



781502

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/03/2019	.	
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The Committee on Community Affairs (Mayfield) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 195 - 759  
and insert:  
403.161 and may not participate in the wastewater grant program established under s. 403.0673 until such time as the ordinance has been adopted, enacted, and implemented. In implementing the ordinance, a local government shall conduct educational campaigns, enforcement programs, and mandatory notification of property owners subject to the ordinance, and shall submit a



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11 report on its implementation efforts to the department for  
12 publication on the department's website.

13 (3) If a basin management action plan or an alternative  
14 restoration plan has not been adopted within 90 days after the  
15 adoption of a nutrient total maximum daily load for an  
16 Outstanding Florida Spring, agricultural operations located  
17 within the associated Water Body Identification Number shall  
18 sign a notice of intent to implement the applicable agricultural  
19 best management practices or other measures adopted by the  
20 Department of Agriculture and Consumer Services pursuant to s.  
21 403.067(7)(c) or conduct water quality monitoring as prescribed  
22 by the department or a water management district. Such  
23 agricultural operations may be subject to enforcement action by  
24 the department or a water management district based upon a  
25 failure to comply with this subsection.

26 ~~(3) As part of a basin management action plan that includes~~  
27 ~~an Outstanding Florida Spring, the department, the Department of~~  
28 ~~Health, relevant local governments, and relevant local public~~  
29 ~~and private wastewater utilities shall develop an onsite sewage~~  
30 ~~treatment and disposal system remediation plan for a spring if~~  
31 ~~the department determines onsite sewage treatment and disposal~~  
32 ~~systems within a priority focus area contribute at least 20~~  
33 ~~percent of nonpoint source nitrogen pollution or if the~~  
34 ~~department determines remediation is necessary to achieve the~~  
35 ~~total maximum daily load. The plan shall identify cost effective~~  
36 ~~and financially feasible projects necessary to reduce the~~  
37 ~~nutrient impacts from onsite sewage treatment and disposal~~  
38 ~~systems and shall be completed and adopted as part of the basin~~  
39 ~~management action plan no later than the first 5-year milestone~~



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40 ~~required by subparagraph (1)(b)8. The department is the lead~~  
41 ~~agency in coordinating the preparation of and the adoption of~~  
42 ~~the plan. The department shall:~~

43 ~~(a) Collect and evaluate credible scientific information on~~  
44 ~~the effect of nutrients, particularly forms of nitrogen, on~~  
45 ~~springs and springs systems; and~~

46 ~~(b) Develop a public education plan to provide area~~  
47 ~~residents with reliable, understandable information about onsite~~  
48 ~~sewage treatment and disposal systems and springs.~~

49

50 ~~In addition to the requirements in s. 403.067, the plan shall~~  
51 ~~include options for repair, upgrade, replacement, drainfield~~  
52 ~~modification, addition of effective nitrogen reducing features,~~  
53 ~~connection to a central sewerage system, or other action for an~~  
54 ~~onsite sewage treatment and disposal system or group of systems~~  
55 ~~within a priority focus area that contribute at least 20 percent~~  
56 ~~of nonpoint source nitrogen pollution or if the department~~  
57 ~~determines remediation is necessary to achieve a total maximum~~  
58 ~~daily load. For these systems, the department shall include in~~  
59 ~~the plan a priority ranking for each system or group of systems~~  
60 ~~that requires remediation and shall award funds to implement the~~  
61 ~~remediation projects contingent on an appropriation in the~~  
62 ~~General Appropriations Act, which may include all or part of the~~  
63 ~~costs necessary for repair, upgrade, replacement, drainfield~~  
64 ~~modification, addition of effective nitrogen reducing features,~~  
65 ~~initial connection to a central sewerage system, or other~~  
66 ~~action. In awarding funds, the department may consider expected~~  
67 ~~nutrient reduction benefit per unit cost, size and scope of~~  
68 ~~project, relative local financial contribution to the project,~~



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69 ~~and the financial impact on property owners and the community.~~  
70 ~~The department may waive matching funding requirements for~~  
71 ~~proposed projects within an area designated as a rural area of~~  
72 ~~opportunity under s. 288.0656.~~

73 (4) The department shall provide notice to a local  
74 government of all permit applicants under s. 403.814(12) in a  
75 priority focus area of an Outstanding Florida Spring over which  
76 the local government has full or partial jurisdiction.

