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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/22/2015	.	
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The Committee on Appropriations (Hays) recommended the following:

Senate Amendment

Delete lines 1615 - 2591

and insert:

~~immediately implemented as specified in this subsection.~~ The
Lake Okeechobee Watershed Protection Program shall address the
reduction of phosphorus loading to the lake from both internal
and external sources. Phosphorus load reductions shall be
achieved through a phased program of implementation. ~~Initial~~
~~implementation actions shall be technology based, based upon a~~



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11 ~~consideration of both the availability of appropriate technology~~
12 ~~and the cost of such technology, and shall include phosphorus~~
13 ~~reduction measures at both the source and the regional level.~~
14 ~~The initial phase of phosphorus load reductions shall be based~~
15 ~~upon the district's Technical Publication 81-2 and the~~
16 ~~district's WOD program, with subsequent phases of phosphorus~~
17 ~~load reductions based upon the total maximum daily loads~~
18 ~~established in accordance with s. 403.067.~~ In the development
19 and administration of the Lake Okeechobee Watershed Protection
20 Program, the coordinating agencies shall maximize opportunities
21 provided by federal cost-sharing programs and opportunities for
22 partnerships with the private sector.

23 (a) *Lake Okeechobee Watershed Protection Plan.*—In order to
24 protect and restore surface water resources, the district, in
25 cooperation with the other coordinating agencies, shall complete
26 a Lake Okeechobee Watershed Protection Plan in accordance with
27 this section and ss. 373.451-373.459. Beginning March 1, 2020,
28 and every 5 years thereafter, the district shall update the Lake
29 Okeechobee Watershed Protection Plan to ensure that it is
30 consistent with the Lake Okeechobee Basin Management Action Plan
31 adopted pursuant to s. 403.067. The Lake Okeechobee Watershed
32 Protection Plan shall identify the geographic extent of the
33 watershed, be coordinated with the plans developed pursuant to
34 paragraphs (4) (a) and (c) ~~(b)~~, and include the Lake Okeechobee
35 Watershed Construction Project and the Lake Okeechobee Watershed
36 Research and Water Quality Monitoring Program ~~contain an~~
37 ~~implementation schedule for subsequent phases of phosphorus load~~
38 ~~reduction consistent with the total maximum daily loads~~
39 ~~established in accordance with s. 403.067.~~ The plan shall



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40 consider and build upon a review and analysis of ~~the following:~~

41 ~~1.~~ the performance of projects constructed during Phase I
42 and Phase II of the Lake Okeechobee Watershed Construction
43 Project, pursuant to subparagraph 1.; ~~paragraph (b).~~

44 ~~2.~~ relevant information resulting from the Lake Okeechobee
45 Basin Management Action Plan Watershed Phosphorus Control
46 Program, pursuant to paragraph (b); ~~(e).~~

47 ~~3.~~ relevant information resulting from the Lake Okeechobee
48 Watershed Research and Water Quality Monitoring Program,
49 pursuant to subparagraph 2.; ~~paragraph (d).~~

50 ~~4.~~ relevant information resulting from the Lake Okeechobee
51 Exotic Species Control Program, pursuant to paragraph (c); and
52 ~~(e).~~

53 ~~5.~~ relevant information resulting from the Lake Okeechobee
54 Internal Phosphorus Management Program, pursuant to paragraph
55 (d) ~~(f).~~

56 ~~1.(b)~~ Lake Okeechobee Watershed Construction Project.—To
57 improve the hydrology and water quality of Lake Okeechobee and
58 downstream receiving waters, including the Caloosahatchee and
59 St. Lucie Rivers and their estuaries, the district, in
60 cooperation with the other coordinating agencies, shall design
61 and construct the Lake Okeechobee Watershed Construction
62 Project. The project shall include:

63 ~~a.1.~~ Phase I.—Phase I of the Lake Okeechobee Watershed
64 Construction Project shall consist of a series of project
65 features consistent with the recommendations of the South
66 Florida Ecosystem Restoration Working Group's Lake Okeechobee
67 Action Plan. Priority basins for such projects include S-191, S-
68 154, and Pools D and E in the Lower Kissimmee River. In order to



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69 obtain phosphorus load reductions to Lake Okeechobee as soon as
70 possible, the following actions shall be implemented:

71 (I)~~a.~~ The district shall serve as a full partner with the
72 Corps of Engineers in the design and construction of the Grassy
73 Island Ranch and New Palm Dairy stormwater treatment facilities
74 as components of the Lake Okeechobee Water Retention/Phosphorus
75 Removal Critical Project. The Corps of Engineers shall have the
76 lead in design and construction of these facilities. Should
77 delays be encountered in the implementation of either of these
78 facilities, the district shall notify the department and
79 recommend corrective actions.

80 (II)~~b.~~ The district shall obtain permits and complete
81 construction of two of the isolated wetland restoration projects
82 that are part of the Lake Okeechobee Water Retention/Phosphorus
83 Removal Critical Project. The additional isolated wetland
84 projects included in this critical project shall further reduce
85 phosphorus loading to Lake Okeechobee.

86 (III)~~e.~~ The district shall work with the Corps of Engineers
87 to expedite initiation of the design process for the Taylor
88 Creek/Nubbins Slough Reservoir Assisted Stormwater Treatment
89 Area, a project component of the Comprehensive Everglades
90 Restoration Plan. The district shall propose to the Corps of
91 Engineers that the district take the lead in the design and
92 construction of the Reservoir Assisted Stormwater Treatment Area
93 and receive credit towards the local share of the total cost of
94 the Comprehensive Everglades Restoration Plan.

95 b.2. Phase II technical plan and construction. ~~By February~~
96 ~~1, 2008,~~ The district, in cooperation with the other
97 coordinating agencies, shall develop a detailed technical plan



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98 for Phase II of the Lake Okeechobee Watershed Construction
99 Project which provides the basis for the Lake Okeechobee Basin
100 Management Action Plan adopted by the department pursuant to s.
101 403.067. The detailed technical plan shall include measures for
102 the improvement of the quality, quantity, timing, and
103 distribution of water in the northern Everglades ecosystem,
104 including the Lake Okeechobee watershed and the estuaries, and
105 for facilitating the achievement of water quality standards. Use
106 of cost-effective biologically based, hybrid wetland/chemical
107 and other innovative nutrient control technologies shall be
108 incorporated in the plan where appropriate. The detailed
109 technical plan shall also include a Process Development and
110 Engineering component to finalize the detail and design of Phase
111 II projects and identify additional measures needed to increase
112 the certainty that the overall objectives for improving water
113 quality and quantity can be met. Based on information and
114 recommendations from the Process Development and Engineering
115 component, the Phase II detailed technical plan shall be
116 periodically updated. Phase II shall include construction of
117 additional facilities in the priority basins identified in sub-
118 subparagraph a. subparagraph 1., as well as facilities for other
119 basins in the Lake Okeechobee watershed. ~~This detailed technical~~
120 ~~plan will require legislative ratification pursuant to paragraph~~
121 ~~(i).~~ The technical plan shall:

122 (I) ~~a.~~ Identify Lake Okeechobee Watershed Construction
123 Project facilities designed to contribute to achieving all
124 applicable total maximum daily loads established pursuant to s.
125 403.067 within the Lake Okeechobee watershed.

