

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Environmental Preservation and Conservation Committee

BILL: CS/SB 274

INTRODUCER: Committee on Environmental Preservation and Conservation and Senator Constantine

SUBJECT: Florida Springs Protection Act

DATE: March 18, 2009 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Uchino	Kiger	EP	Fav/CS
2.			CA	
3.			HR	
4.			GA	
5.				
6.				

Please see Section VIII. for Additional Information:

A. COMMITTEE SUBSTITUTE..... Statement of Substantial Changes

B. AMENDMENTS..... Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

I. Summary:

First, the Committee Substitute (CS) creates the Florida Springs Protection Act, provides legislative intent on the importance of springs in the state, and establishes definitions. The CS expands the Act to apply statewide. The CS designates all counties and municipalities in which there are located first and second magnitude springs as spring protection zones. It designates the springs within these zones as high, medium, or low priority, and also includes an opt-out provision for local governments. The CS establishes deadlines for compliance based on the priority designation of the spring in the spring protection zone. The CS establishes treatment levels for wastewater disposal, based on the facility's permitted capacity, in spring protection zones. The CS also sets a minimum density for developments that must connect to a central system, and requires septic systems that do not have to be hooked up to a central system to meet certain requirements. The CS requires evaluation and remedial actions for stormwater systems. It requires landowners to connect to a wastewater utility, when available, unless meeting specific provisions as determined by the Department of Health, and requires the Department of Agriculture and Consumer Services to adopt best management practices within spring protection zones. The CS creates the Onsite Sewage Treatment and Disposal System Compliance Grant Program for low-income property owners, which will be funded with fees generated from a mandatory 5-year septic system inspection program.

Second, the CS requires that local governments, within spring protection zones, develop and adopt a spring protection measure in their comprehensive plans as part of their normal comprehensive planning and updating process.

Third, the CS amends s. 403.1835, F.S., to include the implementation of basin management action plans and spring protection zones as eligible projects for priority pollution control financial assistance. Additionally, the CS requires certain state agencies to evaluate and remediate nitrogen loading from their lands. It requires the Acquisition and Restoration Council to give priority to projects within a spring protection zone.

Fourth, the CS requires local governments to adopt a model ordinance for fertilizer use for the protection of urban or residential environments and water. It also creates a ban on phosphorous-containing fertilizer for use on urban turf, with exceptions.

Finally, the CS transfers the Bureau of Onsite Sewage Treatment from the Department of Health to the Department of Environmental Protection.

The CS provides for an effective date of July 1, 2009.

The CS amends sections 163.3177, 259.105, 381.0065, 403.1835, Florida Statutes.

The CS creates sections 369.401, 369.402, 369.403, 369.404, 369.405, 369.406, 369.407, 369.408, 403.9335, and 403.9337, Florida Statutes.

II. Present Situation:

Florida has more than 700 recognized springs; 33 first magnitude springs with a flow of more than 100 cubic feet per second that discharge more than 64 million gallons of water per day; 191 second magnitude springs with an average flow of 10 to 100 cubic feet per second that discharge from 6.46 to more than 64 million gallons of water per day; 151 third magnitude springs with a flow of 1 to 10 cubic feet per second that discharge 600,000 to 6.46 million gallons of water per day.¹ Spring discharges, primarily from the Floridan Aquifer, are used to determine ground water quality and the degree of human impact on the spring's watershed. Rainfall, surface conditions, soil type, mineralogy, the composition and porous nature of the aquifer system, flow, and length of time in the aquifer all contribute to ground water chemistry.

The Florida Springs Task Force was created in 1999 to recommend strategies for protecting and restoring Florida's springs. The multi-agency task force produced a report in November of 2000 entitled "*Florida's Springs, Strategies for Protection and Restoration*" which was the basis of the Florida Springs Initiative within the Department of Environmental Protection. The report identified management strategies such as coordinated land use planning and ordinances that protect spring recharge basins, funding and implementing best management practices, and the acquisition of spring recharge basins to protect springs from land use practices that reduce water

¹ See Bulletin No. 66, *Springs of Florida*, Florida Geological Survey, Retrieved 6 Mar. 2009
<<http://www.dep.state.fl.us/geology/geologictopics/springs/bulletin66.htm>>

quality and quantity. The report also identified regulation strategies to protect spring flow, and a funding mechanism for implementing the strategies contained in the report. The report suggested the creation of a Springs Protection and Restoration Trust Fund funded by a 25-cent increase in automobile tags.