77 Section 4. Subsection (2) of section 373.811, Florida  
78 Statutes, is amended to read:

79 373.811 Prohibited activities within a priority focus  
80 area.—The following activities are prohibited within a priority  
81 focus area in effect for an Outstanding Florida Spring:

82 (2) New onsite sewage treatment and disposal systems on  
83 lots of less than 1 acre, if the addition of the specific  
84 systems conflicts with an onsite treatment and disposal system  
85 remediation plan incorporated into a basin management action  
86 plan in accordance with s. 403.067(7) (e) ~~s. 373.807(3)~~.

87 Section 5. Subsections (22) and (23) are added to section  
88 403.031, Florida Statutes, to read:

89 403.031 Definitions.—In construing this chapter, or rules  
90 and regulations adopted pursuant hereto, the following words,  
91 phrases, or terms, unless the context otherwise indicates, have  
92 the following meanings:

93 (22) "Wastewater facilities" or "wastewater treatment  
94 facilities" means any of the following: the collection and  
95 transmission system, the wastewater treatment plant, and the  
96 reuse or disposal system.

97 (23) "Wastewater plant" or "wastewater treatment plant"



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98 means any plant or other works used for the purpose of treating,  
99 stabilizing, or holding wastewater.

100 Section 6. Section 403.0616, Florida Statutes, is created  
101 to read:

102 403.0616 Real-time water quality monitoring program.-

103 (1) Subject to appropriation, the department shall  
104 establish a real-time water quality monitoring program to assist  
105 in the restoration, preservation, and enhancement of impaired  
106 waterbodies and coastal resources.

107 (2) In order to expedite the creation and implementation of  
108 the program, the department is encouraged to form public-private  
109 partnerships with established scientific entities with existing,  
110 proven real-time water quality monitoring equipment and  
111 experience in deploying such equipment.

112 Section 7. Present paragraph (d) of subsection (7) of  
113 section 403.067, Florida Statutes, is redesignated as paragraph  
114 (f), a new paragraph (d) and paragraphs (e) and (g) are added to  
115 that subsection, paragraph (a) of that subsection is amended,  
116 and paragraph (d) is added to subsection (3) of that section, to  
117 read:

118 403.067 Establishment and implementation of total maximum  
119 daily loads.-

120 (3) ASSESSMENT.-

121 (d) If a basin management action plan or an alternative  
122 restoration plan has not been adopted within 90 days after the  
123 adoption of a total maximum daily load for a water body or water  
124 body segment, agricultural operations located within the  
125 associated Water Body Identification Number shall sign a notice  
126 of intent to implement the applicable agricultural best



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127 management practices or other measures adopted by the Department  
128 of Agriculture and Consumer Services pursuant to s.  
129 403.067(7)(c) or conduct water quality monitoring as prescribed  
130 by the department or a water management district. Such  
131 agricultural operations may be subject to enforcement action by  
132 the department or a water management district based upon a  
133 failure to comply with this paragraph.

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

136 (a) *Basin management action plans.*—

137 1. In developing and implementing the total maximum daily  
138 load for a water body, the department, or the department in  
139 conjunction with a water management district, may develop a  
140 basin management action plan that addresses some or all of the  
141 watersheds and basins tributary to the water body. Such plan  
142 must integrate the appropriate management strategies available  
143 to the state through existing water quality protection programs  
144 to achieve the total maximum daily loads and may provide for  
145 phased implementation of these management strategies to promote  
146 timely, cost-effective actions as provided for in s. 403.151.  
147 The plan must establish a schedule implementing the management  
148 strategies, provide detailed information for improvement  
149 projects including descriptions and timelines for completion,  
150 establish a basis for evaluating the plan's effectiveness, and  
151 identify feasible funding strategies for implementing the plan's  
152 management strategies. The management strategies may include  
153 regional treatment systems or other public works, where  
154 appropriate, and voluntary trading of water quality credits to  
155 achieve the needed pollutant load reductions.