126 (II) ~~b.~~ Identify the size and location of all such Lake



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127 Okeechobee Watershed Construction Project facilities.

128 ~~(III)e.~~ Provide a construction schedule for all such Lake
129 Okeechobee Watershed Construction Project facilities, including
130 the sequencing and specific timeframe for construction of each
131 Lake Okeechobee Watershed Construction Project facility.

132 ~~(IV)d.~~ Provide a schedule for the acquisition of lands or
133 sufficient interests necessary to achieve the construction
134 schedule.

135 ~~(V)e.~~ Provide a detailed schedule of costs associated with
136 the construction schedule.

137 ~~(VI)f.~~ Identify, to the maximum extent practicable, impacts
138 on wetlands and state-listed species expected to be associated
139 with construction of such facilities, including potential
140 alternatives to minimize and mitigate such impacts, as
141 appropriate.

142 ~~(VII)g.~~ Provide for additional measures, including
143 voluntary water storage and quality improvements on private
144 land, to increase water storage and reduce excess water levels
145 in Lake Okeechobee and to reduce excess discharges to the
146 estuaries.

147 ~~(VIII)~~ ~~The technical plan shall also~~ Develop the
148 appropriate water quantity storage goal to achieve the desired
149 Lake Okeechobee range of lake levels and inflow volumes to the
150 Caloosahatchee and St. Lucie estuaries while meeting the other
151 water-related needs of the region, including water supply and
152 flood protection.

153 ~~(IX)h.~~ Provide for additional source controls needed to
154 enhance performance of the Lake Okeechobee Watershed
155 Construction Project facilities. Such additional source controls



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156 shall be incorporated into the Lake Okeechobee Basin Management
157 Action Plan ~~Watershed Phosphorous Control Program~~ pursuant to
158 paragraph (b) ~~(e)~~.

159 ~~c.3.~~ Evaluation.—Within 5 years after the adoption of the
160 Lake Okeechobee Basin Management Action Plan pursuant to s.
161 403.067 and every 5 ~~By January 1, 2004, and every 3~~ years
162 thereafter, the department ~~district~~, in cooperation with the
163 other coordinating agencies, shall conduct an evaluation of the
164 Lake Okeechobee Watershed Construction Project and identify any
165 further load reductions necessary to achieve compliance with the
166 ~~all~~ Lake Okeechobee ~~watershed~~ total maximum daily loads
167 established pursuant to s. 403.067. ~~Additionally,~~ The district
168 shall identify modifications to facilities of the Lake
169 Okeechobee Watershed Construction Project as appropriate to meet
170 the total maximum daily loads. Modifications to the Lake
171 Okeechobee Watershed Construction Project resulting from this
172 evaluation shall be incorporated into the Lake Okeechobee Basin
173 Management Action Plan and ~~The evaluation shall be included in~~
174 the applicable annual progress report submitted pursuant to
175 subsection (6).

176 ~~d.4.~~ Coordination and review.—To ensure the timely
177 implementation of the Lake Okeechobee Watershed Construction
178 Project, the design of project facilities shall be coordinated
179 with the department and other interested parties, including
180 affected local governments, to the maximum extent practicable.
181 Lake Okeechobee Watershed Construction Project facilities shall
182 be reviewed and commented upon by the department before ~~prior to~~
183 the execution of a construction contract by the district for
184 that facility.



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185 2. Lake Okeechobee Watershed Research and Water Quality
186 Monitoring Program.—The coordinating agencies shall implement a
187 Lake Okeechobee Watershed Research and Water Quality Monitoring
188 Program. Results from the program shall be used by the
189 department, in cooperation with the other coordinating agencies,
190 to make modifications to the Lake Okeechobee Basin Management
191 Action Plan adopted pursuant to s. 403.067, as appropriate. The
192 program shall:

193 a. Evaluate all available existing water quality data
194 concerning total phosphorus in the Lake Okeechobee watershed,
195 develop a water quality baseline to represent existing
196 conditions for total phosphorus, monitor long-term ecological
197 changes, including water quality for total phosphorus, and
198 measure compliance with water quality standards for total
199 phosphorus, including any applicable total maximum daily load
200 for the Lake Okeechobee watershed as established pursuant to s.
201 403.067. Beginning March 1, 2020, and every 5 years thereafter,
202 the department shall reevaluate water quality and quantity data
203 to ensure that the appropriate projects are being designated and
204 incorporated into the Lake Okeechobee Basin Management Action
205 Plan adopted pursuant to s. 403.067. The district shall
206 implement a total phosphorus monitoring program at appropriate
207 structures owned or operated by the district and within the Lake
208 Okeechobee watershed.

209 b. Develop a Lake Okeechobee water quality model that
210 reasonably represents the phosphorus dynamics of Lake Okeechobee
211 and incorporates an uncertainty analysis associated with model
212 predictions.

213 c. Determine the relative contribution of phosphorus from



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214 all identifiable sources and all primary and secondary land
215 uses.

216 d. Conduct an assessment of the sources of phosphorus from
217 the Upper Kissimmee Chain-of-Lakes and Lake Istokpoga, and their
218 relative contribution to the water quality of Lake Okeechobee.
219 The results of this assessment shall be used by the coordinating
220 agencies as part of the Lake Okeechobee Basin Management Action
221 Plan adopted pursuant to s. 403.067 to develop interim measures,
222 best management practices, or regulations, as applicable.

223 e. Assess current water management practices within the
224 Lake Okeechobee watershed and develop recommendations for
225 structural and operational improvements. Such recommendations
226 shall balance water supply, flood control, estuarine salinity,
227 maintenance of a healthy lake littoral zone, and water quality
228 considerations.

229 f. Evaluate the feasibility of alternative nutrient
230 reduction technologies, including sediment traps, canal and
231 ditch maintenance, fish production or other aquaculture,
232 bioenergy conversion processes, and algal or other biological
233 treatment technologies and include any alternative nutrient
234 reduction technologies determined to be feasible in the Lake
235 Okeechobee Basin Management Action Plan adopted pursuant to s.
236 403.067.

237 g. Conduct an assessment of the water volumes and timing
238 from the Lake Okeechobee watershed and their relative
239 contribution to the water level changes in Lake Okeechobee and
240 to the timing and volume of water delivered to the estuaries.

