

By Senator Constantine

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1 A bill to be entitled
2 An act relating to Everglades restoration; amending s.
3 373.4592, F.S.; deleting an obsolete provision
4 relating to a report by the South Florida Water
5 Management District and the Department of
6 Environmental Protection on the research and
7 monitoring program within the Everglades Protection
8 Area; providing an effective date.

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

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12 Section 1. Paragraph (d) of subsection (4) of section
13 373.4592, Florida Statutes, is amended to read:

14 373.4592 Everglades improvement and management.—

15 (4) EVERGLADES PROGRAM.—

16 (d) *Everglades research and monitoring program.*—

17 1. The department and the district shall review and
18 evaluate available water quality data for the Everglades
19 Protection Area and tributary waters and identify any additional
20 information necessary to adequately describe water quality in
21 the Everglades Protection Area and tributary waters. The
22 department and the district shall also initiate a research and
23 monitoring program to generate such additional information
24 identified and to evaluate the effectiveness of the BMPs and
25 STAs, as they are implemented, in improving water quality and
26 maintaining designated and existing beneficial uses of the
27 Everglades Protection Area and tributary waters. As part of the
28 program, the district shall monitor all discharges into the
29 Everglades Protection Area for purposes of determining

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30 compliance with state water quality standards.

31 2. The research and monitoring program shall evaluate the
32 ecological and hydrological needs of the Everglades Protection
33 Area, including the minimum flows and levels. Consistent with
34 such needs, the program shall also evaluate water quality
35 standards for the Everglades Protection Area and for the canals
36 of the EAA, so that these canals can be classified in the manner
37 set forth in paragraph (e) and protected as an integral part of
38 the water management system which includes the STAs of the
39 Everglades Construction Project and allows landowners in the EAA
40 to achieve applicable water quality standards compliance by BMPs
41 and STA treatment to the extent this treatment is available and
42 effective.

43 3. The research and monitoring program shall include
44 research seeking to optimize the design and operation of the
45 STAs, including research to reduce outflow concentrations, and
46 to identify other treatment and management methods and
47 regulatory programs that are superior to STAs in achieving the
48 intent and purposes of this section.

49 4. The research and monitoring program shall be conducted
50 to allow the department to propose a phosphorus criterion in the
51 Everglades Protection Area, and to evaluate existing state water
52 quality standards applicable to the Everglades Protection Area
53 and existing state water quality standards and classifications
54 applicable to the EAA canals. In developing the phosphorus
55 criterion, the department shall also consider the minimum flows
56 and levels for the Everglades Protection Area and the district's
57 water supply plans for the Lower East Coast.

58 5. ~~Beginning March 1, 2006,~~ As part of the consolidated

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59 annual report required by s. 373.036(7), the district and the
60 department shall annually issue a peer-reviewed report regarding
61 the research and monitoring program that summarizes all data and
62 findings. The report shall identify water quality parameters, in
63 addition to phosphorus, which exceed state water quality
64 standards or are causing or contributing to adverse impacts in
65 the Everglades Protection Area.

66 6. The district shall continue research seeking to optimize
67 the design and operation of STAs and to identify other treatment
68 and management methods that are superior to STAs in achieving
69 optimum water quality and water quantity for the benefit of the
70 Everglades. The district shall optimize the design and operation
71 of the STAs described in the Everglades Construction Project
72 prior to expanding their size. Additional methods to achieve
73 compliance with water quality standards shall not be limited to
74 more intensive management of the STAs.

75 Section 2. This act shall take effect July 1, 2009.