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156           2. A basin management action plan must equitably allocate,  
157 pursuant to paragraph (6) (b), pollutant reductions to individual  
158 basins, as a whole to all basins, or to each identified point  
159 source or category of nonpoint sources, as appropriate. For  
160 nonpoint sources for which best management practices have been  
161 adopted, the initial requirement specified by the plan must be  
162 those practices developed pursuant to paragraph (c). Where  
163 appropriate, the plan may take into account the benefits of  
164 pollutant load reduction achieved by point or nonpoint sources  
165 that have implemented management strategies to reduce pollutant  
166 loads, including best management practices, before the  
167 development of the basin management action plan. The plan must  
168 also identify the mechanisms that will address potential future  
169 increases in pollutant loading.

170           3. The basin management action planning process is intended  
171 to involve the broadest possible range of interested parties,  
172 with the objective of encouraging the greatest amount of  
173 cooperation and consensus possible. In developing a basin  
174 management action plan, the department shall assure that key  
175 stakeholders, including, but not limited to, applicable local  
176 governments, water management districts, the Department of  
177 Agriculture and Consumer Services, other appropriate state  
178 agencies, local soil and water conservation districts,  
179 environmental groups, regulated interests, and affected  
180 pollution sources, are invited to participate in the process.  
181 The department shall hold at least one public meeting in the  
182 vicinity of the watershed or basin to discuss and receive  
183 comments during the planning process and shall otherwise  
184 encourage public participation to the greatest practicable



185 extent. Notice of the public meeting must be published in a  
186 newspaper of general circulation in each county in which the  
187 watershed or basin lies not less than 5 days nor more than 15  
188 days before the public meeting. A basin management action plan  
189 does not supplant or otherwise alter any assessment made under  
190 subsection (3) or subsection (4) or any calculation or initial  
191 allocation.

192 4. Each new or revised basin management action plan shall  
193 include:

194 a. The appropriate management strategies available through  
195 existing water quality protection programs to achieve total  
196 maximum daily loads, which may provide for phased implementation  
197 to promote timely, cost-effective actions as provided for in s.  
198 403.151;

199 b. A description of best management practices adopted by  
200 rule;

201 c. A list of projects in priority ranking with a planning-  
202 level cost estimate and estimated date of completion for each  
203 listed project. The priority ranking shall be based on the  
204 estimated reduction in nutrient load per project, project  
205 readiness, cost effectiveness, overall environmental benefit,  
206 location within the plan area, local matching funds, and water  
207 savings or quantity improvements;

208 d. The source and amount of financial assistance to be made  
209 available by the department, a water management district, or  
210 other entity for each listed project, if applicable; and

211 e. A planning-level estimate of each listed project's  
212 expected load reduction, if applicable.

213 5. The department shall adopt all or any part of a basin





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214 management action plan and any amendment to such plan by  
215 secretarial order pursuant to chapter 120 to implement the  
216 provisions of this section.

217         6. The basin management action plan must include milestones  
218 for implementation and water quality improvement, and an  
219 associated water quality monitoring component sufficient to  
220 evaluate whether reasonable progress in pollutant load  
221 reductions is being achieved over time. An assessment of  
222 progress toward these milestones shall be conducted every 5  
223 years, and revisions to the plan shall be made as appropriate.  
224 Revisions to the basin management action plan shall be made by  
225 the department in cooperation with basin stakeholders. Revisions  
226 to the management strategies required for nonpoint sources must  
227 follow the procedures set forth in subparagraph (c)4. Revised  
228 basin management action plans must be adopted pursuant to  
229 subparagraph 5.