241 (b)(e) Lake Okeechobee Basin Management Action Plan
242 Watershed Phosphorus Control Program.—The Lake Okeechobee Basin



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243 Management Action Plan adopted pursuant to s. 403.067 shall be
244 the watershed phosphorus control component for Lake Okeechobee.
245 The Lake Okeechobee Basin Management Action Plan shall be
246 Program is designed to be a multifaceted approach designed to
247 achieve the total maximum daily load ~~reducing phosphorus loads~~
248 by improving the management of phosphorus sources within the
249 Lake Okeechobee watershed through implementation of regulations
250 and best management practices, continued development and
251 continued implementation of improved best management practices,
252 improvement and restoration of the hydrologic function of
253 natural and managed systems, and use ~~utilization~~ of alternative
254 technologies for nutrient reduction. The plan must include an
255 implementation schedule pursuant to this subsection for
256 pollutant load reductions. As provided in s. 403.067(7)(a)6.,
257 the Lake Okeechobee Basin Management Action Plan must include
258 milestones for implementation and water quality improvement and
259 an associated water quality monitoring component sufficient to
260 evaluate whether reasonable progress in pollutant load
261 reductions is being achieved over time. The department shall
262 develop a schedule to establish 5-, 10-, and 15-year measurable
263 milestones and a target to achieve the adopted total maximum
264 daily load no more than 20 years after adoption of the plan. The
265 schedule shall be used to provide guidance for planning and
266 funding purposes and is exempt from s. 120.54(1)(a). An
267 assessment of progress toward these milestones shall be
268 conducted every 5 years and revisions to the plan shall be made,
269 as appropriate, as a result of each 5-year review. The
270 assessment shall be provided to the Governor, the President of
271 the Senate, and the Speaker of the House of Representatives.



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272 Upon the first 5-year review, the schedule of measurable
273 milestones and a target to achieve water quality improvement
274 consistent with this section shall be adopted into the plan.
275 Revisions to the basin management action plan shall be made by
276 the department in cooperation with the basin stakeholders.
277 Revisions to best management practices or other measures must
278 follow the procedures set forth in s. 403.067(7)(c)4. Revised
279 basin management plans must be adopted pursuant to s.
280 403.067(7)(a)4. If achieving the adopted total maximum daily
281 load within 20 years is not practicable, the schedule must
282 contain an explanation of the constraints that prevent the
283 achievement of the total maximum daily load within 20 years, an
284 estimate of the time needed to achieve the total maximum daily
285 load, and additional 5-year measurable milestones, as necessary.
286 The coordinating agencies shall develop an interagency agreement
287 pursuant to ss. 373.046 and 373.406 which is consistent with the
288 department taking the lead on water quality protection measures
289 through the Lake Okeechobee Basin Management Action Plan adopted
290 pursuant to s. 403.067; the district taking the lead on
291 hydrologic improvements pursuant to paragraph (a); and the
292 Department of Agriculture and Consumer Services taking the lead
293 on agricultural interim measures, best management practices, and
294 other measures adopted pursuant to s. 403.067. The interagency
295 agreement must specify how best management practices for
296 nonagricultural nonpoint sources are developed and how all best
297 management practices are implemented and verified consistent
298 with s. 403.067 and this section. The interagency agreement must
299 address measures to be taken by the coordinating agencies during
300 any best management practice reevaluation performed pursuant to



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301 subparagraphs 5. and 10. The department shall use best
302 professional judgment in making the initial determination of
303 best management practice effectiveness. The coordinating
304 agencies may develop an intergovernmental agreement with local
305 governments to implement nonagricultural nonpoint source best
306 management practices within their respective geographic
307 boundaries. The coordinating agencies shall facilitate the
308 application of federal programs that offer opportunities for
309 water quality treatment, including preservation, restoration, or
310 creation of wetlands on agricultural lands.

311 1. Agricultural nonpoint source best management practices,
312 developed in accordance with s. 403.067 and designed to achieve
313 the objectives of the Lake Okeechobee Watershed Protection
314 Program as part of a phased approach of management strategies
315 within the Lake Okeechobee Basin Management Action Plan, shall
316 be implemented on an expedited basis. ~~The coordinating agencies~~
317 ~~shall develop an interagency agreement pursuant to ss. 373.046~~
318 ~~and 373.406(5) that assures the development of best management~~
319 ~~practices that complement existing regulatory programs and~~
320 ~~specifies how those best management practices are implemented~~
321 ~~and verified. The interagency agreement shall address measures~~
322 ~~to be taken by the coordinating agencies during any best~~
323 ~~management practice reevaluation performed pursuant to sub-~~
324 ~~subparagraph d. The department shall use best professional~~
325 ~~judgment in making the initial determination of best management~~
326 ~~practice effectiveness.~~

327 2.a. As provided in s. 403.067(7)(e), the Department of
328 Agriculture and Consumer Services, in consultation with the
329 department, the district, and affected parties, shall initiate



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330 rule development for interim measures, best management
331 practices, conservation plans, nutrient management plans, or
332 other measures necessary for Lake Okeechobee watershed total
333 maximum daily load reduction. The rule shall include thresholds
334 for requiring conservation and nutrient management plans and
335 criteria for the contents of such plans. Development of
336 agricultural nonpoint source best management practices shall
337 initially focus on those priority basins listed in sub-
338 subparagraph (a)1.a. subparagraph (b)1. The Department of
339 Agriculture and Consumer Services, in consultation with the
340 department, the district, and affected parties, shall conduct an
341 ongoing program for improvement of existing and development of
342 new agricultural nonpoint source interim measures and ~~or~~ best
343 management practices. The Department of Agriculture and Consumer
344 Services shall adopt for the purpose of adoption of such
345 practices by rule. The Department of Agriculture and Consumer
346 Services shall work with the University of Florida ~~Florida's~~
347 Institute of Food and Agriculture Sciences to review and, where
348 appropriate, develop revised nutrient application rates for all
349 agricultural soil amendments in the watershed.

350 ~~3.b.~~ As provided in s. 403.067, where agricultural nonpoint
351 source best management practices or interim measures have been
352 adopted by rule of the Department of Agriculture and Consumer
353 Services, the owner or operator of an agricultural nonpoint
354 source addressed by such rule shall either implement interim
355 measures or best management practices or demonstrate compliance
356 with state water quality standards addressed by the Lake
357 Okeechobee Basin Management Action Plan adopted pursuant to s.
358 403.067 ~~the district's WOD program~~ by conducting monitoring



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359 prescribed by the department or the district. Owners or
360 operators of agricultural nonpoint sources who implement interim
361 measures or best management practices adopted by rule of the
362 Department of Agriculture and Consumer Services shall be subject
363 to ~~the provisions of s. 403.067(7). The Department of~~
364 ~~Agriculture and Consumer Services, in cooperation with the~~
365 ~~department and the district, shall provide technical and~~
366 ~~financial assistance for implementation of agricultural best~~
367 ~~management practices, subject to the availability of funds.~~

368 4.e. The district or department shall conduct monitoring at
369 representative sites to verify the effectiveness of agricultural
370 nonpoint source best management practices.

