



499170

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/22/2018	.	
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The Committee on Environmental Preservation and Conservation (Simmons) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Present paragraph (d) of subsection (7) of section 403.067, Florida Statutes, is redesignated as paragraph (f), and new paragraphs (d) and (e) are added to that subsection, to read:

403.067 Establishment and implementation of total maximum daily loads.-



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11 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND
12 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

13 (d) Onsite sewage treatment and disposal systems.—

14 1. For purposes of this paragraph, "onsite sewage treatment
15 and disposal system" has the same meaning as in s. 381.0065.

16 2. As part of a basin management action plan, the
17 department, the Department of Health, relevant local
18 governments, and relevant local public and private wastewater
19 utilities must develop an onsite sewage treatment and disposal
20 system remediation plan if the department determines that
21 remediation is necessary to achieve a total maximum daily load.

22 In order to promote cost-effective remediation, the department
23 may identify one or more priority focus areas. The department
24 shall identify these areas by considering soil conditions;
25 groundwater or surface water travel time; proximity to surface
26 waters, including predominantly marine waters as defined by
27 department rule; hydrogeology; onsite system density; nutrient
28 load; and other factors that may lead to water quality
29 degradation. The remediation plan must identify cost-effective
30 and financially feasible projects necessary to reduce the
31 nutrient impacts from onsite sewage treatment and disposal
32 systems. The plan shall be completed and adopted as part of the
33 basin management action plan within 5 years of the effective
34 date of this act. The department is the lead agency in
35 coordinating the preparation and adoption of the plan. In
36 developing and adopting the plan, the department shall:

37 a. Collect and evaluate credible scientific information on
38 the effect of nutrients on surface and groundwaters;

39 b. Work with local stakeholders to develop a public



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40 education plan to provide area residents with reliable,
41 understandable information about onsite sewage treatment and
42 disposal systems and surface and groundwater pollution;
43 c. Ensure that the plan includes options, if appropriate,
44 for system repair, upgrade, or replacement; drainfield
45 modification; the addition of effective nutrient-reducing
46 features; connection to a central sewerage system; or other
47 actions addressing onsite sewage treatment and disposal system
48 issues. The department shall include in the plan a priority
49 ranking for each onsite system, or group of systems, that
50 requires remediation. The priority ranking shall be used to
51 ensure the most effective, efficient use of the funding provided
52 for onsite system remediation. In awarding any such funds, the
53 department may consider expected nutrient reduction benefit per
54 unit cost, the size and scope of the project, local financial
55 contribution to the project relative to the overall cost, and
56 the financial impact on property owners and the community. For
57 the purpose of awarding funds, the department may, at its
58 discretion, totally or partially waive this consideration of the
59 local contribution for proposed projects within an area
60 designated as a rural area of opportunity under s. 288.0656; and
61 d. Ensure that the plan includes an implementation schedule
62 for completion of the actions related to reducing onsite sewage
63 treatment and disposal system nutrient loads, with milestones,
64 periodic progress evaluations, and a completion date necessary
65 to achieve the total maximum daily load within the timeframe
66 established in the basin management action plan.
67 3. The installation, repair, modification, or upgrade of
68 onsite sewage treatment and disposal systems on lots of 1 acre



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69 or less and within the boundaries of a basin management action
70 plan with an onsite sewage treatment and disposal remediation
71 plan must conform to the requirements of the remediation plan.

72 (e) *Wastewater treatment facilities.*—As part of the basin
73 management action plan, the department shall evaluate the need
74 for the creation or improvement of wastewater treatment
75 facilities to meet the total maximum daily load. The department
76 shall identify funding sources available to the relevant local
77 governments for the creation or improvement of wastewater
78 treatment facilities. The department and the relevant water
79 management districts are authorized and encouraged to enter into
80 cost-share agreements with the relevant local governments for
81 the creation or improvement of wastewater treatment facilities.
82 If a wastewater treatment facility is identified for funding
83 pursuant to this paragraph, the department and the water
84 management districts shall give priority to projects according
85 to the extent each project is intended to remove, mitigate, or
86 prevent adverse effects on surface or groundwater quality and
87 public health. The relative costs of achieving environmental and
88 public health benefits must be taken into consideration during
89 the department's or water management district's assignment of
90 project priorities. The department shall adopt a priority system
91 by rule. In developing the priority system, the department or
92 water management district shall give priority to projects that:
93 1. Eliminate public health hazards;
94 2. Enable compliance with laws requiring the elimination of
95 discharges to specific water bodies;
96 3. Assist in the implementation of total maximum daily
97 loads adopted under this section;



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98 4. Enable compliance with other pollution control
99 requirements, including, but not limited to, toxics control,
100 wastewater residuals management, and reduction of nutrients and
101 bacteria;

102 5. Assist in the implementation of surface water
103 improvement and management plans and pollutant load reduction
104 goals developed under state water policy;

105 6. Promote reclaimed water reuse;

106 7. Eliminate failing onsite sewage treatment and disposal
107 systems or those that are causing environmental damage; or

108 8. Reduce pollutants to and otherwise promote the
109 restoration of Florida's surface and groundwaters.

110 Section 2. Division of Law Revision and Information is
111 directed to replace the phrase "the effective date of this act"
112 wherever it occurs in this act with the date the act becomes a
113 law.

114 Section 3. This act shall take effect July 1, 2018.

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

117 And the title is amended as follows:

118 Delete everything before the enacting clause
119 and insert:

120 A bill to be entitled
121 An act relating to basin management action plans;
122 amending s. 403.067, F.S.; defining "onsite sewage
123 treatment and disposal system"; requiring the
124 Department of Environmental Protection and other
125 entities, as part of a basin management action plan,
126 to develop onsite sewage treatment and disposal system



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127 remediation plans under certain conditions; specifying
128 parameters for selecting priority focus areas for
129 remediation; specifying the parameters for developing
130 and adopting a remediation plan; specifying
131 requirements for the installation, repair,
132 modification, or upgrade of certain onsite sewage
133 treatment and disposal systems; requiring the
134 department to evaluate the need for the creation or
135 improvement of wastewater treatment facilities;
136 authorizing funding; providing criteria for the
137 prioritization of funding for wastewater treatment
138 facilities; requiring the department to develop rules;
139 providing a directive the Division of Law Revision and
140 Information; providing an effective date.