60 days notification to the septic tank owner that the septic tank is due for an evaluation.

6. Authorize the local health units of the department to assess a fee paid by the owner of the septic tank to cover the costs of administering the evaluation program.

59 7. Provide penalties for licensed septic tank contractors
60 who do not comply with the requirements of the adopted
61 ordinance.

62 8. Provide penalties for septic tank owners who do not
63 comply with requirements of the adopted ordinance.

64 (b) A county or municipality located within the watershed
65 of a water body or water segment that is listed as impaired by
66 nutrients pursuant to s. 403.067, or an Outstanding Florida
67 Water as designated by the Department of Environmental
68 Protection, may adopt the model ordinance developed by the
69 department for a five-year septic tank evaluation program. A
70 county or municipality may adopt additional or more stringent
71 procedures than the model ordinance if it documents that it has
72 considered all relevant scientific information, including input
73 from the department and the Department of Environmental
74 Protection, on the need for additional or more stringent
75 evaluation procedures. The additional or more stringent
76 procedures must address septic tank use as a contributor to
77 nutrient loading to a water body. All documentation must become
78 part of the public record before adoption of the additional or
79 more stringent procedures.

80 (c) Any county or municipality that adopts its own septic
81 tank evaluation program by ordinance before January 1, 2012, is
82 exempt from this subsection. Such ordinances adopted or amended
83 on or after January 1, 2012, must substantively conform to the
84 most recent version of the model septic tank evaluation program
85 ordinance and are subject to this subsection, as applicable.

86 (d) By January 1, 2012, the Department of Environmental
87 Protection shall adopt rules that provide the minimum scientific

88 methodologies, data, or tools that shall be used by a county or
89 municipality to support the request for an exemption as provided
90 for in paragraph (e).

91 (e) A county or municipality, upon application to the
92 Department of Environmental Protection, may seek to have
93 specific geographic areas exempted from the requirements of a
94 septic tank evaluation program ordinance by demonstrating that
95 activities within such areas will not lead to new or continued
96 nutrient loading.

97 (f) Pursuant to paragraph (e), the Department of
98 Environmental Protection may approve or deny an application for
99 an exemption, or may modify the boundaries of the specific
100 geographic areas for which an exemption is sought. The ruling of
101 the Department of Environmental Protection on the applicant's
102 request shall constitute a final agency action subject to review
103 pursuant to ss. 120.569 and 120.57.

104 ~~(a) Beginning January 1, 2011, the department shall~~
105 ~~administer an onsite sewage treatment and disposal system~~
106 ~~evaluation program for the purpose of assessing the fundamental~~
107 ~~operational condition of systems and identifying any failures~~
108 ~~within the systems. The department shall adopt rules~~
109 ~~implementing the program standards, procedures, and~~
110 ~~requirements, including, but not limited to, a schedule for a 5-~~
111 ~~year evaluation cycle, requirements for the pump-out of a system~~
112 ~~or repair of a failing system, enforcement procedures for~~
113 ~~failure of a system owner to obtain an evaluation of the system,~~
114 ~~and failure of a contractor to timely submit evaluation results~~
115 ~~to the department and the system owner. The department shall~~
116 ~~ensure statewide implementation of the evaluation and assessment~~

117 program by January 1, 2016.

118 ~~(b) Owners of an onsite sewage treatment and disposal~~
119 ~~system, excluding a system that is required to obtain an~~
120 ~~operating permit, shall have the system evaluated at least once~~
121 ~~every 5 years to assess the fundamental operational condition of~~
122 ~~the system, and identify any failure within the system.~~

123 ~~(c) All evaluation procedures must be documented and~~
124 ~~nothing in this subsection limits the amount of detail an~~
125 ~~evaluator may provide at his or her professional discretion. The~~
126 ~~evaluation must include a tank and drainfield evaluation, a~~
127 ~~written assessment of the condition of the system, and, if~~
128 ~~necessary, a disclosure statement pursuant to the department's~~
129 ~~procedure.~~

130 ~~(d)1. Systems being evaluated that were installed prior to~~
131 ~~January 1, 1983, shall meet a minimum 6-inch separation from the~~
132 ~~bottom of the drainfield to the wettest season water table~~
133 ~~elevation as defined by department rule. All drainfield repairs,~~
134 ~~replacements or modifications to systems installed prior to~~
135 ~~January 1, 1983, shall meet a minimum 12-inch separation from~~
136 ~~the bottom of the drainfield to the wettest season water table~~
137 ~~elevation as defined by department rule.~~

138 ~~2. Systems being evaluated that were installed on or after~~
139 ~~January 1, 1983, shall meet a minimum 12-inch separation from~~
140 ~~the bottom of the drainfield to the wettest season water table~~
141 ~~elevation as defined by department rule. All drainfield repairs,~~
142 ~~replacements or modification to systems developed on or after~~
143 ~~January 1, 1983, shall meet a minimum 24-inch separation from~~
144 ~~the bottom of the drainfield to the wettest season water table~~
145 ~~elevation.~~

146 ~~(e) If documentation of a tank pump-out or a permitted new~~
147 ~~installation, repair, or modification of the system within the~~
148 ~~previous 5 years is provided, and states the capacity of the~~
149 ~~tank and indicates that the condition of the tank is not a~~
150 ~~sanitary or public health nuisance pursuant to department rule,~~
151 ~~a pump-out of the system is not required.~~