371 5.d. Where water quality problems are detected for
372 agricultural nonpoint sources despite the appropriate
373 implementation of adopted best management practices, ~~the~~
374 ~~Department of Agriculture and Consumer Services, in consultation~~
375 ~~with the other coordinating agencies and affected parties, shall~~
376 institute a reevaluation of the best management practices shall
377 be conducted pursuant to s. 403.067(7)(c)4. Should the
378 reevaluation determine that the best management practices or
379 other measures require modification, the rule shall be revised
380 to require implementation of the modified practice within a
381 reasonable period as specified in the rule and make appropriate
382 changes to the rule adopting best management practices.

383 6.2. As provided in s. 403.067, nonagricultural nonpoint
384 source best management practices, developed in accordance with
385 s. 403.067 and designed to achieve the objectives of the Lake
386 Okeechobee Watershed Protection Program as part of a phased
387 approach of management strategies within the Lake Okeechobee



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388 Basin Management Action Plan, shall be implemented on an
389 expedited basis. ~~The department and the district shall develop~~
390 ~~an interagency agreement pursuant to ss. 373.046 and 373.406(5)~~
391 ~~that assures the development of best management practices that~~
392 ~~complement existing regulatory programs and specifies how those~~
393 ~~best management practices are implemented and verified. The~~
394 ~~interagency agreement shall address measures to be taken by the~~
395 ~~department and the district during any best management practice~~
396 ~~reevaluation performed pursuant to sub-subparagraph d.~~

397 7.a. The department and the district are directed to work
398 with the University of Florida ~~Florida's~~ Institute of Food and
399 Agricultural Sciences to develop appropriate nutrient
400 application rates for all nonagricultural soil amendments in the
401 watershed. As provided in s. 403.067 ~~s. 403.067(7)(c)~~, the
402 department, in consultation with the district and affected
403 parties, shall develop nonagricultural nonpoint source interim
404 measures, best management practices, or other measures necessary
405 for Lake Okeechobee watershed total maximum daily load
406 reduction. Development of nonagricultural nonpoint source best
407 management practices shall initially focus on those priority
408 basins listed in sub-subparagraph (a)1.a. ~~subparagraph (b)1.~~ The
409 department, the district, and affected parties shall conduct an
410 ongoing program for improvement of existing and development of
411 new interim measures and ~~or~~ best management practices. The
412 department or the district shall adopt such practices by rule
413 ~~The district shall adopt technology-based standards under the~~
414 ~~district's WOD program for nonagricultural nonpoint sources of~~
415 ~~phosphorus. Nothing in this sub-subparagraph shall affect the~~
416 ~~authority of the department or the district to adopt basin-~~



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417 ~~specific criteria under this part to prevent harm to the water~~
418 ~~resources of the district.~~

419 ~~8.b.~~ Where nonagricultural nonpoint source best management
420 practices or interim measures have been developed by the
421 department and adopted by the district, the owner or operator of
422 a nonagricultural nonpoint source shall implement interim
423 measures or best management practices and be subject to ~~the~~
424 ~~provisions of s. 403.067(7). The department and district shall~~
425 ~~provide technical and financial assistance for implementation of~~
426 ~~nonagricultural nonpoint source best management practices,~~
427 ~~subject to the availability of funds.~~

428 ~~9.e.~~ As provided in s. 403.067, the district or the
429 department shall conduct monitoring at representative sites to
430 verify the effectiveness of nonagricultural nonpoint source best
431 management practices.

432 ~~10.d.~~ Where water quality problems are detected for
433 nonagricultural nonpoint sources despite the appropriate
434 implementation of adopted best management practices, ~~the~~
435 ~~department and the district shall institute a reevaluation of~~
436 ~~the best management practices~~ shall be conducted pursuant to s.
437 403.067(7)(c)4. Should the reevaluation determine that the best
438 management practices or other measures require modification, the
439 rule shall be revised to require implementation of the modified
440 practice within a reasonable time period as specified in the
441 rule.

442 ~~11.3.~~ ~~The provisions of Subparagraphs 1. and 2. and 7. do~~
443 ~~may~~ not preclude the department or the district from requiring
444 compliance with water quality standards or with current best
445 management practices requirements set forth in any applicable



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446 regulatory program authorized by law for the purpose of
447 protecting water quality. ~~Additionally,~~ Subparagraphs ~~1. and 2.~~
448 and 7. are applicable only to the extent that they do not
449 conflict with any rules adopted by the department that are
450 necessary to maintain a federally delegated or approved program.

451 12. The program of agricultural best management practices
452 set forth in the Everglades Program of the district, meets the
453 requirements of this paragraph and s. 403.067(7) for the Lake
454 Okeechobee watershed. An entity in compliance with best
455 management practices set forth in the Everglades Program of the
456 district, may elect to use that permit in lieu of the
457 requirements of this paragraph. The provisions of s.
458 373.4595(3)(b)5. apply to this subparagraph. This subparagraph
459 does not alter any requirement under s. 373.4592.

460 13. The Department of Agriculture and Consumer Services, in
461 cooperation with the department and the district, shall provide
462 technical and financial assistance for implementation of
463 agricultural best management practices, subject to the
464 availability of funds. The department and district shall provide
465 technical and financial assistance for implementation of
466 nonagricultural nonpoint source best management practices,
467 subject to the availability of funds.

468 ~~14.4.~~ Projects that reduce the phosphorus load originating
469 from domestic wastewater systems within the Lake Okeechobee
470 watershed shall be given funding priority in the department's
471 revolving loan program under s. 403.1835. The department shall
472 coordinate and provide assistance to those local governments
473 seeking financial assistance for such priority projects.

474 ~~15.5.~~ Projects that make use of private lands, or lands



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475 held in trust for Indian tribes, to reduce nutrient loadings or
476 concentrations within a basin by one or more of the following
477 methods: restoring the natural hydrology of the basin, restoring
478 wildlife habitat or impacted wetlands, reducing peak flows after
479 storm events, increasing aquifer recharge, or protecting range
480 and timberland from conversion to development, are eligible for
481 grants available under this section from the coordinating
482 agencies. For projects of otherwise equal priority, special
483 funding priority will be given to those projects that make best
484 use of the methods outlined above that involve public-private
485 partnerships or that obtain federal match money. Preference
486 ranking above the special funding priority will be given to
487 projects located in a rural area of opportunity designated by
488 the Governor. Grant applications may be submitted by any person
489 or tribal entity, and eligible projects may include, but are not
490 limited to, the purchase of conservation and flowage easements,
491 hydrologic restoration of wetlands, creating treatment wetlands,
492 development of a management plan for natural resources, and
493 financial support to implement a management plan.

