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LEGISLATIVE ACTION

Senate

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House

The Committee on Appropriations (Montford) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (c) of subsection (1) of section
201.15, Florida Statutes, is amended to read:

201.15 Distribution of taxes collected.—All taxes collected
under this chapter are subject to the service charge imposed in
s. 215.20(1). Prior to distribution under this section, the
Department of Revenue shall deduct amounts necessary to pay the



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11 costs of the collection and enforcement of the tax levied by
12 this chapter. Such costs and the service charge may not be
13 levied against any portion of taxes pledged to debt service on
14 bonds to the extent that the costs and service charge are
15 required to pay any amounts relating to the bonds. After
16 distributions are made pursuant to subsection (1), all of the
17 costs of the collection and enforcement of the tax levied by
18 this chapter and the service charge shall be available and
19 transferred to the extent necessary to pay debt service and any
20 other amounts payable with respect to bonds authorized before
21 January 1, 2013, secured by revenues distributed pursuant to
22 subsection (1). All taxes remaining after deduction of costs and
23 the service charge shall be distributed as follows:

24 (1) Sixty-three and thirty-one hundredths percent of the
25 remaining taxes shall be used for the following purposes:

26 (c) After the required payments under paragraphs (a) and
27 (b), the remainder shall be paid into the State Treasury to the
28 credit of:

29 1. The State Transportation Trust Fund in the Department of
30 Transportation in the amount of the lesser of 38.2 percent of
31 the remainder or \$541.75 million in each fiscal year. Out of
32 such funds, the first \$50 million for the 2012-2013 fiscal year;
33 \$65 million for the 2013-2014 fiscal year; and \$75 million for
34 the 2014-2015 fiscal year and all subsequent years, shall be
35 transferred to the State Economic Enhancement and Development
36 Trust Fund within the Department of Economic Opportunity. The
37 remainder shall ~~is to~~ be used for the following specified
38 purposes, notwithstanding any other law ~~to the contrary~~:

39 a. For the purposes of capital funding for the New Starts



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40 Transit Program, authorized by Title 49, U.S.C. s. 5309 and
41 specified in s. 341.051, 10 percent of these funds;

42 b. For the purposes of the Small County Outreach Program
43 specified in s. 339.2818, 5 percent of these funds. Effective
44 July 1, 2014, the percentage allocated under this sub-
45 subparagraph shall be increased to 10 percent;

46 c. For the purposes of the Strategic Intermodal System
47 specified in ss. 339.61, 339.62, 339.63, and 339.64, 75 percent
48 of these funds after allocating for the New Starts Transit
49 Program described in sub-subparagraph a. and the Small County
50 Outreach Program described in sub-subparagraph b.; and

51 d. For the purposes of the Transportation Regional
52 Incentive Program specified in s. 339.2819, 25 percent of these
53 funds after allocating for the New Starts Transit Program
54 described in sub-subparagraph a. and the Small County Outreach
55 Program described in sub-subparagraph b. Effective July 1, 2014,
56 the first \$60 million of the funds allocated pursuant to this
57 sub-subparagraph shall be allocated annually to the Florida Rail
58 Enterprise for the purposes established in s. 341.303(5).

59 2. The Grants and Donations Trust Fund in the Department of
60 Economic Opportunity in the amount of the lesser of 0.23 ~~.23~~
61 percent of the remainder or \$3.25 million in each fiscal year to
62 fund technical assistance to local governments.

63 3. The Ecosystem Management and Restoration Trust Fund in
64 the amount of:

65 a. The lesser of 2.12 percent of the remainder or \$30
66 million in each fiscal year, to be used for the preservation and
67 repair of the state's beaches as provided in ss. 161.091-
68 161.212; and



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69 b. Five and four tenths percent of the remainder in each
70 fiscal year to be used for the restoration and protection of
71 springs pursuant to part VIII of chapter 373, and for the
72 acquisition of parcels identified by the Department of
73 Environmental Protection or by a water management district for
74 the restoration and protection of Outstanding Florida Springs,
75 as defined in s. 373.802.

