

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Williams, T. offered the following:

Amendment

Remove lines 97-248 and insert:

3. Human Use 3 – Protection of fish consumption and full body contact.–This use requires maintaining a level of water quality that prevents accumulation of substances harmful to human health in fish tissue. Recreational uses may support prolonged and direct contact with the water with minimal risk of water ingestion in quantities sufficient to pose a health hazard.

4. Human Use 4 – Protection of fish consumption and incidental human contact.–This use requires maintaining a level of water quality that prevents accumulation of substances harmful to human health in fish tissue. Recreational uses may result in contact with the water that is incidental or

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17 accidental with minimal risk of water ingestion. Other uses
18 include, but are not limited to, waters used for flood control,
19 shipping ports, stormwater or agricultural conveyance or
20 storage, nonpotable water supply, or waters that are constructed
21 and wholly artificial.

22 5. Human Use 5 – Protection of fish consumption.–This use
23 requires maintaining a level of water quality that prevents
24 accumulation of substances harmful to human health in fish
25 tissue. Human contact with the water is limited or restricted
26 due to unsafe physical conditions. Other uses include, but are
27 not limited to, waters used for flood control, shipping ports,
28 stormwater or agricultural conveyance or storage, nonpotable
29 water supply, or waters that are constructed and wholly
30 artificial.

31 6. Human Use 6 – Protection of waters for crop irrigation
32 or consumption by livestock.–This use requires maintaining a
33 level of water quality suitable for consumption of water by
34 livestock or surface water withdrawal for the irrigation of
35 cropland.

36 7. Human Use 7 – Utility and industrial uses.–This use
37 requires maintaining a level of water quality suitable for
38 utility and industrial purposes.

39 (b) Aquatic Life Uses.–

40 1. Aquatic Life Use 1 – Propagation and maintenance of
41 exceptional aquatic communities that approximate the biological
42 structure and function of the natural background.–Under this
43 use, natural structural, functional, and taxonomic integrity is
44 preserved or approximated; structure and function are similar to

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45 the natural community; and ecosystem level functions are fully
46 maintained.

47 2. Aquatic Life Use 2 – Propagation and maintenance of
48 healthy, well-balanced aquatic communities with minimal
49 deviation of the biological structure and function relative to
50 the natural background.–Under this use, overall balanced
51 distribution of all expected groups of taxa and all ecosystem
52 functions are fully maintained. May have minimal changes in the
53 biological structure as evidenced by the replacement of
54 sensitive taxa by more tolerant taxa.

55 3. Aquatic Life Use 3 – Protection of aquatic communities
56 with moderate deviation of the biological structure and function
57 relative to the natural background.–Under this use, changes in
58 the biological structure and function have resulted in an
59 altered aquatic community, a transition between a community
60 characterized by sensitive or expected taxa to one characterized
61 by tolerant taxa has occurred, and biology may be limited due to
62 habitat limitations, hydrologic modifications, physical
63 alterations, or other factors identified by department rule.

64 4. Aquatic Life Use 4 – Protection of aquatic communities
65 with substantial deviation of the biological structure and
66 function relative to the natural background.–Under this use,
67 substantial changes in the biological structure and function
68 have resulted in a limited aquatic community, the community
69 consists primarily of tolerant taxa able to survive and
70 propagate under adverse or variable environmental conditions,
71 and biology may be limited due to extreme habitat limitations,

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72 hydrologic modifications, physical alterations, or other factors
73 identified by department rule.

74 (2) Unless otherwise specified by department rule, the
75 following surface water classifications are renamed:

76 (a) Class I is renamed as Human Use 1/Aquatic Life Use 2.

77 (b) Class II is renamed as Human Use 2/Aquatic Life Use 2.

78 (c) Class III is renamed as Human Use 3/Aquatic Life Use
79 2.

80 (d) Class IV is renamed as Human Use 6 and includes the
81 Class IV classification criteria.

82 (e) Class V is renamed as Human Use 7 and includes the
83 Class V classification criteria.

84 (3) (a) Surface waters or groups of similar surface waters
85 shall be assigned classifications under this section pursuant to
86 chapter 120. When adopting waters into appropriate
87 classifications, the department shall:

88 1. Consider that manmade or other structurally modified
89 waters may exhibit physical, hydrologic, and other factors that
90 limit the attainable uses of the water.

91 2. Assess the economic costs of achieving designated uses
92 on individual entities and communities.

93 3. Establish appropriate water quality criteria for the
94 waters.

95 (b) Surface waters constructed pursuant to chapter 378,
96 excluding wetlands or any waters constructed for the purposes of
97 mitigation under chapter 373, may not be assigned a
98 classification until the department approves the constructed
99 waterbody for final release of obligations under chapter 378.

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100 Upon approval, the constructed waterbody shall be classified
101 based on the highest attainable uses considering the location
102 and purpose for which the surface water was constructed.

103 (4) The department may adopt rules to implement this
104 section. If the department determines that changes are necessary
105 to improve the classification system under this section, it
106 shall adopt an updated classification system by rule, which
107 shall be subject to ratification by the Legislature. Upon
108 ratification of the department rule, this section is repealed.

109 Section 4. Effective July 1, 2012, paragraph (d) of
110 subsection (4) of section 373.199, Florida Statutes, is amended
111 to read:

112 373.199 Florida Forever Water Management District Work
113 Plan.—

114 (4) The list submitted by the districts shall include,
115 where applicable, the following information for each project:

116 (d) A description of strategies and potential strategies,
117 including improved stormwater management, for restoring or
118 protecting the water body to Human Use 3/Aquatic Life Use 2
119 ~~Class III~~ or better surface water quality status. Such
120 strategies may utilize alternative technologies for pollutant
121 reduction, such as cost-effective biologically-based, hybrid
122 wetlands/chemical and other innovative nutrient control
123 technologies.

124 Section 5. Effective July 1, 2012, paragraph (e) of
125 subsection (2) of section 373.453, Florida Statutes, is amended
126 to read:

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127 373.453 Surface water improvement and management plans and
128 programs.—

129 (2) Unless otherwise provided by law, the water management
130 districts, in cooperation with state agencies, local
131 governments, and others, may develop surface water improvement
132 and management plans and programs for the water bodies
133 identified on the priority lists. Plans developed pursuant to
134 this subsection shall include, but not be limited to:

135 (e) A description of strategies and a schedule for related
136 management actions for restoring or protecting the water body to
137 Human Use 3/Aquatic Life Use 2 Class III or better, including
138 those needed to help achieve state-adopted total maximum daily
139 loads for the water body;

140 Section 6. Effective July 1, 2012, paragraph (m) of
141 subsection (2) and paragraph (e) of subsection (4) of section
142 373.4592, Florida Statutes, are amended to read:

143 373.4592 Everglades improvement and management.—

144 (2) DEFINITIONS.—As used in this section:

145 (m) "Phosphorus criterion" means a numeric interpretation
146 for phosphorus of the applicable Class III narrative nutrient
147 criterion.

148 (4) EVERGLADES PROGRAM.—

149 (e) Evaluation of water quality standards.—

150 1. The department and the district shall employ all means
151 practicable to complete by December 31, 1998, any additional
152 research necessary to:

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153 a. Numerically interpret for phosphorus the applicable
154 ~~Class III~~ narrative nutrient criterion necessary to meet water
155 quality standards in the Everglades Protection Area; and