Under the Florida Springs Initiative, the Legislature has provided at least \$2.5 million each year since 2001 to support projects for springs restoration, research and protection.

The Department of Health does not currently have a statewide septic system inspection program but has produced the “Report on Range of Costs to Implement a Mandatory Statewide 5-Year Septic Tank Inspection Program.”² According to the report, three Florida counties, Charlotte, Escambia and Santa Rosa, have implemented mandatory septic system inspections at a cost of between \$83.93 to \$215 per inspection. Florida has 2.3 million septic systems with the estimated failure rate during the initial round of inspections to be 9.5 percent.

Currently there is no requirement for local governments to adopt a model ordinance for urban fertilizer use based on the Florida Friendly Landscape Guidance Models for Ordinances, Covenants, and Restrictions. As part of its ongoing Florida-Friendly Landscape Best Management Practice Educational Program, the Florida Department of Environmental Protection and the University of Florida Institute of Food and Agricultural Sciences have developed this manual to assist local governments, commercial entities and others in smarter fertilizer use.

III. Effect of Proposed Changes:

Section 1: Creates Part IV of Chapter 369, F.S., as follows:

Section 369.401, F.S., provides a short title.

Section 369.402, F.S., establishes the following legislative findings and intent:

- Florida’s springs are valuable resources that provide recreational and tourism opportunities, and provide great financial benefit to local economies.
- Florida’s springs provide critical habitat for endangered or threatened species of plants and animals.
- The flow and water quality of Florida’s springs are direct reflections of the state’s aquifer system.
- Many springs are showing signs of ecological imbalance, increased nutrient loading, and lowered water flow.
- Ground water is directly affected by land use practices through seepage from the land surface and conduits such as sinkholes.
- Polluted runoff from urban and agricultural lands and discharges from poor wastewater practices can adversely affect the state’s ground water resources for spring recharge.
- Groundwater and springs can be restored through good stewardship, effective planning strategies, best-management programs, and appropriate regulatory programs.

Section 369.403, F.S., defines the following terms, “cooperating entities,” “department,” “estimated sewage flow,” “first magnitude spring,” “onsite sewage treatment and disposal

² The Department of Health. Retrieved 18 Mar. 2009 <<http://www.doh.state.fl.us/environment/ostds/pdfiles/forms/MSIP.pdf>>

system,” or “septic system,” “second magnitude spring,” “spring,” “spring run,” “springshed,” and “usable property.”

Section 369.404, F.S.:

- Designates all counties and municipalities that contain a first or second magnitude spring as spring protection zones
- Directs the department to adopt rules to administer this section and create a springs priority criterion based on measurements of nitrate concentrations at the spring boil. These measurements will determine whether the department lists the spring as high, medium or low priority.
- Creates deadlines for implementation of the requirements in s. 369.405, F.S., based on the priority list developed by the department:
 - High priority by July 1, 2016;
 - Medium priority by July 1, 2019; and
 - Low priority by July 1, 2024.
- Allows counties or municipalities to submit an application to exempt certain geological areas from inclusion in a spring protection zone if they can prove that the exempted areas will not lead to new or continued degradation of a spring.
- Directs the department to develop standards and rules that provide the minimum scientific methodologies, data or tools for use by counties and municipalities for their applications for exemptions.
- Allows the department to deny or modify an exemption application by a county or municipality.

Section 369.405, F.S., requires implementation of the following requirements by the deadlines in s. 369.404, F.S., based on whether the spring is a high, medium, or low priority:

- For domestic wastewater discharges:
 - Facilities having permitted capacities greater than or equal to 100,000 gallon per day must reduce nitrogen to less than or equal to 3mg/L.
 - Facilities having permitted capacity between 10,000 and 100,000 gallons per day must reduce nitrogen to less than or equal to 10mg/L.
 - For onsite sewage treatment and disposal systems, areas having or permitted to have densities greater than or equal to 300 systems per square mile must connect to a central system or other centralized collection and treatment system.
- Agricultural operations must:
 - Implement best-management practices, including nutrient management, adopted by the Department of Agriculture and Consumer Services.
 - Adopt best-management practices developed by the Department of Agriculture and Consumer Services for equine, cow and calf, and forage grass operations.
 - Animal feeding operations must implement rules adopted by the department, which at a minimum must address:
 - Lined wastewater lagoons;
 - Nutrient management plans; and
 - The land spreading of animal waste not treated and packaged as fertilizer.
- Stormwater systems requirements are as follows:
 - All drainage wells must be evaluated and a remediation plan developed to reduce nitrogen loading to groundwater; and

- All management systems constructed prior to 1982 must be evaluated and a remediation plan developed to reduce nitrogen loading to groundwater.
- Allows the department to implement more stringent requirements if necessary to meet surface and groundwater quality standards.

