

By Senator Cruz

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1 A bill to be entitled
2 An act relating to water pollution operation permits;
3 amending s. 369.20, F.S.; removing the exemption from
4 the requirement to obtain a water pollution permit for
5 the application of herbicides to state waters;
6 defining the term "herbicide"; amending s. 403.088,
7 F.S.; requiring certain pesticide management plans for
8 water pollution operation permits; defining the term
9 "multimodal biological control"; providing an
10 effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Subsection (9) of section 369.20, Florida
15 Statutes, is amended to read:

16 369.20 Florida Aquatic Weed Control Act.—

17 (9) The application of herbicides to waters of the state
18 for the control of aquatic plants, algae, or invasive exotic
19 plants is not exempt from the requirement to obtain a water
20 pollution operation permit pursuant to ~~except as provided in~~ ss.
21 403.088 and 403.0885. As used in this subsection, the term
22 "herbicide" means a chemical substance used to control or
23 manipulate undesirable vegetation.

24 Section 2. Paragraph (c) of subsection (2) of section
25 403.088, Florida Statutes, is amended to read:

26 403.088 Water pollution operation permits; conditions.—

27 (2)

28 (c) A permit shall:

29 1. Specify the manner, nature, volume, and frequency of the

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30 discharge permitted;

31 2. Require proper operation and maintenance of any
32 pollution abatement facility by qualified personnel in
33 accordance with standards established by the department;

34 3. Contain such additional conditions, requirements, and
35 restrictions as the department deems necessary to preserve and
36 protect the quality of the receiving waters;

37 4. Be valid for the period of time specified therein; ~~and~~

38 5. Constitute the state National Pollutant Discharge
39 Elimination System permit when issued pursuant to the authority
40 in s. 403.0885; and

41 6. Require a pesticide management plan that implements
42 multimodal biological control of aquatic plants, algae, or
43 invasive exotic plants before the application of pesticides. As
44 used in this paragraph, the term "multimodal biological control"
45 means the use of complementary native species to reduce the
46 population of target nuisance species at the surface, middle,
47 and bottom of an underwater environment to provide a more
48 effective form of maintenance and protection.

49 Section 3. This act shall take effect July 1, 2019.