494 ~~16.6.a.~~ The department shall require all entities disposing
495 of domestic wastewater biosolids ~~residuals~~ within the Lake
496 Okeechobee watershed and the remaining areas of Okeechobee,
497 Glades, and Hendry Counties to develop and submit to the
498 department an agricultural use plan that limits applications
499 based upon phosphorus loading consistent with the Lake
500 Okeechobee Basin Management Action Plan adopted pursuant to s.
501 403.067. ~~By July 1, 2005, phosphorus concentrations originating~~
502 ~~from these application sites may not exceed the limits~~
503 ~~established in the district's WOD program. After December 31,~~



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504 ~~2007,~~ The department may not authorize the disposal of domestic
505 wastewater biosolids ~~residuals~~ within the Lake Okeechobee
506 watershed unless the applicant can affirmatively demonstrate
507 that the phosphorus in the biosolids ~~residuals~~ will not add to
508 phosphorus loadings in Lake Okeechobee or its tributaries. This
509 demonstration shall be based on achieving a net balance between
510 phosphorus imports relative to exports on the permitted
511 application site. Exports shall include only phosphorus removed
512 from the Lake Okeechobee watershed through products generated on
513 the permitted application site. This prohibition does not apply
514 to Class AA biosolids ~~residuals~~ that are marketed and
515 distributed as fertilizer products in accordance with department
516 rule.

517 ~~17.b.~~ Private and government-owned utilities within Monroe,
518 Miami-Dade, Broward, Palm Beach, Martin, St. Lucie, Indian
519 River, Okeechobee, Highlands, Hendry, and Glades Counties that
520 dispose of wastewater biosolids ~~residual~~ sludge from utility
521 operations and septic removal by land spreading in the Lake
522 Okeechobee watershed may use a line item on local sewer rates to
523 cover wastewater biosolids ~~residual~~ treatment and disposal if
524 such disposal and treatment is done by approved alternative
525 treatment methodology at a facility located within the areas
526 designated by the Governor as rural areas of opportunity
527 pursuant to s. 288.0656. This additional line item is an
528 environmental protection disposal fee above the present sewer
529 rate and may not be considered a part of the present sewer rate
530 to customers, notwithstanding provisions to the contrary in
531 chapter 367. The fee shall be established by the county
532 commission or its designated assignee in the county in which the



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533 alternative method treatment facility is located. The fee shall
534 be calculated to be no higher than that necessary to recover the
535 facility's prudent cost of providing the service. Upon request
536 by an affected county commission, the Florida Public Service
537 Commission will provide assistance in establishing the fee.
538 Further, for utilities and utility authorities that use the
539 additional line item environmental protection disposal fee, such
540 fee may not be considered a rate increase under the rules of the
541 Public Service Commission and shall be exempt from such rules.
542 Utilities using ~~the provisions of~~ this section may immediately
543 include in their sewer invoicing the new environmental
544 protection disposal fee. Proceeds from this environmental
545 protection disposal fee shall be used for treatment and disposal
546 of wastewater biosolids residuals, including any treatment
547 technology that helps reduce the volume of biosolids residuals
548 that require final disposal, but such proceeds may not be used
549 for transportation or shipment costs for disposal or any costs
550 relating to the land application of biosolids residuals in the
551 Lake Okeechobee watershed.

552 ~~18.e.~~ No less frequently than once every 3 years, the
553 Florida Public Service Commission or the county commission
554 through the services of an independent auditor shall perform a
555 financial audit of all facilities receiving compensation from an
556 environmental protection disposal fee. The Florida Public
557 Service Commission or the county commission through the services
558 of an independent auditor shall also perform an audit of the
559 methodology used in establishing the environmental protection
560 disposal fee. The Florida Public Service Commission or the
561 county commission shall, within 120 days after completion of an



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562 audit, file the audit report with the President of the Senate
563 and the Speaker of the House of Representatives and shall
564 provide copies to the county commissions of the counties set
565 forth in subparagraph 17. ~~sub-subparagraph b.~~ The books and
566 records of any facilities receiving compensation from an
567 environmental protection disposal fee shall be open to the
568 Florida Public Service Commission and the Auditor General for
569 review upon request.

570 ~~19.7.~~ The Department of Health shall require all entities
571 disposing of septage within the Lake Okeechobee watershed to
572 develop and submit to that agency an agricultural use plan that
573 limits applications based upon phosphorus loading consistent
574 with the Lake Okeechobee Basin Management Action Plan adopted
575 pursuant to s. 403.067. ~~By July 1, 2005, phosphorus~~
576 ~~concentrations originating from these application sites may not~~
577 ~~exceed the limits established in the district's WOD program.~~

578 ~~20.8.~~ The Department of Agriculture and Consumer Services
579 shall initiate rulemaking requiring entities within the Lake
580 Okeechobee watershed which land-apply animal manure to develop
581 resource management system level conservation plans, according
582 to United States Department of Agriculture criteria, which limit
583 such application. Such rules shall ~~may~~ include criteria and
584 thresholds for the requirement to develop a conservation or
585 nutrient management plan, requirements for plan approval, site
586 inspection requirements, and recordkeeping requirements.

587 21. The district shall revise chapter 40E-61, Florida
588 Administrative Code, to be consistent with this section and s.
589 403.067; provide for a monitoring program for nonpoint source
590 dischargers required to monitor water quality by s. 403.067; and



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591 provide for the results of such monitoring to be reported to the
592 coordinating agencies.

593 ~~9. The district, the department, or the Department of~~
594 ~~Agriculture and Consumer Services, as appropriate, shall~~
595 ~~implement those alternative nutrient reduction technologies~~
596 ~~determined to be feasible pursuant to subparagraph (d)6.~~

597 ~~(d) Lake Okeechobee Watershed Research and Water Quality~~
598 ~~Monitoring Program. The district, in cooperation with the other~~
599 ~~coordinating agencies, shall establish a Lake Okeechobee~~
600 ~~Watershed Research and Water Quality Monitoring Program that~~
601 ~~builds upon the district's existing Lake Okeechobee research~~
602 ~~program. The program shall:~~

603 ~~1. Evaluate all available existing water quality data~~
604 ~~concerning total phosphorus in the Lake Okeechobee watershed,~~
605 ~~develop a water quality baseline to represent existing~~
606 ~~conditions for total phosphorus, monitor long term ecological~~
607 ~~changes, including water quality for total phosphorus, and~~
608 ~~measure compliance with water quality standards for total~~
609 ~~phosphorus, including any applicable total maximum daily load~~
610 ~~for the Lake Okeechobee watershed as established pursuant to s.~~
611 ~~403.067. Every 3 years, the district shall reevaluate water~~
612 ~~quality and quantity data to ensure that the appropriate~~
613 ~~projects are being designated and implemented to meet the water~~
614 ~~quality and storage goals of the plan. The district shall also~~
615 ~~implement a total phosphorus monitoring program at appropriate~~
616 ~~structures owned or operated by the South Florida Water~~
617 ~~Management District and within the Lake Okeechobee watershed.~~