Section 369.406, F.S., provides for additional requirements that apply to all spring protection zones with dates certain that are independent from the deadlines in s. 369.405, F.S.

- All newly constructed or expanded wastewater facilities that become operational after July 1, 1012 must meet the advanced water treatment standards of s. 403.086(4), F.S.
- All development not permitted as of July 1, 2009 with densities of 300 septic tanks per square mile must be connected to a central wastewater facility or other centralized collection and treatment system.
- New septic systems installed after July 1, 2009 must operate to achieve no more than 3mg/L total nitrogen at the owner's property line.
 - The Department of Health must develop and adopt design standards for systems to meet this concentration. At a minimum, this standard must take into account the treatment level achieved by the septic system and the area of usable property available for rainwater dilution.
 - Groundwater monitoring is not required
- Compliance with the above septic system and concentration requirements is presumed if:
 - The lot associated with the septic system meets the baseline standards set by the Department of Health and the ratio of estimated sewage flow to usable property is 100 to 1 or less, or
 - The lot associated with the septic system meets at least the secondary treatment standards set by the Department of Health and is combined with a drip irrigation system.
- The requirements and presumptions above do not supersede the jurisdictional flow limits established in s. 381.0065(3)(b), F.S.
- Land application of septage is prohibited and subject to new fines.
- Septic systems that require repair, modification or reapproval must:
 - Meet a 24-inch separation from the wet season water table and surface water setback requirements of 381.0065(4), F.S.;
 - Have treatment receptacles within one size of the Department of Health requirements; and
 - Be tested for watertightness by a licensed septic tank contractor or plumber.
- Owners of a publicly-owned or investor-owned sewerage system are required to notify all owners of onsite systems of the availability of central sewer facilities, for the purpose of connection to such facilities pursuant to s. 381.00655 (1), F.S., within 60 days following clearance from the department that the central sewer facilities are ready for use.
 - Exemptions from mandatory hookup to central sewer facilities may be approved by the Department of Health provided that the onsite system meets or exceeds standards for septic systems, and that such a connection is not required in the public interest due to water quality or public health considerations.
- The Department of Health may grant variances for hardship cases.

- After July 1, 2010, all land application of Classes A, B and AA wastewater residuals is prohibited. An exception is provided for Class AA residuals marketed and distributed as fertilizer products in accordance with department rule.
- Local governments must, at a minimum, adopt the department's model ordinance for Florida Friendly Landscape Guidance Models for Ordinances, Covenants, and Restrictions by December 31, 2010.
- The department is allowed to implement more stringent requirements if necessary to meet surface and groundwater quality standards.

Section 369.407, F.S., creates the Florida Springs Onsite Sewage Treatment and Disposal System Compliance Grant Program. The program is established in the Department of Health and must:

- Provide grants to low-income property owners with septic systems in spring protection zones to help them comply with the requirements and rules for these systems developed by the department, the Department of Health and the water management districts.
- The grant program may be used to apply to costs incurred after rules are developed for its administration.
- Apply to any property owner in a spring protection zone with an income less than or equal to 200 percent of the federal poverty level who is required to alter, repair, or modify a system to meet the standards of a nitrate-reducing system.
- Limit the grant to the cost differential between the replacement of a comparable existing system and an upgraded nitrate-reducing system, but may not exceed \$5,000 per property.
- Be in the form of a rebate to costs incurred in complying with the requirements of spring protection zones. The property owner must furnish documentation of those costs in the grant application.
- Be subject to rules adopted by the Department of Health that provide for:
 - Forms, procedures, and application requirements; and
 - Requirements for dispersing grants, including bid requirements, and documentation of costs incurred with compliance.
- Give the Department of Health, the department, and the water management districts the authority to evaluate, by any means necessary, the amount of nitrate deposited in springs by septic systems.

Section 369.408, F.S., establishes rules:

- The department, the Department of Health, and the Department of Agriculture and Consumer Services are provided rule making authority to administer the provisions established in this part.
- The Department of Agriculture and Consumer Services shall:
 - Be the lead agency in coordinating the reduction of agriculture nonpoint sources of pollution for springs protection;
 - Study and if necessary, initiate rule making with cooperating entities and stakeholders to implement new or revised best-management practices; and
 - As needed, revise its best-management practices rules to require implementation of the modified practice with a reasonable time.