76 4. General Inspection Trust Fund in the amount of the
77 lesser of 0.02 ~~0.02~~ percent of the remainder or \$300,000 in each
78 fiscal year to be used to fund oyster management and restoration
79 programs as provided in s. 379.362(3).

80
81 Moneys distributed pursuant to this paragraph may not be pledged
82 for debt service unless such pledge is approved by referendum of
83 the voters.

84 Section 2. Subsection (1) of section 373.042, Florida
85 Statutes, is amended to read:

86 373.042 Minimum flows and levels.—

87 (1) Within each section, or within the water management
88 district as a whole, the department or the governing board shall
89 establish the following:

90 (a) Minimum flow for all surface watercourses in the area.
91 The minimum flow for a given watercourse is ~~shall be~~ the limit
92 at which further withdrawals would be significantly harmful to
93 the water resources or ecology of the area.

94 (b) Minimum water level. The minimum water level is ~~shall~~
95 ~~be~~ the level of groundwater in an aquifer and the level of
96 surface water at which further withdrawals would be
97 significantly harmful to the water resources of the area.



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98 (c) Minimum flow and minimum water level for an Outstanding
99 Florida Spring, as defined in s. 373.802. The minimum flow and
100 minimum water level are the limit and level, respectively, at
101 which further withdrawals would be harmful to the water
102 resources or ecology of the area.

103
104 The minimum flow and minimum water level shall be calculated by
105 the department and the governing board using the best
106 information available. When appropriate, minimum flows and
107 minimum water levels may be calculated to reflect seasonal
108 variations. The department and the governing board shall ~~also~~
109 consider, and at their discretion may provide for, the
110 protection of nonconsumptive uses in the establishment of
111 minimum flows and minimum water levels.

112 Section 3. Paragraph (a) of subsection (1) of section
113 373.0421, Florida Statutes, is amended to read:

114 373.0421 Establishment and implementation of minimum flows
115 and levels.—

116 (1) ESTABLISHMENT.—

117 (a) Considerations.—When establishing minimum flows and
118 minimum water levels pursuant to s. 373.042, the department or
119 governing board shall consider changes and structural
120 alterations to watersheds, surface waters, and aquifers and the
121 effects such changes or alterations have had, and the
122 constraints such changes or alterations have placed, on the
123 hydrology of an affected watershed, surface water, or aquifer,
124 provided that nothing in this paragraph shall allow significant
125 harm as provided by s. 373.042(1) (a) and (b), or harm as
126 provided by s. 373.042(1)(c), caused by withdrawals.



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127 Section 4. Part VIII of chapter 373, Florida Statutes,
128 consisting of sections 373.801, 373.802, 373.803, 373.805,
129 373.807, 373.809, 373.811, 373.813, and 373.815, Florida
130 Statutes, is created and entitled the "Florida Springs and
131 Aquifer Protection Act."

132 Section 5. Section 373.801, Florida Statutes, is created to
133 read:

134 373.801 Legislative findings and intent.—

135 (1) The Legislature finds that springs are a unique part of
136 this state's scenic beauty. Springs provide critical habitat for
137 plants and animals, including many endangered or threatened
138 species. Springs also provide immeasurable natural,
139 recreational, economic, and inherent value. Flow level and water
140 quality of springs are indicators of local conditions of the
141 Floridan Aquifer, which is the source of drinking water for many
142 residents of this state. Springs are of great scientific
143 importance in understanding the diverse functions of aquatic
144 ecosystems. In addition, springs provide recreational
145 opportunities for swimming, canoeing, wildlife watching,
146 fishing, cave diving, and many other activities in this state.
147 Because of such recreational opportunities and the accompanying
148 tourism, state and local economies benefit from many of the
149 springs in this state.

150 (2) Water quantity and water quality in springs are
151 related. For regulatory purposes, the department has primary
152 responsibility for water quality; the water management districts
153 have primary responsibility for water quantity; the Department
154 of Agriculture and Consumer Services has primary responsibility
155 for the development and implementation of best management



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156 practices; and local governments have primary responsibility for
157 providing wastewater and stormwater management. The foregoing
158 responsible entities must work together in a coordinated manner
159 to restore and maintain the water quantity and water quality for
160 Outstanding Florida Springs.