230         7. In accordance with procedures adopted by rule under  
231 paragraph (9)(c), basin management action plans, and other  
232 pollution control programs under local, state, or federal  
233 authority as provided in subsection (4), may allow point or  
234 nonpoint sources that will achieve greater pollutant reductions  
235 than required by an adopted total maximum daily load or  
236 wasteload allocation to generate, register, and trade water  
237 quality credits for the excess reductions to enable other  
238 sources to achieve their allocation; however, the generation of  
239 water quality credits does not remove the obligation of a source  
240 or activity to meet applicable technology requirements or  
241 adopted best management practices. Such plans must allow trading  
242 between NPDES permittees, and trading that may or may not



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243 involve NPDES permittees, where the generation or use of the  
244 credits involve an entity or activity not subject to department  
245 water discharge permits whose owner voluntarily elects to obtain  
246 department authorization for the generation and sale of credits.

247 8. The provisions of the department's rule relating to the  
248 equitable abatement of pollutants into surface waters do not  
249 apply to water bodies or water body segments for which a basin  
250 management plan that takes into account future new or expanded  
251 activities or discharges has been adopted under this section.

252 (d) Wastewater treatment plan.-

253 1. As part of a basin management action plan, each local  
254 government, in cooperation with the department, the relevant  
255 water management district, and the relevant local public and  
256 private wastewater utilities, shall develop a plan to implement  
257 improvements that provide, at a minimum, advanced waste  
258 treatment, as defined in s. 403.086(4). The plan must provide  
259 for construction, expansion, or upgrades necessary to achieve a  
260 total maximum daily load, consistent with an onsite sewage  
261 treatment and disposal system remediation plan under paragraph  
262 (e). A local government that does not have a wastewater  
263 treatment plant in its jurisdiction is not required to develop a  
264 wastewater treatment plan unless the department determines that  
265 the creation of such a plant within the jurisdiction is  
266 necessary to meet the total maximum daily load. If advanced  
267 waste treatment standards are met or exceeded as part of a  
268 broader waste treatment program implemented by the local public  
269 or private wastewater treatment utility, such a program may be  
270 deemed to comply with the requirements of this paragraph with  
271 the approval of the department. Wastewater treatment plants that



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272 are directly addressed in a basin management action plan and do  
273 not meet or exceed advanced waste treatment standards but that  
274 have been determined to meet the requirements for the total  
275 maximum daily load before July 1, 2019, are grandfathered unless  
276 and until the department determines that higher levels of  
277 treatment are required to meet the total maximum daily load.

278 2. Each owner or operator of an existing wastewater  
279 treatment plant shall provide certain information for each plant  
280 that has a plan to implement upgrades that meet or exceed  
281 advanced waste treatment, as defined in s. 403.086(4). This  
282 information must include the following as it relates to existing  
283 conditions and estimated conditions after upgrades are  
284 implemented:

- 285 a. The permitted capacity of the plant, in gallons per day;
- 286 b. The average nutrient concentration; and
- 287 c. The estimated average nutrient load.

288 3.a. The local government shall submit to the department  
289 for approval a detailed plan that includes:

290 (I) A timeline that specifies the dates by which the  
291 construction of any improvements must commence, each stage of  
292 construction must be completed, and operations must commence;

293 (II) A detailed planning and design report setting forth  
294 the plan for construction of improvements and operations; and

295 (III) A certification that the local government, in  
296 agreement with the owner or operator, has approved the method of  
297 implementing upgrades and method of financing or funding  
298 construction and operation.

299 b. The department may amend the plan and shall approve a  
300 final plan. The department shall provide technical support upon



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301 request by a local government. An existing wastewater treatment  
302 plant must also incorporate the plan into its next NPDES or  
303 wastewater operating permit renewal.

304 c. Each new wastewater treatment plant located within the  
305 plan area shall comply with the requirements and approved dates  
306 in the basin management action plan. Each existing wastewater  
307 treatment plant located within the plan area must be in  
308 compliance with the timeline set out in the basin management  
309 action plan to receive a renewal of its NPDES or wastewater  
310 operating permit. Upon a showing of good cause, the department  
311 may grant an extension of time to the local government to comply  
312 with the timeline.

