

By Senator Constantine

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1 A bill to be entitled
2 An act relating to environmental control; amending s.
3 403.067, F.S.; deleting an obsolete deadline for the
4 Department of Environmental Protection to adopt rules
5 regarding water quality credit trading among the
6 pollutant sources to a water body or water body
7 segment; providing an effective date.

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

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11 Section 1. Paragraph (c) of subsection (9) of section
12 403.067, Florida Statutes, is amended to read:

13 403.067 Establishment and implementation of total maximum
14 daily loads.—

15 (9) RULES.—The department is authorized to adopt rules
16 pursuant to ss. 120.536(1) and 120.54 for:

17 (c) Water quality credit trading among the pollutant
18 sources to a water body or water body segment. ~~By September 1,~~
19 ~~2008, rulemaking must be initiated~~ which provides for the
20 following:

21 1. The process to be used to determine how credits are
22 generated, quantified, and validated.

23 2. A publicly accessible water quality credit trading
24 registry that tracks water quality credits, trading activities,
25 and prices paid for credits.

26 3. Limitations on the availability and use of water quality
27 credits, including a list of eligible pollutants or parameters
28 and minimum water quality requirements and, where appropriate,
29 adjustments to reflect best management practice performance

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30 uncertainties and water-segment-specific location factors.

31 4. The timing and duration of credits and allowance for
32 credit transferability.

33 5. Mechanisms for determining and ensuring compliance with
34 trading procedures, including recordkeeping, monitoring,
35 reporting, and inspections.

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37 At the time of publication of the draft rules on water quality
38 credit trading, the department shall submit a copy to the United
39 States Environmental Protection Agency for review.

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