

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Williams, T. offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 4128 and 4129, insert:

5 Section 51. (1) The Legislature finds the following with
6 respect to nutrient water quality standards:

7 (a) Nutrients are essential for the biological health and
8 productivity of Florida waters.

9 (b) A delicate relationship exists between the level of
10 nutrients in a waterbody and its health and productivity.

11 (c) Increasing the level of nutrients in combination with
12 site-specific conditions can cause impairment to a waterbody.

13 (d) The establishment of numeric nutrient criteria in a
14 manner that fails to take into account site-specific factors may
15 result in criteria that lack adequate scientific support and
16 cause unintended environmental and economic consequences.

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17 (e) The total maximum daily load program is the best
18 mechanism for establishing numeric nutrient standards for
19 nutrient-impaired waterbodies and restoring nutrient-impaired
20 waterbodies, and consistent with the congressional intent
21 expressed in the Clean Water Act, any numeric nutrient criteria
22 established pursuant to s. 303(c) of the Clean Water Act should
23 work in concert with the total maximum daily load program, the
24 state stormwater treatment rule, and other water quality
25 programs.

26 (f) The state currently implements a narrative nutrient
27 criterion and, while complicated, the establishment of sound
28 science-based numeric nutrient criteria to complement the
29 narrative criterion would enhance the ability of the state to
30 achieve a balance of adequate nutrients to sustain aquatic life
31 while not allowing excess nutrients that will alter the aquatic
32 ecosystem.

33 (g) The state's reclaimed lakes, canals, and ditches
34 represent unique surface waters for which alternative uses and
35 associated criteria are appropriate.

36 (2) The Legislature further finds the following with
37 respect to the United States Environmental Protection Agency's
38 nutrient water quality criteria rulemaking:

39 (a) The agency's January 2010 proposed water quality
40 standards for the state fail to take into account the unique
41 characteristics of the state's many thousands of rivers,
42 streams, and canals.

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43 (b) The agency's January 2010 proposed water quality
44 standards fail to incorporate, and may undermine, the state's
45 science-based total maximum daily loads program.

46 (c) The finalization and implementation of the agency's
47 January 2010 proposed water quality standards will have severe
48 economic consequences on the state's agriculture, local
49 governments, wastewater utilities, economically vital
50 industries, small businesses, and residents living below the
51 poverty level or on fixed incomes.

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T I T L E A M E N D M E N T

56 Between lines 208 and 209, insert:
57 providing legislative findings with respect to nutrient
58 water quality standards and the United States
59 Environmental Protection Agency's nutrient water quality
60 criteria rulemaking;