161 (3) The Legislature recognizes that:

162 (a) Springs are only as healthy as their springsheds. The
163 groundwater that supplies springs is derived from water that
164 recharges the aquifer system in the form of seepage from the
165 land surface and through direct conduits such as sinkholes.
166 Springs may be adversely affected by polluted runoff from urban
167 and agricultural lands; discharge resulting from inadequate
168 wastewater and stormwater management practices; stormwater
169 runoff; and the reduced water levels of the Floridan Aquifer. As
170 a result, the hydrologic and environmental conditions of a
171 spring or spring run are directly influenced by activities and
172 land uses within a springshed and by water withdrawals from the
173 Floridan Aquifer.

174 (b) Springs, whether found in urban or rural settings, or
175 on public or private lands, are threatened by actual or
176 potential flow reductions and declining water quality. Many of
177 this state's springs are demonstrating signs of significant
178 ecological imbalance, increased nutrient loading, and declining
179 water flow. Without effective remedial actions, further declines
180 in water quality and water quantity may occur.

181 (c) Springshed boundaries and areas of high vulnerability
182 within a springshed need to be identified and delineated using
183 the best available data.

184 (d) Because springsheds cross water management district and



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185 local government jurisdictional boundaries, a coordinated
186 statewide springs protection plan is needed.

187 (e) The aquifers and springs of this state are complex
188 systems affected by many variables and influences.

189 (4) The Legislature recognizes that sufficient information
190 exists to act, action is urgently needed, and action can be
191 continually modified as additional data is acquired.

192 Section 6. Section 373.802, Florida Statutes, is created to
193 read:

194 373.802 Definitions.—As used in this part, the term:

195 (1) "Department" means the Department of Environmental
196 Protection, which includes the Florida Geological Survey or its
197 successor agency or agencies.

198 (2) "Local government" means a county or municipal
199 government the jurisdictional boundaries of which include an
200 Outstanding Florida Spring, or any part of a delineated
201 springshed or spring protection and management zone for an
202 Outstanding Florida Spring.

203 (3) "Onsite sewage treatment and disposal system" means a
204 system that contains a standard subsurface, filled, or mound
205 drainfield system; an aerobic treatment unit; a graywater system
206 tank; a laundry wastewater system tank; a septic tank; a grease
207 interceptor; a pump tank; a solids or effluent pump; a
208 waterless, incinerating, or organic waste-composting toilet; or
209 a sanitary pit privy that is installed or proposed to be
210 installed beyond the building sewer on land of the owner or on
211 other land to which the owner has the legal right to install a
212 system. The term includes any item placed within, or intended to
213 be used as a part of or in conjunction with, the system. The



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214 term does not include package sewage treatment facilities and
215 other treatment works regulated under chapter 403.

216 (4) "Outstanding Florida Spring" includes all historic
217 first magnitude springs, as determined by the department using
218 the most recent Florida Geological Survey springs bulletin, and
219 the following springs, and their associated spring runs:

- 220 (a) DeLeon Spring;
- 221 (b) Peacock Spring;
- 222 (c) Poe Spring;
- 223 (d) Rock Springs;
- 224 (e) Wekiwa Spring; and
- 225 (f) Gemini Spring.

226 (5) "Spring protection and management zone" means the area
227 or areas of a springshed where the Floridan Aquifer is
228 vulnerable to sources of contamination or reduced levels, as
229 determined by the department in consultation with the
230 appropriate water management districts.

231 (6) "Spring run" means a body of flowing water that
232 originates from a spring or whose primary source of water is a
233 spring or springs under average rainfall conditions.

234 (7) "Springshed" means the areas within the groundwater and
235 surface water basins which contribute, based upon all relevant
236 facts, circumstances, and data, to the discharge of a spring as
237 defined by potentiometric surface maps and surface watershed
238 boundaries.

239 (8) "Spring vent" means a location where groundwater flows
240 out of a natural, discernable opening in the ground onto the
241 land surface or into a predominantly fresh surface waterbody.