Section 2: Amends s. 163.3177, F.S., requiring that local governments affected by the provisions in Part IV of Chapter 369, F.S., adopt a spring's protection measure within their appropriate comprehensive plan element during the first comprehensive plan evaluation and appraisal report conducted after July 1, 2009. The spring protection measure shall:

- Ensure the protection of, and where necessary, restoration of water quality in springs;
- Address minimizing human impacts on springs from development by protecting karst features during and after the development process;
- Ensure that future development follows low-impact design principles;
- Ensure that landscaping and fertilizer use are consistent with the Florida Friendly Landscaping Program;
- Ensure adequate open space; and
- Provide for proper management of stormwater and wastewater to minimize impacts on the water quality of springs.

The department and the state land planning agency shall make all information concerning best-management and use practices and principles available on their respective websites. Landscape design and irrigation systems must meet the standards established pursuant to s. 373.228 (4), F.S.

Failure of a local government to adopt a spring protection measure at the first evaluation and appraisal report will result in a prohibition of any plan amendments until the measure is adopted.

Section 3: Amends s. 403.1835, F.S., to include the implementation of basin management action plans and spring protection zones as eligible projects for priority pollution control financial assistance. In development of its priority system, the department should also consider projects that eliminate environmental damage caused by failing onsite sewage treatment and disposal systems with priority given to those systems located within an area of critical state concern under s. 380.05, F.S., or located in a spring protection zone adopted pursuant to s. 369.404, F.S. Provides for technical changes.

Section 4: Creates an unnumbered section directing the department, the Department of Agriculture and Consumer Services, and the water management districts to assess nitrogen loading from lands owned or managed by each respective agency, located within a spring's protection zone established in the pilot program, and develop and implement management plans designed to reduce the adverse impacts to the springs no later than December 31, 2011.

Section 5: Creates paragraph (d) of subsection (3) of s. 381.0065, F.S., and requires the Department of Health to develop and implement a mandatory onsite sewage treatment and disposal system inspection program. An additional fee of \$20 must be collected for each septic system inspected by the Department of Health, local government, or a licensed septic tank contractor or plumber. At least half of the revenues generated from the additional inspection fee will go into the appropriate trust fund to administer the grant program created pursuant to s. 369.407, F.S. The entity conducting the inspection must submit an application for approval to the Department of Health and provide a copy to the property owner. The Department of Health must approve of the system for continued use or notify the owner that a repair or modification permit is required. The mandatory inspection program also must:

- Be phased in over 10 years;
- Provide that every septic system is inspected on a recurring 5-year basis;

- Initially target systems inspected under other departmental criteria;
- Provide for exemptions for those systems where the density of dwellings is less than one per every three acres unless the property abuts a water body or water segment that is listed as impaired pursuant to s. 369.403, F.S. or s. 403.067, F.S.

Provides for technical changes.

Section 6: Creates paragraph (m) to subsection (9) of s. 259.105, F.S., and directs the Acquisition and Restoration Council to give priority to projects that fall within a spring protection zone created pursuant to s. 369.404, F.S. Provides for technical changes.

Section 7: Creates s. 403.9335, F.S., for the protection of urban and residential environments and water.

- Provides for findings by the Legislature that implementation of a model ordinance for urban fertilizer use will protect surface and groundwater. Further, the Legislature finds that Florida's unique and varying geology, soil and development density necessitate additional or more stringent fertilizer-management practices be implemented at the local level.
- Directs the department to develop and adopt a model ordinance using the 2008 Model ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes.
- Encourages all local governments to adopt the model ordinance.
- Requires all local governments that are within the watershed of a nutrient impaired water body or water segment to adopt the model ordinance.
- Allows local governments to adopt additional or more stringent provisions to the model ordinance.

Section 8: Creates s. 403.9337, F.S., to require statewide use of no-phosphorous fertilizer for urban turf.

- Provides for definitions for "no-phosphate fertilizer" or "no-phosphorous fertilizer," "urban turf," "soil test," and "tissue test."
- Bans the use of phosphorous containing fertilizer for urban turf application after July 1, 2011, unless soil or tissue tests indicate a phosphorous containing fertilizer is needed to initially establish urban turf or maintain healthy urban turf.
- Establishes the amount of phosphorous per 1,000 square feet that may be applied to urban turf if an exemption is granted.

Section 9: Provides for a type II transfer of the Bureau of Onsite Sewage from the Department of Health to the Department of Environmental Protection.