618 ~~2. Develop a Lake Okeechobee water quality model that~~
619 ~~reasonably represents phosphorus dynamics of the lake and~~



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620 ~~incorporates an uncertainty analysis associated with model~~
621 ~~predictions.~~

622 ~~3. Determine the relative contribution of phosphorus from~~
623 ~~all identifiable sources and all primary and secondary land~~
624 ~~uses.~~

625 ~~4. Conduct an assessment of the sources of phosphorus from~~
626 ~~the Upper Kissimmee Chain of Lakes and Lake Istokpoga, and their~~
627 ~~relative contribution to the water quality of Lake Okeechobee.~~
628 ~~The results of this assessment shall be used by the coordinating~~
629 ~~agencies to develop interim measures, best management practices,~~
630 ~~or regulation, as applicable.~~

631 ~~5. Assess current water management practices within the~~
632 ~~Lake Okeechobee watershed and develop recommendations for~~
633 ~~structural and operational improvements. Such recommendations~~
634 ~~shall balance water supply, flood control, estuarine salinity,~~
635 ~~maintenance of a healthy lake littoral zone, and water quality~~
636 ~~considerations.~~

637 ~~6. Evaluate the feasibility of alternative nutrient~~
638 ~~reduction technologies, including sediment traps, canal and~~
639 ~~ditch maintenance, fish production or other aquaculture,~~
640 ~~bioenergy conversion processes, and algal or other biological~~
641 ~~treatment technologies.~~

642 ~~7. Conduct an assessment of the water volumes and timing~~
643 ~~from the Lake Okeechobee watershed and their relative~~
644 ~~contribution to the water level changes in Lake Okeechobee and~~
645 ~~to the timing and volume of water delivered to the estuaries.~~

646 ~~(c)(e) Lake Okeechobee Exotic Species Control Program.—The~~
647 ~~coordinating agencies shall identify the exotic species that~~
648 ~~threaten the native flora and fauna within the Lake Okeechobee~~



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649 watershed and develop and implement measures to protect the
650 native flora and fauna.

651 (d)~~(f)~~ *Lake Okeechobee Internal Phosphorus Management*
652 *Program.*—The district, in cooperation with the other
653 coordinating agencies and interested parties, shall evaluate the
654 feasibility of ~~complete a~~ Lake Okeechobee internal phosphorus
655 load removal projects feasibility study. The evaluation
656 ~~feasibility study~~ shall be based on technical feasibility, as
657 well as economic considerations, and shall consider ~~address~~ all
658 reasonable methods of phosphorus removal. If projects ~~methods~~
659 are found to be feasible, the district shall immediately pursue
660 the design, funding, and permitting for implementing such
661 projects ~~methods~~.

662 (e)~~(g)~~ *Lake Okeechobee Watershed Protection Program Plan*
663 *implementation.*—The coordinating agencies shall be jointly
664 responsible for implementing the Lake Okeechobee Watershed
665 Protection Program Plan, consistent with the statutory authority
666 and responsibility of each agency. Annual funding priorities
667 shall be jointly established, and the highest priority shall be
668 assigned to programs and projects that address sources that have
669 the highest relative contribution to loading and the greatest
670 potential for reductions needed to meet the total maximum daily
671 loads. In determining funding priorities, the coordinating
672 agencies shall also consider the need for regulatory compliance,
673 the extent to which the program or project is ready to proceed,
674 and the availability of federal matching funds or other nonstate
675 funding, including public-private partnerships. Federal and
676 other nonstate funding shall be maximized to the greatest extent
677 practicable.



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678 ~~(f)-(h)~~ *Priorities and implementation schedules.*—The
679 coordinating agencies are authorized and directed to establish
680 priorities and implementation schedules for the achievement of
681 total maximum daily loads, compliance with the requirements of
682 s. 403.067, and compliance with applicable water quality
683 standards within the waters and watersheds subject to this
684 section.

685 ~~(i) Legislative ratification.~~—~~The coordinating agencies~~
686 ~~shall submit the Phase II technical plan developed pursuant to~~
687 ~~paragraph (b) to the President of the Senate and the Speaker of~~
688 ~~the House of Representatives prior to the 2008 legislative~~
689 ~~session for review. If the Legislature takes no action on the~~
690 ~~plan during the 2008 legislative session, the plan is deemed~~
691 ~~approved and may be implemented.~~

692 (4) CALOOSAHATCHEE RIVER WATERSHED PROTECTION PROGRAM AND
693 ST. LUCIE RIVER WATERSHED PROTECTION PROGRAM.—A protection
694 program shall be developed and implemented as specified in this
695 subsection. In order to protect and restore surface water
696 resources, the program shall address the reduction of pollutant
697 loadings, restoration of natural hydrology, and compliance with
698 applicable state water quality standards. The program shall be
699 achieved through a phased program of implementation. In
700 addition, pollutant load reductions based upon adopted total
701 maximum daily loads established in accordance with s. 403.067
702 shall serve as a program objective. In the development and
703 administration of the program, the coordinating agencies shall
704 maximize opportunities provided by federal and local government
705 cost-sharing programs and opportunities for partnerships with
706 the private sector and local government. The program plan shall



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707 include a goal for salinity envelopes and freshwater inflow
708 targets for the estuaries based upon existing research and
709 documentation. The goal may be revised as new information is
710 available. This goal shall seek to reduce the frequency and
711 duration of undesirable salinity ranges while meeting the other
712 water-related needs of the region, including water supply and
713 flood protection, while recognizing the extent to which water
714 inflows are within the control and jurisdiction of the district.

715 (a) *Caloosahatchee River Watershed Protection Plan.*—~~No~~
716 ~~later than January 1, 2009,~~ The district, in cooperation with
717 the other coordinating agencies, Lee County, and affected
718 counties and municipalities, shall complete a River Watershed
719 Protection Plan in accordance with this subsection. The
720 Caloosahatchee River Watershed Protection Plan shall identify
721 the geographic extent of the watershed, be coordinated as needed
722 with the plans developed pursuant to paragraph (3) (a) and
723 paragraph (c) ~~(b)~~ of this subsection, and ~~contain an~~
724 ~~implementation schedule for pollutant load reductions consistent~~
725 ~~with any adopted total maximum daily loads and compliance with~~
726 ~~applicable state water quality standards. The plan shall include~~
727 the Caloosahatchee River Watershed Construction Project and the
728 Caloosahatchee River Watershed Research and Water Quality
729 Monitoring Program.÷

730 1. Caloosahatchee River Watershed Construction Project.—To
731 improve the hydrology, water quality, and aquatic habitats
732 within the watershed, the district shall, no later than January
733 1, 2012, plan, design, and construct the initial phase of the
734 Watershed Construction Project. In doing so, the district shall:

735 a. Develop and designate the facilities to be constructed



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736 to achieve stated goals and objectives of the Caloosahatchee
737 River Watershed Protection Plan.