242 Section 7. Section 373.803, Florida Statutes, is created to



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243 read:

244 373.803 Delineation of spring protection and management
245 zones for Outstanding Florida Springs.—Using the best data
246 available from the water management districts and other credible
247 sources, the department, in coordination with the water
248 management districts, shall delineate one or more spring
249 protection and management zones for each Outstanding Florida
250 Spring. In delineating spring protection and management zones,
251 the department shall consider groundwater travel time to the
252 spring, hydrogeology, and nutrient load. The delineation of
253 spring protection and management zones must be completed by July
254 1, 2015. In conjunction with delineating a spring protection and
255 management zone for an Outstanding Florida Spring, the
256 department shall adopt by rule, pursuant to ss. 120.536(1) and
257 120.54, maps and legal descriptions that depict the delineated
258 spring protection and management zone or zones for that spring
259 as soon as practicable but no later than July 1, 2016.

260 Section 8. Section 373.805, Florida Statutes, is created to
261 read:

262 373.805 Minimum flows and minimum water levels for
263 Outstanding Florida Springs.—

264 (1) (a) Each water management district shall establish a
265 minimum flow and minimum water level for each Outstanding
266 Florida Spring within its jurisdiction by July 1, 2015, in
267 accordance with ss. 373.042 and 373.0421. The deadline may be
268 extended each year until July 1, 2022, if a water management
269 district provides sufficient evidence to the department that an
270 extension is in the best interest of the public.

271 (b) If an area contributes or has contributed to the flow



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272 of an Outstanding Florida Spring and that area is in more than
273 one water management district or is impacted by withdrawals
274 outside of the water management district where the Outstanding
275 Florida Spring is located, the department, in conjunction with
276 the affected water management districts, shall establish a
277 minimum flow and minimum water level by July 1, 2017, in
278 accordance with ss. 373.042 and 373.0421.

279 (2) At the time a minimum flow or minimum water level is
280 adopted for an Outstanding Florida Spring, if the spring is
281 below or is projected within 20 years to fall below the initial
282 minimum flow or minimum water level, a water management
283 district, pursuant to paragraph (1) (a), or the department,
284 pursuant to paragraph (1) (b), shall simultaneously adopt a
285 recovery or prevention strategy required by s. 373.0421.

286 (3) For an Outstanding Florida Spring, a minimum flow and
287 minimum water level adopted before July 1, 2014, must be revised
288 by July 1, 2017. When a minimum flow or minimum water level is
289 revised, if the spring is below or is projected within 20 years
290 to fall below the revised minimum flow or minimum water level, a
291 water management district, pursuant to paragraph (1) (a), or the
292 department, pursuant to paragraph (1) (b), shall simultaneously
293 adopt a recovery or prevention strategy required by s.
294 373.0421(2) or modify an existing recovery or prevention
295 strategy. A district or the department may adopt the revised
296 minimum flow and minimum water level prior to the adoption of a
297 recovery or prevention strategy if the revised minimum flow and
298 minimum water level is less constraining on existing or
299 projected future consumptive uses.

300 (4) For an Outstanding Florida Spring without an adopted



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301 recovery or prevention strategy, when a district or the
302 department determines the spring has fallen below, or is
303 projected within 20 years to fall below the adopted minimum flow
304 or minimum water level, a water management district, pursuant to
305 paragraph (1) (a), or the department, pursuant to paragraph
306 (1) (b), shall expeditiously adopt a recovery or prevention
307 strategy.

308 (5) The recovery or prevention strategy for each
309 Outstanding Florida Spring must include, at a minimum:

310 (a) A listing of all specific projects identified for
311 implementation of a recovery or prevention strategy.

312 (b) A priority listing of each project.

313 (c) The estimated cost for each listed project.

314 (d) For each listed project, the estimated date of
315 completion.

316 (e) The source and amount of financial assistance to be
317 made available by the water management district for each listed
318 project, which may not be less than 25 percent of the total
319 project cost unless a specific funding source or sources are
320 identified which will provide more than 75 percent of the total
321 project cost. The Northwest Florida Water Management District
322 and the Suwannee River Water Management District are not
323 required to provide matching funds pursuant to this paragraph.