Section 10: Provides that the act shall take effect July 1, 2009.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

The CS provides that an additional fee of \$20 be added to the cost of a septic tank inspection. Fifty percent of the revenues derived from the fee are to be used for the implementation of the Florida Springs Onsite Sewage Treatment and Disposal System Compliance Grant Program created in Section 1 of the CS. The remaining fees would be retained by the Department of Health.

There are some 2.3 million septic tanks in the state. The CS provides that all systems except those in areas where the density is less than 1 dwelling per 3 acres will be required to have an inspection. The number of systems that will qualify for the exemption is unknown.

The CS allows for a 10 year phase in of the program so annual revenues are expected to be minimal in the first years but once fully implemented it is anticipated that at least 400,000 inspections will be performed annually and generate \$8 million in revenues.

B. Private Sector Impact:

There will be an impact to individual landowners having to meet the onsite wastewater standards required in the CS. Depending on the specific priority designation of the springs in their area, they will be required to connect to some type of centralized collection system between July 1, 2016 and July 1, 2024. The CS does provide that onsite systems in areas with a density of less than 300 septic tanks per square mile will be exempt from this requirement. The number of individual homeowners that will be impacted by the requirement or exempt is indeterminate. Estimates, from the Department of Health, range from \$2,500 to \$20,000 as the cost of connecting to centralized systems for a standard family residence.

Individual homeowners that would be required to have their septic tank systems inspected would now be required to pay an additional \$20 once every five years. Data from a Department of Health report indicates that the current rate for inspection, evaluation, and pump out averages \$500.

Agriculture operations will face some additional cost to implement the necessary best-management practices that would be developed under the legislation. The specific cost is unknown because the practices have not yet been developed. However, it should be noted that even without the legislation many of these agriculture operations may still be

required to implement best-management practices as a result of the state's implementation of the Total Maximum Daily Load program.

The CS has a series of "going-forward" requirements designed to address future activities in spring protection zones. These requirements will have an impact on the private sector. Specific requirements and impacts include:

That any development not permitted as of July 2009, with a planned density exceeding 300 septic systems per square mile, will be required to provide some form of centralized collection and treatment. As indicated previously the cost hooking up to a centralized system is estimated to range from \$2,500 to \$20,000 per residence.

Any new septic tank system installed after July 2009 will be required to meet certain performance based criteria. Costs for performance based systems can vary depending on the level of performance and certain site characteristics. Data from the Department of Health indicates these systems range in price from \$10,000 to \$15,000, whereas conventional systems range in price from \$3,000 to \$6,000. The legislation does not prescribe a specific system but outlines the minimum criteria the system shall achieve.

A requirement that during the repair or modification of a septic system, it be determined if the system as installed meets setback requirements that ensure the protection of surface or groundwater. If the system does not meet these requirements, additional costs may be incurred to add fill dirt or modify a drainage field.

Individuals who violate the provision of the CS prohibiting the land application of septage will be subject to a \$250 fine for the first offense and a \$500 fine for a second or subsequent offense.

For individuals who may be required to replace their septic tank systems with new performance based systems, the CS creates the Florida Springs Onsite Sewage Treatment and Disposal System Compliance Grant Program. The purpose of which is to provide grants to those low-income property owners (up to 200% of the federal poverty level) to assist in complying with the new requirements of the legislation. Grants of up to \$5,000 will be made available to cover the difference between the cost of a traditional septic tank and that of a nitrate-reducing system. Based on the Department of Health data the cost differences can be expected to range between \$7,000 and \$9,000.

C. Government Sector Impact:

The CS directs the Department of Environmental Protection and the Department of Health to adopt rules to implement various provisions. It is anticipated that the agencies can accomplish the rule making within current budgets. Staff has requested fiscal impacts from the agencies.

Pursuant to a requirement in the 2008 – 2009 General Appropriations Act, the Department of Health was required to report on the cost of implementing a similar mandatory septic tank inspection program. Findings of the report estimate that program

costs of \$21.8 million would be fully funded from current application and permitting fees. The cost figure represents the one position that the Department of Health would require as well as the costs for the county health departments to implement the program.

The CS allows local governments an option to modify the boundaries of the spring protection zones by petitioning the Department of Environmental Protection. The cost of this process is indeterminate and will be directly related to the complexity of the specific spring zone.