738 b. Conduct scientific studies that are necessary to support
739 the design of the Caloosahatchee River Watershed Construction
740 Project facilities.

741 c. Identify the size and location of all such facilities.

742 d. Provide a construction schedule for all such facilities,
743 including the sequencing and specific timeframe for construction
744 of each facility.

745 e. Provide a schedule for the acquisition of lands or
746 sufficient interests necessary to achieve the construction
747 schedule.

748 f. Provide a schedule of costs and benefits associated with
749 each construction project and identify funding sources.

750 g. To ensure timely implementation, coordinate the design,
751 scheduling, and sequencing of project facilities with the
752 coordinating agencies, Lee County, other affected counties and
753 municipalities, and other affected parties.

754 2. Caloosahatchee River Watershed Research and Water
755 Quality Monitoring Program.—The district, in cooperation with
756 the other coordinating agencies and local governments, shall
757 implement a Caloosahatchee River Watershed Research and Water
758 Quality Monitoring Program that builds upon the district's
759 existing research program and that is sufficient to carry out,
760 comply with, or assess the plans, programs, and other
761 responsibilities created by this subsection. The program shall
762 also conduct an assessment of the water volumes and timing from
763 Lake Okeechobee and the Caloosahatchee River watershed and their
764 relative contributions to the timing and volume of water



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765 delivered to the estuary.

766 (b)2. Caloosahatchee River Watershed Basin Management

767 Action Plans Pollutant Control Program.—The basin management

768 action plans adopted pursuant to s. 403.067 for the

769 Caloosahatchee River watershed shall be the Caloosahatchee River

770 Watershed Pollutant Control Program. The plans shall be ~~is~~

771 designed to be a multifaceted approach to reducing pollutant

772 loads by improving the management of pollutant sources within

773 the Caloosahatchee River watershed through implementation of

774 regulations and best management practices, development and

775 implementation of improved best management practices,

776 improvement and restoration of the hydrologic function of

777 natural and managed systems, and utilization of alternative

778 technologies for pollutant reduction, such as cost-effective

779 biologically based, hybrid wetland/chemical and other innovative

780 nutrient control technologies. The plans must include an

781 implementation schedule pursuant to this subsection for

782 pollutant load reductions. As provided in s. 403.067(7)(a)6.,

783 the Caloosahatchee River Watershed Basin Management Action Plan

784 must include milestones for implementation and water quality

785 improvement and an associated water quality monitoring component

786 sufficient to evaluate whether reasonable progress in pollutant

787 load reductions is being achieved over time. The department

788 shall develop a schedule to establish 5-, 10-, and 15-year

789 measurable milestones and a target to achieve the total maximum

790 daily load no more than 20 years after adoption of the plan. The

791 schedule shall be used to provide guidance for planning and

792 funding purposes and is exempt from s. 120.54(1)(a). An

793 assessment of progress toward these milestones shall be



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794 conducted every 5 years, and revisions to the plan shall be
795 made, as appropriate, as a result of each 5-year review. The
796 assessment shall be provided to the Governor, the President of
797 the Senate, and the Speaker of the House of Representatives.
798 Upon the first 5-year review, the schedule of measurable
799 milestones and a target to achieve water quality improvement
800 consistent with this section shall be adopted into the plan.
801 Revisions to the basin management action plan shall be made by
802 the department in cooperation with the basin stakeholders.
803 Revisions to best management practices or other measures must
804 follow the procedures set forth in s. 403.067(7)(c)4. Revised
805 basin management action plans must be adopted pursuant to s.
806 403.067(7)(a)4. If achieving the adopted total maximum daily
807 load within 20 years is not practicable, the schedule must
808 contain an explanation of the constraints that prevent
809 achievement of the total maximum daily load within 20 years, an
810 estimate of the time needed to achieve the total maximum daily
811 load, and additional 5-year measurable milestones, as necessary.
812 The coordinating agencies shall facilitate the use ~~utilization~~
813 of federal programs that offer opportunities for water quality
814 treatment, including preservation, restoration, or creation of
815 wetlands on agricultural lands.
816 1.a. Nonpoint source best management practices consistent
817 with s. 403.067 ~~paragraph (3)(c)~~, designed to achieve the
818 objectives of the Caloosahatchee River Watershed Protection
819 Program, shall be implemented on an expedited basis. The
820 coordinating agencies may develop an intergovernmental agreement
821 with local governments to implement the nonagricultural,
822 nonpoint-source best management practices within their



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823 respective geographic boundaries.

824 ~~2.b.~~ This subsection does not preclude the department or
825 the district from requiring compliance with water quality
826 standards, adopted total maximum daily loads, or current best
827 management practices requirements set forth in any applicable
828 regulatory program authorized by law for the purpose of
829 protecting water quality. This subsection applies only to the
830 extent that it does not conflict with any rules adopted by the
831 department or district which are necessary to maintain a
832 federally delegated or approved program.

833 ~~3.e.~~ Projects that make use of private lands, or lands held
834 in trust for Indian tribes, to reduce pollutant loadings or
835 concentrations within a basin, or that reduce the volume of
836 harmful discharges by one or more of the following methods:
837 restoring the natural hydrology of the basin, restoring wildlife
838 habitat or impacted wetlands, reducing peak flows after storm
839 events, or increasing aquifer recharge, are eligible for grants
840 available under this section from the coordinating agencies.

841 ~~4.d.~~ The Caloosahatchee River Watershed Basin Management
842 Action Plans ~~Pollutant Control Program~~ shall require assessment
843 of current water management practices within the watershed and
844 shall require development of recommendations for structural,
845 nonstructural, and operational improvements. Such
846 recommendations shall consider and balance water supply, flood
847 control, estuarine salinity, aquatic habitat, and water quality
848 considerations.

849 ~~5.e.~~ ~~After December 31, 2007,~~ The department may not
850 authorize the disposal of domestic wastewater biosolids
851 ~~residuals~~ within the Caloosahatchee River watershed unless the



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852 applicant can affirmatively demonstrate that the nutrients in
853 the biosolids residuals will not add to nutrient loadings in the
854 watershed. This demonstration shall be based on achieving a net
855 balance between nutrient imports relative to exports on the
856 permitted application site. Exports shall include only nutrients
857 removed from the watershed through products generated on the
858 permitted application site. This prohibition does not apply to
859 Class AA biosolids residuals that are marketed and distributed
860 as fertilizer products in accordance with department rule.