324 (f) An estimate of each listed project's benefit to an
325 Outstanding Florida Spring.

326 (g) A map and legal descriptions depicting the spring
327 protection and management zones established pursuant to s.
328 373.803.

329 (h) An implementation plan to achieve the adopted minimum



330 flow and minimum water level within 15 years of the adoption of
331 a recovery or prevention strategy. The plan must include
332 measureable interim milestones to be achieved within 5 and 10
333 years to achieve the adopted minimum flow and minimum water
334 level.

335 Section 9. Section 373.807, Florida Statutes, is created to
336 read:

337 373.807 Protection of water quality in Outstanding Florida
338 Springs.—By July 1, 2014, the department shall initiate
339 assessment, pursuant to 403.067(3), of each Outstanding Florida
340 Spring for which an impairment determination has not been made
341 under the numeric nutrient standards in effect for spring vents.
342 Assessments must be completed by July 1, 2017.

343 (1) (a) Simultaneously with the adoption of a nutrient total
344 maximum daily load for an Outstanding Florida Spring, the
345 department, or the department in conjunction with a water
346 management district, shall initiate development of a basin
347 management action plan, as specified in s. 403.067. For an
348 Outstanding Florida Spring with a nutrient total maximum daily
349 load adopted prior to July 1, 2014, the department, or the
350 department in conjunction with a water management district,
351 shall initiate development of a basin management action plan by
352 July 1, 2014. During the development of a basin management
353 action plan, if the department identifies onsite sewage
354 treatment and disposal systems as nonpoint sources of nutrient
355 pollution that need addressing within a local government
356 jurisdiction, the department shall notify the local government
357 within 30 days, which shall develop an onsite sewage treatment
358 and disposal system remediation plan pursuant to subsection (3)



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359 for inclusion in the basin management action plan.
360 (b) A basin management action plan for an Outstanding
361 Florida Spring shall be adopted within 3 years of its initiation
362 and must include, at minimum:
363 1. A list of all specific projects identified to implement
364 a nutrient total maximum daily load.
365 2. A list of all specific projects identified in an onsite
366 sewage treatment and disposal system remediation plan, if
367 applicable.
368 3. A priority rank for each listed project.
369 4. The estimated cost for each listed project.
370 5. For each listed project, the estimated date of
371 completion.
372 6. The source and amount of financial assistance to be made
373 available by the department, a water management district, or
374 other entity for each listed project.
375 7. An estimate of each listed project's nutrient load
376 reduction.
377 8. A map and legal descriptions depicting the spring
378 protection and management zones established pursuant to s.
379 373.803.
380 9. Identification of each point source or category of
381 nonpoint sources, including but not limited to, urban turf
382 fertilizer, sports turf fertilizer, agricultural fertilizer,
383 onsite sewage treatment and disposal systems, wastewater
384 treatment facilities, animal wastes, and stormwater facilities.
385 An estimated allocation of the pollutant load must be provided
386 for each point source or category of nonpoint sources.
387 10. An implementation plan to achieve the adopted nutrient



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388 total maximum daily load within 15 years of the adoption of a
389 basin management action plan. The plan must include measureable
390 interim milestones to be achieved within 5 and 10 years to
391 achieve the adopted nutrient total maximum daily load.

392 (c) For a basin management action plan adopted before July
393 1, 2014, that addresses an Outstanding Florida Spring, the
394 department, or the department in conjunction with a water
395 management district, shall revise the plan by July 1, 2017,
396 pursuant to this section.

397 (d) Upon approval of an onsite sewage treatment and
398 disposal system remediation plan, the plan shall be deemed
399 incorporated as part of the appropriate basin management action
400 plan until such time as the basin management action plan is
401 revised pursuant to s. 403.067(7).