Local governments are also required to evaluate and implement plans to reduce nitrogen loading from drainage wells and stormwater management systems constructed before 1982. The cost is unknown and will be dependent on the specific characteristics of each system and the extent of capital investment needed to bring the systems into compliance.

The CS provides that the Department of Environmental Protection develop a model ordinance for the use of fertilizers on urban landscapes. The department is to modify an existing model ordinance. Once completed by the Department of Environmental Protection, local governments are encouraged to adopt the model ordinance. However, local governments, located in a spring protection zone or that have impaired waters as listed by the Department of Environmental Protection are required to adopt the ordinance. There will be some cost to local governments to adopt the ordinances. The specific number of local governments that will be located in a spring protection zone is unknown, at a minimum there are 34 counties that will be impacted.

The CS also requires local governments to adopt a Department of Environmental Protection developed model ordinance for Florida Friendly Landscape Guidance Models for Ordinances, Covenants, and Restrictions.

The CS directs local governments during their next evaluation and appraisal cycle to update the appropriate comprehensive plan elements to address springs protection.

Wastewater discharge facilities, either publically or investor owned, will face costs for the implementation of treatment methods to achieve standards provided in the legislation. The cost to these facilities is highly dependent on individual facility characteristics. Factors such as size, level of treatment, and how fast to get to higher treatment levels will have significant bearing on the cost of this requirement. For those publically owned facilities that will be impacted by the requirements of the legislation, there exists the state's Clean Water Fund SRF loan program to provide assistance.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

The CS changes the originally filed bill in the following ways:

- Expands the Florida Springs Protection Act statewide from a 4-spring pilot program.
- Updates definitions to include relevant terms.
- Designates all counties and municipalities in which there are located first or second magnitudes as spring protection zones instead of delineation by travel times.
- Directs the Department of Environmental Protection to designate springs as high, medium and low priority based on nitrogen concentrations, which removes the designation of impaired and non impaired springs.
- Sets deadlines for compliance with certain requirements of this CS based on the spring priority designation.
- Allows counties and municipalities to apply for exemptions for certain geological areas that are determined not to impact springs. This is an opt-out provision, rather than the previous opt-in solution based on travel times.
- There are no longer differing standards for spring protection zones. Rather, the deadlines to meet the standards and requirements of this CS are staggered in time to allow spring protection zones with low priority springs more time to implement changes than those with high priority springs.
- Existing areas with septic system densities greater than or equal to 300 systems per square mile are required to connect to a central wastewater treatment facility or other centralized collection and treatment system by the priority-based deadlines. New developments not permitted as of July 1, 2009, with densities greater than or equal to 300 systems per square mile must connect to a central wastewater treatment facility or other centralized collection and treatment system.
- Animal feeding operations must implement best-management practices, address requirements for lined wastewater lagoons, and develop and implement nutrient management plans, including the land spreading of animal waste by the priority-based deadlines.
- Stormwater drainage wells and management systems constructed prior to 1982 must be evaluated and remediated to reduce nutrient loading to groundwater by the priority-based deadlines.
- Land application of septage is prohibited and new fines are established for violations.
- The prohibition on land application of Class AA wastewater residuals is added to the existing prohibition on Classes A and B. The existing exemption for Class AA residuals marketed and distributed as fertilizer remains.
- Local governments are required to adopt the Department of Environmental Protection's model ordinance for Florida Friendly Landscaping.
- Creates the Florida Springs Onsite Sewage Treatment and Disposal System Compliance Grant Program to assist low-income property owner to comply with the requirements of the CS.

- Directs the Department of Agriculture and Consumer Services to be the lead agency in coordinating rules development for nutrient loading of springs from nonpoint sources.
- Directs counties and municipalities to include a spring protection measure in their comprehensive plans during their next evaluation and appraisal report cycle, instead of within 18 months after the adoption of a spring protection zone.
- Creates a mandatory 5-year onsite sewage treatment and disposal system inspection program to be phased in over 10 years.
- Directs the Acquisition and Restoration Council to give priority to projects that fall within a spring protection zone.
- Recommends that local governments adopt a model ordinance for fertilizer use for the protection of urban and residential environments and water. Requires that counties located within the watershed of an impaired water body or water segment adopt the model ordinance, or a stricter ordinance.
- Requires the use of no-phosphorous fertilizers on urban turf after July 1, 2011, except to establish or maintain healthy turf if soil or tissue tests confirm that a phosphorous-containing fertilizer is needed.
- Provides for a type II transfer of the Bureau of Onsite Sewage from the Department of Health to the Department of Environmental Protection.

B. Amendments:

None.