861 ~~6.f.~~ The Department of Health shall require all entities
862 disposing of septage within the Caloosahatchee River watershed
863 to develop and submit to that agency an agricultural use plan
864 that limits applications based upon nutrient loading consistent
865 with any basin management action plan adopted pursuant to s.
866 403.067. ~~By July 1, 2008, nutrient concentrations originating~~
867 ~~from these application sites may not exceed the limits~~
868 ~~established in the district's WOD program.~~

869 ~~7.g.~~ The Department of Agriculture and Consumer Services
870 shall require ~~initiate rulemaking requiring~~ entities within the
871 Caloosahatchee River watershed which land-apply animal manure to
872 develop a resource management system level conservation plan,
873 according to United States Department of Agriculture criteria,
874 which limit such application. Such rules shall ~~may~~ include
875 criteria and thresholds for the requirement to develop a
876 conservation or nutrient management plan, requirements for plan
877 approval, site inspection requirements, and recordkeeping
878 requirements.

879 8. The district shall initiate rulemaking to provide for a
880 monitoring program for nonpoint source dischargers required to



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881 monitor water quality pursuant to s. 403.067(7)(b)2.g. or s.
882 403.067(7)(c)3. The results of such monitoring must be reported
883 to the coordinating agencies.

884 ~~3. Caloosahatchee River Watershed Research and Water~~
885 ~~Quality Monitoring Program. The district, in cooperation with~~
886 ~~the other coordinating agencies and local governments, shall~~
887 ~~establish a Caloosahatchee River Watershed Research and Water~~
888 ~~Quality Monitoring Program that builds upon the district's~~
889 ~~existing research program and that is sufficient to carry out,~~
890 ~~comply with, or assess the plans, programs, and other~~
891 ~~responsibilities created by this subsection. The program shall~~
892 ~~also conduct an assessment of the water volumes and timing from~~
893 ~~the Lake Okeechobee and Caloosahatchee River watersheds and~~
894 ~~their relative contributions to the timing and volume of water~~
895 ~~delivered to the estuary.~~

896 ~~(c)(b) St. Lucie River Watershed Protection Plan. No later~~
897 ~~than January 1, 2009, The district, in cooperation with the~~
898 ~~other coordinating agencies, Martin County, and affected~~
899 ~~counties and municipalities shall complete a plan in accordance~~
900 ~~with this subsection. The St. Lucie River Watershed Protection~~
901 ~~Plan shall identify the geographic extent of the watershed, be~~
902 ~~coordinated as needed with the plans developed pursuant to~~
903 ~~paragraph (3)(a) and paragraph (a) of this subsection, and~~
904 ~~contain an implementation schedule for pollutant load reductions~~
905 ~~consistent with any adopted total maximum daily loads and~~
906 ~~compliance with applicable state water quality standards. The~~
907 ~~plan shall include the St. Lucie River Watershed Construction~~
908 ~~Project and St. Lucie River Watershed Research and Water Quality~~
909 ~~Monitoring Program.~~



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910 1. St. Lucie River Watershed Construction Project.—To
911 improve the hydrology, water quality, and aquatic habitats
912 within the watershed, the district shall, no later than January
913 1, 2012, plan, design, and construct the initial phase of the
914 Watershed Construction Project. In doing so, the district shall:

915 a. Develop and designate the facilities to be constructed
916 to achieve stated goals and objectives of the St. Lucie River
917 Watershed Protection Plan.

918 b. Identify the size and location of all such facilities.

919 c. Provide a construction schedule for all such facilities,
920 including the sequencing and specific timeframe for construction
921 of each facility.

922 d. Provide a schedule for the acquisition of lands or
923 sufficient interests necessary to achieve the construction
924 schedule.

925 e. Provide a schedule of costs and benefits associated with
926 each construction project and identify funding sources.

927 f. To ensure timely implementation, coordinate the design,
928 scheduling, and sequencing of project facilities with the
929 coordinating agencies, Martin County, St. Lucie County, other
930 interested parties, and other affected local governments.

931 2. St. Lucie River Watershed Research and Water Quality
932 Monitoring Program.—The district, in cooperation with the other
933 coordinating agencies and local governments, shall establish a
934 St. Lucie River Watershed Research and Water Quality Monitoring
935 Program that builds upon the district's existing research
936 program and that is sufficient to carry out, comply with, or
937 assess the plans, programs, and other responsibilities created
938 by this subsection. The district shall also conduct an



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939 assessment of the water volumes and timing from Lake Okeechobee
940 and the St. Lucie River watershed and their relative
941 contributions to the timing and volume of water delivered to the
942 estuary.

943 (d)2- St. Lucie River Watershed *Basin Management Action*
944 *Plan* ~~Pollutant Control Program.~~ Basin management action plan for
945 the St. Lucie River watershed adopted pursuant to s. 403.067
946 shall be the St. Lucie River Watershed Pollutant Control Program
947 and shall be ~~is~~ designed to be a multifaceted approach to
948 reducing pollutant loads by improving the management of
949 pollutant sources within the St. Lucie River watershed through
950 implementation of regulations and best management practices,
951 development and implementation of improved best management
952 practices, improvement and restoration of the hydrologic
953 function of natural and managed systems, and ~~use~~ utilization of
954 alternative technologies for pollutant reduction, such as cost-
955 effective biologically based, hybrid wetland/chemical and other
956 innovative nutrient control technologies. The plan must include
957 an implementation schedule pursuant to this subsection for
958 pollutant load reductions. As provided in s. 403.067(7)(a)6.,
959 the St. Lucie Watershed Basin Management Action Plan must
960 include milestones for implementation and water quality
961 improvement and an associated water quality monitoring component
962 sufficient to evaluate whether reasonable progress in pollutant
963 load reductions is being achieved over time. The department
964 shall develop a schedule to establish 5-, 10-, and 15-year
965 measurable milestones and a target to achieve the adopted total
966 maximum daily load no more than 20 years after adoption of the
967 plan. The schedule shall be used to provide guidance for



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968 planning and funding purposes and is exempt from s.
969 120.54(1)(a). An assessment of progress toward these milestones
970 shall be conducted every 5 years, and revisions to the plan
971 shall be made, as appropriate, as a result of each 5-year
972 review. The assessment shall be provided to the Governor, the
973 President of the Senate, and the Speaker of the House of
974 Representatives. Upon the first 5-year review, the schedule of
975 measurable milestones and a target to achieve water quality
976 improvement consistent with this section shall be adopted into
977 the plan. Revisions to the basin management action plan shall be
978 made by the department in cooperation with the basin
979 stakeholders. Revisions to best management practices or other
980 measures must follow the procedures set forth in s.
981 403.067(7)(c)4. Revised basin management action plans must be
982 adopted pursuant to s. 403.067(7)(a)4. If achieving the adopted
983 total maximum daily load is not practicable, the schedule must
984 contain an explanation of the constraints that prevent
985 achievement of the total maximum daily load within 20 years, an
986 estimate of the time needed to achieve the total maximum daily
987 load, and additional 5-year measurable milestones, as necessary.
988 The coordinating agencies shall facilitate the