402 (2) Within 6 months of the delineation of a spring
403 protection and management zone or zones of an Outstanding
404 Florida Spring that is fully or partially within the
405 jurisdiction of a local government, a local government must
406 develop, enact, and implement an ordinance that meets or exceeds
407 the requirements of the department's Model Ordinance for
408 Florida-Friendly Fertilizer Use on Urban Landscapes. Such
409 ordinance must require that, within a spring protection and
410 management zone of an Outstanding Florida Spring with an adopted
411 nutrient total maximum daily load, the nitrogen application rate
412 of any fertilizer applied to turf or landscape plants may not
413 exceed the lowest, basic maintenance rate of the most recent
414 recommendations by the Institute of Food and Agricultural
415 Sciences. The department shall adopt rules to implement this
416 paragraph which establish reasonable minimum standards and



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417 reflect advancements or improvements regarding nutrient load
418 reductions.

419 (3) By July 1, 2016, the department, in conjunction with
420 the Department of Health and local governments, must identify
421 onsite sewage treatment and disposal systems within each spring
422 protection and management zone. Within 60 days of the
423 department's completion of the identification of these systems,
424 the department shall provide the location of these systems to
425 the local governments in which they are located. If notified by
426 the department pursuant to subsection (1), the local government,
427 in consultation with the department, shall develop an onsite
428 sewage treatment and disposal system remediation plan within 12
429 months of notification by the department. For each onsite sewage
430 treatment and disposal system or group of systems, the plan must
431 include whether the systems require upgrading, connection to a
432 central sewerage system, or no action. The plan must also
433 include a priority ranking for each system or group of systems
434 that require remediation. Each remediation plan must be
435 submitted to the department for approval.

436 (a) In reviewing and approving the remediation plans, the
437 department shall consider, at a minimum:

438 1. The density of onsite sewage treatment and disposal
439 systems.

440 2. The number of onsite sewage treatment and disposal
441 systems.

442 3. The proximity of the onsite sewage treatment and
443 disposal system or systems to an Outstanding Florida Spring

444 4. The estimated nutrient loading of the onsite sewage
445 treatment and disposal system or systems.



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446 5. The cost of the proposed remedial action.

447 (b) Prior to submitting an onsite sewage treatment and
448 disposal system remediation plan to the department, the local
449 government shall hold at least one public meeting to provide the
450 public an opportunity to comment on the plan. The approval of an
451 onsite sewage treatment and disposal system remediation plan by
452 the department constitutes a final agency action.

453 (c) If a local government does not substantially comply
454 with this subsection, it may be ineligible for funding pursuant
455 to s. 373.809.

456 (4) With respect to implementation of an onsite sewage
457 treatment and disposal system remediation plan, a property owner
458 with an onsite sewage treatment and disposal system identified
459 by the plan may not be required to pay any of the costs of a
460 system inspection or for upgrading a system, or connection fees
461 for connection to a sanitary sewer system. This subsection does
462 not apply to local government programs in existence before July
463 1, 2014, that are inconsistent with this subsection.

464 Section 10. Section 373.809, Florida Statutes, is created
465 to read:

466 373.809 Funding for the restoration and preservation of
467 Outstanding Florida Springs.—

468 (1) Projects to implement an adopted basin management
469 action plan or an adopted recovery or prevention strategy for
470 Outstanding Florida Springs are eligible for funding from
471 documentary stamp tax revenues deposited into the Ecosystem
472 Management and Restoration Trust Fund in accordance with s.
473 201.15(1)(c)3.b. The Legislature may use other sources of
474 revenue to fund projects that will benefit an adopted basin



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475 management action plan or an adopted recovery or prevention
476 strategy for Outstanding Florida Springs.

477 (2) By December 31, 2014, the department shall adopt rules
478 to fund pilot projects that test the effectiveness of innovative
479 or existing nutrient reduction or water conservation
480 technologies or practices designed to minimize nutrient
481 pollution in the springs of this state. The department may
482 approve funding for pilot projects each funding cycle if the
483 department determines that the pilot project will not be harmful
484 to the ecological resources in the study area.