313 d. If the deadlines for the initiation of construction of  
314 improvements, completion of construction, and commencement of  
315 operations which were approved pursuant to this subparagraph are  
316 not satisfied, each local government with a wastewater treatment  
317 plant that does not meet the requirements in this subparagraph  
318 may not participate in the wastewater grant program established  
319 under s. 403.0673 until such time as the plant is brought into  
320 compliance. In addition, the department shall, unless good cause  
321 is shown, assess penalties pursuant to ss. 403.121, 403.141, and  
322 403.161 until such time as the plant is brought into compliance.  
323 The department may reduce penalties based on expenditures for  
324 improvements and upgrades to the wastewater treatment facility.

325 (e) *Onsite sewage treatment and disposal systems.*—

326 1. For purposes of this paragraph, the term "onsite sewage  
327 treatment and disposal system" has the same meaning as in s.  
328 381.0065.

329 2.a. As part of a basin management action plan, each local



330 government, in cooperation with the department, the Department  
331 of Health, the relevant water management district, and relevant  
332 local public and private wastewater utilities, shall develop an  
333 onsite sewage treatment and disposal system remediation plan if  
334 the department identifies onsite sewage treatment and disposal  
335 systems as contributors of at least 20 percent of nonpoint  
336 source nutrient pollution or if the department determines that  
337 remediation is necessary to achieve a total maximum daily load.  
338 In order to promote cost-effective remediation, the department  
339 may identify one or more onsite sewage treatment and disposal  
340 system priority focus areas. The department shall identify these  
341 areas by considering soil conditions; groundwater or surface  
342 water travel time; proximity to surface waters, including  
343 predominantly marine waters as defined by department rule;  
344 hydrogeology; onsite system density; nutrient load; and other  
345 factors that may lead to water quality degradation. The  
346 remediation plan must identify cost-effective and financially  
347 feasible projects necessary to reduce the nutrient impacts from  
348 onsite sewage treatment and disposal systems. The plan shall be  
349 completed and adopted as part of the basin management action plan  
350 no later than the first 5-year milestone assessment identified in  
351 subparagraph (a)6., for basin management action plans generally,  
352 or as required in s. 373.807(1)(b)8., for Outstanding Florida  
353 Springs. Before adopting the plan, the local government shall  
354 hold one or more publicly noticed meetings to receive input on  
355 the plan from the general public. The department is responsible  
356 for timely approval and adoption of the plan. For basin  
357 management action plans not governed by part VIII of chapter  
358 373, an onsite sewage treatment and disposal system priority



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359 focus area means the area or areas of a basin where the  
360 groundwater is generally most vulnerable to pollutant inputs  
361 where there is a known connectivity between groundwater pathways  
362 and an impaired water body, as determined by the department in  
363 consultation with the appropriate water management districts and  
364 delineated in a basin management action plan.

365 b.(I) Each local government within the plan area, or the  
366 local government's designee, shall prepare a plan, by the first  
367 5-year milestone assessment required under subparagraph (a)6.,  
368 for basin management action plans generally, or as required in  
369 s. 373.807(1)(b)8. for Outstanding Florida Springs. Within its  
370 jurisdiction, the local government plan must provide for either  
371 connecting each onsite sewage treatment and disposal system to a  
372 central wastewater treatment plant or replacing the current  
373 system with a new system within the onsite sewage treatment and  
374 disposal system priority focus area so that a nutrient load from  
375 onsite sewage treatment and disposal systems meets or exceeds  
376 applicable water quality standards. The plan must include water  
377 quality monitoring provisions to ensure that waterbodies within  
378 the plan area do not continue to be further degraded by onsite  
379 sewage treatment and disposal systems. The local government  
380 shall submit to the department for approval, a detailed plan,  
381 which includes:

382 (A) A timeline that specifies the dates by which the  
383 construction of any improvements must commence, each stage of  
384 construction must be completed, and mandatory upgrades of onsite  
385 sewage treatment disposal systems within the plan area must be  
386 implemented or any ordinances that must be adopted to implement  
387 the plan;



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388       (B) A detailed planning and design report setting forth the  
389 plan for construction of improvements to and implementation of  
390 onsite sewage treatment and disposal system upgrades;

391       (C) A certification that the local government, in agreement  
392 with the owner or operator, has approved the method of  
393 remediation and method of financing or funding construction and  
394 operation.

