

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Agriculture & Natural
 2 Resources Subcommittee

3 Representative Fine offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 373.4594, Florida Statutes, is created
 8 to read:

9 373.4594 Indian River Lagoon Grant Program.—

10 (1) Projects dedicated to the conservation and management
 11 of the Indian River Lagoon are eligible for funding
 12 consideration by the Legislature. The Department of
 13 Environmental Protection shall use funds received to provide
 14 cost-share grants for the following projects identified in the
 15 updated Indian River Lagoon Comprehensive Conservation and
 16 Management Plan:

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17 (a) The upgrade of existing facilities that provide
18 advanced waste treatment, as defined in s. 403.086(4).

19 (b) The expansion of existing wastewater treatment
20 facilities to bring services to existing homes and businesses
21 that are not connected to an existing wastewater treatment
22 facility.

23 (c) The connection of onsite sewage treatment and disposal
24 systems to a central sewer system.

25 (2) Each grant shall require a minimum 50 percent local
26 match.

27 (3) The department shall coordinate with the South Florida
28 Water Management District and the St. Johns River Water
29 Management District to identify eligible projects and grant
30 recipients for state funding consideration.

31 (4) Beginning January 1, 2020, and each January 1
32 thereafter, the department shall submit a report to the
33 Governor, the President of the Senate, the Speaker of the House
34 of Representatives, and state elected officials representing
35 areas in the Indian River Lagoon Comprehensive Conservation and
36 Management Plan, regarding projects proposed for funding
37 consideration and projects funded under this section.

38 (a) Projects identified in the report for state funding
39 consideration must include, at a minimum:

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40 1. A priority ranking based on the most cost-effective
41 pollutant reduction projects for each listed project that will
42 be ready to proceed in the upcoming fiscal year.

43 2. The estimated cost of each listed project.

44 3. The estimated completion date of each listed project.

45 4. The source and amount of financial assistance to be
46 provided by county or municipal governments, water management
47 districts, or other entities listed for the project.

48 (b) Implementation status of projects receiving state
49 funding under this section.

50 (5) The county or municipal governments shall annually
51 submit a status report on projects receiving state funding under
52 this section to the department and to the appropriate water
53 management district for inclusion in the consolidated water
54 management district annual report required by s. 373.036(7).

55 Section 2. Section 403.0771, Florida Statutes, is created
56 to read:

57 403.0771 Sewage Spill Notification.-

58 (1) In addition to the public notification requirements of
59 s. 403.077, a wastewater treatment facility that unlawfully
60 discharges more than 1,000 gallons of raw or partially treated
61 sewage into any waterway or aquifer in violation of the
62 conditions set forth in a permit issued pursuant to ss. 403.088
63 or 403.0885, must, within 24 hours after discovering the

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64 discharge, send written notification, by first class mail, to
65 the following customers:

66 (a) For spills between 1,000 and 100,000 gallons,
67 customers within a half mile radius;

68 (b) For spills within 100,000 and 1,000,000 gallons,
69 customers within a one mile radius;

70 (c) For spills greater than 1,000,000 gallons, all
71 customers of the wastewater facility.

72 (2) Written notification must include, at minimum:

73 (a) The date and time of the discharge;

74 (b) The status of the discharge (ongoing or ceased);

75 (c) The estimated volume of the discharge;

76 (d) The location or address of the discharge;

77 (e) A description of the area affected by the discharge,
78 including the name of the waterbody affected, if any; and,

79 (f) The name and phone number of all local elected
80 officials that have authority over the facility responsible for
81 the discharge.

82 Section 3. Subsection (4) of section 403.141, Florida
83 Statutes, is renumbered as subsection (5), and a new subsection
84 (4) is added to that section, to read:

85 (4) In addition to the civil penalty limitation set forth
86 in subsection (1), a wastewater treatment facility that
87 unlawfully discharges greater than or equal to 1,000 gallons of
88 raw or partially treated sewage into any waterway or aquifer, in

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89 violation of the conditions set forth in a permit issued
90 pursuant to s. 403.0885, must:

91 (a) Remit to the department an amount equal to \$1 for each
92 gallon of sewage discharged; or

93 (b) Calculate, and if this is not possible, estimate the
94 number of gallons of sewage discharged, and, with the
95 department's approval, spend \$2 for each gallon to upgrade and
96 repair the waste water system to prevent future unlawful
97 discharges.

98 1. Appropriate uses of funds to upgrade include, but are
99 not limited to, smoke testing of sewer lines, repairs and
100 replacement of laterals and main sewer lines, manhole cover
101 repairs, purchase and maintenance of generators for lift
102 stations, wastewater treatment facility capacity increases, and
103 incremental nutrient reduction technology.

104 2. If a volume cannot be calculated or estimated, the
105 facility must remit to the department a minimum penalty of
106 \$10,000.

107 3. If the cost of all potential repairs and upgrades are
108 less than the calculated penalty amount, then the total funds
109 utilized to perform repairs and upgrades cannot exceed the cost
110 identified.

111 Section 4. This act shall take effect July 1, 2019.

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

Remove everything before the enacting clause and insert:
An act relating to water quality improvements; creating the
Indian River Lagoon Grant Program for certain projects related
to the Indian River Lagoon Comprehensive Conservation and
Management Plan; authorizing the Department of Environmental
Protection, with other specified entities, to provide grants for
such projects; directing the department to submit an annual
report to the Governor and Legislature; creating s. 403.0771,
F.S.; requiring each wastewater facility that unlawfully
discharges sewage into a waterway or aquifer to notify customers
under certain conditions; providing requirements for written
notification; amending s. 403.141, F.S.; providing penalties for
wastewater treatment facilities that unlawfully discharge
sewage; providing an effective date.