485 (3) By December 31, 2014, the department shall adopt rules
486 to evaluate, rank, and select projects eligible for funding
487 under this part or land acquisition pursuant to s.
488 201.15(1)(c)3.b. In developing these rules, the department shall
489 give preference to the projects that will result in the greatest
490 improvement to water quality and water quantity for the dollars
491 to be expended for the project. At a minimum, the department
492 shall consider:

493 (a) The level of nutrient impairment of the Outstanding
494 Florida Spring in which the project is located.

495 (b) The quantity of pollutants, particularly total
496 nitrogen, the project is estimated to remove from an Outstanding
497 Florida Spring with an adopted nutrient total maximum daily
498 load.

499 (c) The flow necessary to restore the Outstanding Florida
500 Spring to its adopted minimum flow or minimum water level.

501 (d) The anticipated impact the project will have on
502 restoring or increasing water flow or water level.

503 (e) The amount of matching funds for the project that will



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504 be provided by the entities responsible for implementing the
505 project.

506 (f) For multiple-year projects, whether the project has
507 funding sources that are identified and assured through the
508 expected completion date of the project.

509 (g) The cost of the project and the length of time it will
510 take to complete relative to its expected benefits.

511 (h) Whether the entities responsible for implementing the
512 project, since July 1, 2009, have used their own funds for
513 projects to improve water quality or conserve water use within a
514 springshed or spring protection and management zone of an
515 Outstanding Florida Spring, with preference given to those
516 entities that have expended such funds.

517 (4) Moneys in the Ecosystem Management and Restoration
518 Trust Fund not needed in the current fiscal year to meet
519 obligations incurred under this part shall be deposited with the
520 Chief Financial Officer to the credit of the fund and may be
521 invested in the manner provided by law. Interest received on
522 such investments shall be credited to the fund to be used for
523 the purposes of this part.

524 Section 11. Section 373.811, Florida Statutes, is created
525 to read:

526 373.811 Prohibited activities within a spring protection
527 and management zone of an Outstanding Florida Spring.—The
528 following activities are prohibited within a spring protection
529 and management zone of an Outstanding Florida Spring:

530 (1) New municipal or industrial wastewater disposal
531 facilities, including rapid infiltration basins, with permitted
532 capacities of 100,000 gallons per day or more, except for those



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533 facilities that meet an advanced wastewater treatment standard
534 of no more than 3 mg/L Total Nitrogen, expressed as N, on an
535 annual permitted basis, or a higher treatment standard if the
536 department determines the higher standard is necessary to
537 prevent impairment or aid in the recovery of an Outstanding
538 Florida Spring.

539 (2) New onsite sewage treatment and disposal systems on
540 lots less than 1 acre, except for passive nitrogen removing
541 onsite sewage treatment and disposal systems approved by the
542 Department of Health. This subsection does not take effect until
543 6 months after the Department of Health has approved such a
544 system for use.

545 (3) New facilities for the disposal of hazardous waste.

546 (4) The land application of Class A or B domestic
547 wastewater biosolids or septage.

548 (5) New agriculture operations that do not implement best
549 management practices, measures necessary to achieve pollution
550 reduction levels established by the department, or a groundwater
551 monitoring plan approved by a water management district or the
552 department.

553 Section 12. Section 373.813, Florida Statutes, is created
554 to read:

555 373.813 Rules.—

556 (1) The department shall adopt rules to create a program to
557 improve water quantity and water quality pursuant to ss.

558 120.536(1) and 120.54 to administer this part, as applicable. In
559 developing rules to administer s. 373.808, the department shall
560 use the Total Maximum Daily Load Water Quality Restoration
561 Grants rule as guidance to develop a comparable program for the



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562 restoration and protection of the water quality and water
563 quantity for Outstanding Florida Springs.

564 (2) The Department of Health, the Department of Agriculture
565 and Consumer Services, and the water management districts may
566 adopt rules pursuant to ss. 120.536(1) and 120.54 to administer
567 this part, as applicable.

568 (3) (a) The Department of Agriculture and Consumer Services
569 is the lead agency coordinating the reduction of agricultural
570 nonpoint sources of pollution for the protection of Outstanding
571 Florida Springs. The Department of Agriculture and Consumer
572 Services and the department, pursuant to s. 403.067(7)(c)4.,
573 shall study new or revised best management practices for
574 improving and protecting Outstanding Florida Springs and, if
575 necessary, in cooperation with applicable local governments and
576 stakeholders, initiate rulemaking to require the implementation
577 of such practices within a reasonable time period.

