

By Senator Oelrich

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1                   A bill to be entitled  
2           An act relating to water quality; providing  
3           legislative findings; directing the Department of  
4           Environmental Protection to contract with the National  
5           Academy of Science for an evaluation of issues related  
6           to the establishment of numeric nutrient criteria;  
7           requiring the department and the Department of  
8           Agriculture and Consumer Services to evaluate the  
9           sources and quantities of nutrients in surface waters;  
10          requiring a report to the Governor and Legislature by  
11          a certain date; providing for future expiration;  
12          providing an effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

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16           Section 1. Nutrient contribution to surface waters.-

17           (1) The Legislature finds that:

18           (a) The nutrients nitrogen and phosphorous in various forms  
19 are necessary for a healthy ecosystem; however, an imbalance of  
20 these nutrients may have adverse effects on the water quality  
21 and biological health of the state's surface waters.

22           (b) Policies and programs to abate harm caused by nutrient  
23 enrichment are necessary and must be based on sound science.

24           (c) The control and treatment of nutrients needed to abate  
25 harm caused by the nutrient enrichment of water will result in  
26 considerable cost to governments, businesses, utility customers,  
27 and individual citizens.

28           (d) A better understanding of the sources and quantities of  
29 nutrients that are found in surface waters is essential to

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30 developing an orderly process for nutrient source control and  
31 the abatement of nutrient enrichment.

32 (e) In order to plan for the social and economic effects of  
33 implementing numeric nutrient criteria, the costs, technologies,  
34 controls, and time required to implement the criteria through an  
35 orderly process must be understood.

36 (2) The Department of Environmental Protection is directed  
37 to contract with the National Academy of Sciences for a review  
38 and evaluation of scientific and technological issues related to  
39 the establishment of numeric nutrient criteria for surface  
40 waters in this state proposed by the United States Environmental  
41 Protection Agency. The department must ensure that the review  
42 and evaluation provide opportunities for input from scientists  
43 having expertise in nutrients and water quality and take into  
44 consideration such additional scientific and technological  
45 factors as the department determines are necessary and  
46 appropriate to the successful implementation of numeric nutrient  
47 criteria.

48 (3) The Department of Environmental Protection and the  
49 Department of Agriculture and Consumer Services are directed to  
50 conduct a general evaluation of sources and quantities of  
51 nutrients that are found in the state's surface waters. The  
52 Department of Environmental Protection shall use the information  
53 from the evaluation, as well as other relevant sources, to  
54 prepare an initial report to the Legislature which identifies  
55 issues that must be addressed in order to implement an orderly  
56 process for nutrient source control and abatement of nutrient  
57 enrichment and will achieve water quality standards.

58 (a) The report may include data about specific sources of

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59 nutrients and best estimates of the quantities of nutrients  
60 found in surface waters within regions. The report may also  
61 identify other issues, including those related to costs,  
62 available and developing technologies and management practices,  
63 and the timing of implementation that may need to be addressed  
64 in developing an orderly process for nutrient source control and  
65 abatement of nutrient enrichment.

66 (b) In developing the report, the Department of  
67 Environmental Protection shall provide opportunities for  
68 interested parties and the public to provide relevant  
69 information. Other state agencies, the Institute for Food and  
70 Agricultural Sciences at the University of Florida, the water  
71 management districts, other research institutions, and private-  
72 sector scientists having expertise in nutrients and water  
73 quality may be called on for assistance. The department shall  
74 periodically apprise the relevant substantive committees of the  
75 Legislature on the progress and results of the evaluation.

76 (c) The Department of Environmental Protection shall report  
77 the results of its evaluation, together with any recommendations  
78 for future actions or statutory changes, to the Governor, the  
79 President of the Senate, and the Speaker of the House of  
80 Representatives by January 31, 2011. Copies of the report shall  
81 also be provided to the Florida Congressional Delegation.

82 (4) This section expires March 30, 2011.

83 Section 2. This act shall take effect upon becoming a law.