395       (II) The department may amend the plan and shall approve a  
396 final plan. The department shall provide technical support upon  
397 request by a local government. Upon a showing of good cause, the  
398 department may grant an extension of time to reach compliance  
399 with the schedule.

400       (III) If the deadlines in sub-sub-sub-subparagraph (I) (A)  
401 are not satisfied, the local government may not participate in  
402 the wastewater grant program established under s. 403.0673 until  
403 the actions in the remediation plan have been completed. In  
404 addition, the department shall, unless good cause is shown,  
405 assess penalties pursuant to ss. 403.121, 403.141, and 403.161  
406 until the actions in the remediation plan have been completed.  
407 The department may reduce penalties based on expenditures  
408 designed to achieve compliance with the remediation plan.

409       c. In developing and adopting the plan, the department  
410 shall:

411       (I) Collect and evaluate credible scientific information on  
412 the effect of nutrients on surface waters and groundwater;

413       (II) Work with local stakeholders to develop a public  
414 education plan to provide area residents with reliable,  
415 understandable information about onsite sewage treatment and  
416 disposal systems and surface and groundwater pollution;



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417 (III) In addition to sub-subparagraph 2.b., the department  
418 may include in the plan, if appropriate, options for system  
419 repair, upgrade, or replacement; drainfield modification; the  
420 addition of effective nutrient-reducing features; or other  
421 actions addressing onsite sewage treatment and disposal system  
422 issues. The department shall include in the plan a priority  
423 ranking for each onsite system, or group of systems, that  
424 requires remediation. The priority ranking shall be used to  
425 ensure the most effective, efficient use of the funding provided  
426 for onsite system remediation. In awarding any such funds, the  
427 department may consider expected nutrient reduction benefit per  
428 unit cost, the size and scope of the project, local financial  
429 contribution to the project relative to the overall cost, and the  
430 financial impact on property owners and the community. For the  
431 purpose of awarding funds, the department may, at its discretion,  
432 totally or partially waive this consideration of the local  
433 contribution for proposed projects within an area designated as a  
434 rural area of opportunity under s. 288.0656; and

435 (IV) The installation, repair, modification, or upgrade of  
436 onsite sewage treatment and disposal systems within the  
437 boundaries of a basin management action plan with an onsite  
438 sewage treatment and disposal system remediation plan must  
439 conform to the requirements of the remediation plan.

440 (g) Alternative restoration plan.—

441 1. As part of its alternative restoration plan for a water  
442 body, the local stakeholders proposing the plan must consider:

443 a. The implementation of agricultural best management  
444 practices or monitoring for nonpoint sources of pollution in  
445 accordance with paragraph (c);





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446 b. The implementation of an onsite sewage treatment and  
447 disposal system remediation plan where such remediation is  
448 necessary to restore the water body in accordance with paragraph  
449 (e); and

450 c. The adoption of advanced waste treatment levels or  
451 higher water quality effluent standards for wastewater treatment  
452 plants.

453 2. In addition, the restoration plan must include any other  
454 pollution control mechanisms that are being implemented to  
455 demonstrate a reasonable assurance that existing or proposed  
456 pollution control mechanisms or programs will effectively  
457 address the impairment. Upon adoption of such a restoration  
458 plan, the requirement that best management practices or  
459 monitoring be conducted within the watershed impacting the water  
460 body is enforceable pursuant to this section and ss. 403.121,  
461 403.141, and 403.161.

462 Section 8. Section 403.0673, Florida Statutes, is created  
463 to read:

464 403.0673 Wastewater grant program.—A wastewater grant  
465 program is established within the Department of Environmental  
466 Protection.

467 (1) Subject to appropriation, the department may provide  
468 grants for projects that will individually or collectively  
469 reduce excess nutrient pollution within a basin management  
470 action plan or an alternative restoration plan adopted by final  
471 order for all of the following:

472 (a) Projects to retrofit onsite sewage treatment and  
473 disposal systems.