578 (b) The department, the Department of Agriculture and
579 Consumer Services, and the University of Florida's Institute of
580 Food and Agricultural Sciences shall cooperate in conducting the
581 necessary research and demonstration projects to develop
582 improved or additional nutrient management tools, including the
583 use of controlled release fertilizer that can be used by
584 agricultural producers as part of an agricultural best
585 management practices program. The development of such tools must
586 reflect a balance between water quality improvement and
587 agricultural productivity and, when applicable, must be
588 incorporated into the revised best management practices adopted
589 by rule of the Department of Agriculture and Consumer Services.

590 Section 13. Section 373.815, Florida Statutes, is created



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591 to read:

592 373.815 Reports.—By July 1, 2015, and annually thereafter
593 on July 1, the department, in conjunction with the water
594 management districts, shall submit progress reports to the
595 Governor, President of the Senate and Speaker of the House of
596 Representatives on the status of each total maximum daily load,
597 basin management action plan, minimum flow and minimum water
598 level, and recovery or prevention strategy adopted pursuant to
599 this part. The report must include the status of each project
600 identified to achieve a total maximum daily load and a minimum
601 flow and minimum water level, as applicable. If a report
602 indicates that any of the interim 5 or 10 year milestones, or
603 the 15 year deadline will not be met, the report must include
604 specific corrective actions that will be taken to achieve these
605 milestones and deadlines, and, if necessary, executive and
606 legislative recommendations.

607 Section 14. This act shall take effect July 1, 2014.

608
609 ===== T I T L E A M E N D M E N T =====

610 And the title is amended as follows:

611 Delete everything before the enacting clause
612 and insert:

613 A bill to be entitled
614 An act relating to springs; amending s. 201.15, F.S.;
615 specifying distributions to the Ecosystem Management
616 and Restoration Trust Fund; amending s. 373.042, F.S.;
617 requiring the Department of Environmental Protection
618 or the governing board of a water management district
619 to establish the minimum flow and water level for an



620 Outstanding Florida Spring; specifying minimum flows
621 and water levels for an Outstanding Florida Spring;
622 amending s. 373.0421, F.S.; conforming a cross-
623 reference; creating part VIII of chapter 373, F.S.,
624 entitled "Florida Springs and Aquifer Protection Act";
625 creating s. 373.801, F.S.; providing legislative
626 findings and intent; creating s. 373.802, F.S.;
627 defining terms; creating s. 373.803, F.S.; requiring
628 the Department of Environmental Protection to
629 delineate a spring protection and management zone for
630 each Outstanding Florida Spring; requiring the
631 department to adopt by rule maps that depict the
632 delineation of each spring protection and management
633 zone for each Outstanding Florida Spring; providing a
634 deadline; creating s. 373.805, F.S.; requiring the
635 water management districts to adopt minimum flows and
636 levels for Outstanding Florida Springs; requiring a
637 water management district to implement a recovery or
638 prevention strategy under certain circumstances;
639 providing minimum criteria; providing deadlines;
640 creating s. 373.807, F.S.; requiring assessments for
641 Outstanding Florida Springs; requiring the Department
642 of Environmental Protection to develop basin
643 management action plans, providing minimum criteria,
644 providing deadlines; requiring local governments to
645 adopt an urban fertilizer ordinance; requiring local
646 governments to develop onsite sewage treatment and
647 disposal system remediation plans; creating s.
648 373.809, F.S.; providing for funding mechanisms for



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649 the restoration of Outstanding Florida Springs;
650 providing minimum ranking criteria; creating s.
651 373.811, F.S.; specifying prohibited activities within
652 a spring protection and management zone of an
653 Outstanding Florida Spring; creating s. 373.813, F.S.;
654 providing rulemaking authority; creating s. 373.815,
655 F.S.; requiring the Department of Environmental
656 Protection to submit annual reports; providing
657 effective dates.