

By the Committee on Environmental Preservation and Conservation;  
and Senator Grimsley

592-03757A-15

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1                                   A bill to be entitled  
2       An act relating to environmental control; amending s.  
3       373.467, F.S.; revising the qualifications for  
4       membership on the Harris Chain of Lakes Restoration  
5       Council; authorizing the Lake County legislative  
6       delegation to waive such membership qualifications for  
7       good cause; providing for council vacancies; amending  
8       s. 403.067, F.S.; authorizing land set-asides and  
9       land-use modifications that reduce nutrient loads into  
10      nutrient-impaired surface waters to be used under the  
11      water quality credit trading program; amending s.  
12      403.201, F.S.; providing applicability of prohibited  
13      variances relating to certain discharges of waste;  
14      amending s. 403.709, F.S.; establishing a solid waste  
15      landfill closure account within the Solid Waste  
16      Management Trust Fund to be used for specified  
17      purposes; providing for the deposit of certain funds  
18      into the account; reenacting s. 373.414(17), F.S.,  
19      relating to additional criteria for activities in  
20      surface waters and wetlands, to incorporate the  
21      amendment made to s. 403.201, F.S.; providing an  
22      effective date.

23  
24 Be It Enacted by the Legislature of the State of Florida:

25  
26       Section 1. Paragraph (a) of subsection (1) and subsection  
27       (3) of section 373.467, Florida Statutes, are amended, to read:  
28       373.467 The Harris Chain of Lakes Restoration Council.—  
29       There is created within the St. Johns River Water Management

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30 District, with assistance from the Fish and Wildlife  
31 Conservation Commission and the Lake County Water Authority, the  
32 Harris Chain of Lakes Restoration Council.

33 (1) (a) The council shall consist of nine voting members,  
34 which shall include: a representative of waterfront property  
35 owners, a representative of the sport fishing industry, a person  
36 with experience in an environmental science or regulation  
37 engineer, a person with training in biology or another  
38 scientific discipline, ~~a person with training as an attorney, a~~  
39 ~~physician, a person with training as an engineer~~, and two  
40 residents of the county who are ~~do~~ not required to meet any  
41 additional of the other qualifications for membership ~~enumerated~~  
42 ~~in this paragraph~~, each to be appointed by the Lake County  
43 legislative delegation. The Lake County legislative delegation  
44 may waive the qualifications for membership on a case-by-case  
45 basis if good cause is shown. A ~~No~~ person serving on the council  
46 may not be appointed to a council, board, or commission of any  
47 council advisory group agency. The council members shall serve  
48 as advisors to the governing board of the St. Johns River Water  
49 Management District. The council is subject to ~~the provisions of~~  
50 chapters 119 and 120.

51 (3) The council shall meet at the call of its chair, at the  
52 request of six of its members, or at the request of the chair of  
53 the governing board of the St. Johns River Water Management  
54 District. Resignation by a council member, or failure by a  
55 council member to attend three consecutive meetings without an  
56 excuse approved by the chair, results in a vacancy on the  
57 council.

58 Section 2. Paragraph (i) is added to subsection (8) of

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59 section 403.067, Florida Statutes, to read:

60 403.067 Establishment and implementation of total maximum  
61 daily loads.—

62 (8) WATER QUALITY CREDIT TRADING.—

63 (i) Land set-asides and land-use modifications not  
64 otherwise required by state law or a permit, including  
65 constructed wetlands and other water quality improvement  
66 projects that reduce nutrient loads into nutrient-impaired  
67 surface waters, may be used under this subsection.

68 Section 3. Subsection (2) of section 403.201, Florida  
69 Statutes, is amended to read:

70 403.201 Variances.—

71 (2) A ~~No~~ variance may not ~~shall~~ be granted from any  
72 provision or requirement concerning discharges of waste into  
73 waters of the state or hazardous waste management which would  
74 result in the provision or requirement being less stringent than  
75 a comparable federal provision or requirement, except as  
76 provided in s. 403.70715. However, this subsection does not  
77 prohibit the issuance of moderating provisions or requirements  
78 under state law, subject to any necessary approval by the United  
79 States Environmental Protection Agency.

80 Section 4. Subsection (5) is added to section 403.709,  
81 Florida Statutes, to read:

82 403.709 Solid Waste Management Trust Fund; use of waste  
83 tire fees.—There is created the Solid Waste Management Trust  
84 Fund, to be administered by the department.

85 (5) (a) Notwithstanding subsection (1), a solid waste  
86 landfill closure account is established within the Solid Waste  
87 Management Trust Fund to provide funding for the closing and

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88 long-term care of solid waste management facilities. The  
89 department may use funds from the account to contract with a  
90 third party for the closing and long-term care of a solid waste  
91 management facility if:

92 1. The facility operates or operated under a department  
93 permit;

94 2. The permittee provides proof of financial assurance for  
95 closure in the form of an insurance certificate;

96 3. The facility is deemed to be abandoned or was ordered to  
97 be closed by the department;

98 4. Closure is accomplished in substantial accordance with a  
99 closure plan approved by the department; and

100 5. The department has written documentation that the  
101 insurance company issuing the closure insurance policy will  
102 provide or reimburse the funds required to complete closing and  
103 long-term care of the facility.

104 (b) The department shall deposit funds received from an  
105 insurance company as reimbursement for the costs of closing or  
106 long-term care of the facility into the solid waste landfill  
107 closure account.

108 Section 5. For the purpose of incorporating the amendment  
109 made by this act to section 403.201, Florida Statutes, in a  
110 reference thereto, subsection (17) of section 373.414, Florida  
111 Statutes, is reenacted to read:

112 373.414 Additional criteria for activities in surface  
113 waters and wetlands.—

114 (17) The variance provisions of s. 403.201 are applicable  
115 to the provisions of this section or any rule adopted pursuant  
116 to this section. The governing boards and the department are

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117 authorized to review and take final agency action on petitions  
118 requesting such variances for those activities they regulate  
119 under this part and s. 373.4145.

120 Section 6. This act shall take effect July 1, 2015.