152 ~~(f) Owners are responsible for paying the cost of any~~
153 ~~required pump-out, repair, or replacement pursuant to department~~
154 ~~rule, and may not request partial evaluation or the omission of~~
155 ~~portions of the evaluation.~~

156 ~~(g) Each evaluation or pump-out required under this~~
157 ~~subsection must be performed by a septic tank contractor or~~
158 ~~master septic tank contractor registered under part III of~~
159 ~~chapter 489, a professional engineer with wastewater treatment~~
160 ~~system experience licensed pursuant to chapter 471, or an~~
161 ~~environmental health professional certified under chapter 381 in~~
162 ~~the area of onsite sewage treatment and disposal system~~
163 ~~evaluation.~~

164 ~~(h) The evaluation report fee collected pursuant to s.~~
165 ~~381.0066(2)(b) shall be remitted to the department by the~~
166 ~~evaluator at the time the report is submitted.~~

167 ~~(i) Prior to any evaluation deadline, the department must~~
168 ~~provide a minimum of 60 days' notice to owners that their~~
169 ~~systems must be evaluated by that deadline. The department may~~
170 ~~include a copy of any homeowner educational materials developed~~
171 ~~pursuant to this section which provides information on the~~
172 ~~proper maintenance of onsite sewage treatment and disposal~~
173 ~~systems.~~

174 Section 2. Section 381.00656, Florida Statutes, is

repealed:

~~381.00656 Grant program for repair of onsite sewage treatment disposal systems. Effective January 1, 2012, the department shall administer a grant program to assist owners of onsite sewage treatment and disposal systems identified pursuant to s. 381.0065 or the rules adopted thereunder. A grant under the program may be awarded to an owner only for the purpose of inspecting, pumping, repairing, or replacing a system serving a single-family residence occupied by an owner with a family income of less than or equal to 133 percent of the federal poverty level at the time of application. The department may prioritize applications for an award of grant funds based upon the severity of a system's failure, its relative environmental impact, the income of the family, or any combination thereof. The department shall adopt rules establishing the grant application and award process, including an application form. The department shall seek to make grants in each fiscal year equal to the total amount of grant funds available, with any excess funds used for grant awards in subsequent fiscal years.~~

Section 3. Subsection (2) of section 381.0066, Florida Statutes, is amended to read:

381.0066 Onsite sewage treatment and disposal systems; fees.—

(2) The minimum fees in the following fee schedule apply until changed by rule by the department within the following limits:

(a) Application review, permit issuance, or system inspection, including repair of a subsurface, mound, filled, or other alternative system or permitting of an abandoned system: a

204 fee of not less than \$25, or more than \$125.

205 ~~(b) A 5-year evaluation report submitted pursuant to s.~~
206 ~~381.0065(5): a fee not less than \$15, or more than \$30. At least~~
207 ~~\$1 and no more than \$5 collected pursuant to this paragraph~~
208 ~~shall be used to fund a grant program established under s.~~
209 ~~381.00656.~~

210 (b)(e) Site evaluation, site reevaluation, evaluation of a
211 system previously in use, or a per annum septage disposal site
212 evaluation: a fee of not less than \$40, or more than \$115.

213 (c)(d) Biennial Operating permit for aerobic treatment
214 units or performance-based treatment systems: a fee of not more
215 than \$100.

216 (d)(e) Annual operating permit for systems located in areas
217 zoned for industrial manufacturing or equivalent uses or where
218 the system is expected to receive wastewater which is not
219 domestic in nature: a fee of not less than \$150, or more than
220 \$300.

221 (e)(f) Innovative technology: a fee not to exceed \$25,000.

222 (f)(g) Septage disposal service, septage stabilization
223 facility, portable or temporary toilet service, tank
224 manufacturer inspection: a fee of not less than \$25, or more
225 than \$200, per year.

226 (g)(h) Application for variance: a fee of not less than
227 \$150, or more than \$300.

228 (h)(i) Annual operating permit for waterless, incinerating,
229 or organic waste composting toilets: a fee of not less than \$50,
230 or more than \$150.

231 (i)(j) Aerobic treatment unit or performance-based
232 treatment system maintenance entity permit: a fee of not less

than \$25, or more than \$150, per year.

(j)~~(k)~~ Reinspection fee per visit for site inspection after system construction approval or for noncompliant system installation per site visit: a fee of not less than \$25, or more than \$100.

(k)~~(l)~~ Research: An additional \$5 fee shall be added to each new system construction permit issued to be used to fund onsite sewage treatment and disposal system research, demonstration, and training projects. Five dollars from any repair permit fee collected under this section shall be used for funding the hands-on training centers described in s. 381.0065(3)(j).

(l)~~(m)~~ Annual operating permit, including annual inspection and any required sampling and laboratory analysis of effluent, for an engineer-designed performance-based system: a fee of not less than \$150, or more than \$300.

~~On or before January 1, 2011, the Surgeon General, after consultation with the Revenue Estimating Conference, shall determine a revenue neutral fee schedule for services provided pursuant to s. 381.0065(5) within the parameters set in paragraph (b). Such determination is not subject to the provisions of chapter 120. The funds collected pursuant to this subsection must be deposited in a trust fund administered by the department, to be used for the purposes stated in this section and ss. 381.0065 and 381.00655.~~

Section 4. This act shall take effect upon becoming a law.