474 (b) Projects to construct, upgrade, or expand facilities to



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475 provide advanced waste treatment, as defined in ss. 403.086(4).

476 (c) Projects to connect onsite sewage treatment and  
477 disposal systems to central sewer facilities.

478 (2) In allocating such funds, priority must be given for  
479 projects that subsidize the connection of onsite sewage  
480 treatment and disposal systems to a wastewater treatment plant  
481 or that subsidize inspections and assessments of onsite sewage  
482 treatment and disposal systems. In determining priorities, the  
483 department shall consider the estimated reduction in nutrient  
484 load per project; project readiness; cost effectiveness of the  
485 project; overall environmental benefit of a project; the  
486 location of a project within the plan area; the availability of  
487 local matching funds; and projected water savings or quantity  
488 improvements associated with a project.

489 (3) Each grant for a project described in subsection (1)  
490 must require a minimum of a 50 percent local match of funds.  
491 However, the department may, at its discretion, waive, in whole  
492 or in part, this consideration of the local contribution for  
493 proposed projects within an area designated as a rural area of  
494 opportunity under s. 288.0656.

495 (4) The department shall coordinate with each water  
496 management district, as necessary, to identify grant recipients  
497 in each district.

498 (5) Beginning January 1, 2020, and each January 1  
499 thereafter, the department shall submit a report regarding the  
500 projects funded pursuant to this section to the Governor, the  
501 President of the Senate, and the Speaker of the House of  
502 Representatives.

503 Section 9. Section 403.0771, Florida Statutes, is created



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504 to read:

505 403.0771 Sewage spill notification; moratorium.—

506 (1) In addition to the public notification requirements of  
507 s. 403.077, a wastewater treatment facility that unlawfully  
508 discharges raw or partially treated sewage into any waterway or  
509 aquifer must, within 24 hours after discovering the discharge,  
510 notify its customers that the discharge has occurred.

511 (2) If a wastewater treatment facility owned by a local  
512 government unlawfully discharges raw or partially treated sewage  
513 into any waterway or aquifer, the local government may not  
514 participate in the wastewater grant program established under s.  
515 403.0673 until any required maintenance, repair, or improvement  
516 has been implemented to reduce or eliminate sanitary sewage  
517 overflows, as determined by the department. In addition, the  
518 department shall assess a daily penalty pursuant to ss. 403.121,  
519 403.141, and 403.161 against a public or private wastewater  
520 facility that unlawfully discharges raw or partially treated  
521 sewage into any waterway or aquifer until the required  
522 maintenance, repair, or improvement has been implemented. The  
523 department may reduce a penalty based on the wastewater  
524 treatment facility's investment in assessment and maintenance  
525 activities to identify and address conditions that may cause  
526 sanitary sewage overflows.

527 (3) The department shall maintain a publicly accessible  
528 website that includes any current consent orders applicable to a  
529 wastewater treatment facility entered into as a result of  
530 sanitary sewer overflows, as well as any reports filed by the  
531 facility in accordance with open consent orders.

532 Section 10. Effective July 1, 2024, paragraph (c) of



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533 subsection (1) of section 403.086, Florida Statutes, is amended  
534 to read:

535 403.086 Sewage disposal facilities; advanced and secondary  
536 waste treatment.—

537 (1)

538 (c) Notwithstanding any other provisions of this chapter or  
539 chapter 373, facilities for sanitary sewage disposal may not  
540 dispose of any wastes into Old Tampa Bay, Tampa Bay,  
541 Hillsborough Bay, Boca Ciega Bay, St. Joseph Sound, Clearwater  
542 Bay, Sarasota Bay, Little Sarasota Bay, Roberts Bay, Lemon Bay,  
543 or Charlotte Harbor Bay, Indian River Lagoon, or into any river,  
544 stream, channel, canal, bay, bayou, sound, or other water  
545 tributary thereto, without providing advanced waste treatment,  
546 as defined in subsection (4), approved by the department. This  
547 paragraph shall not apply to facilities which were permitted by  
548 February 1, 1987, and which discharge secondary treated  
549 effluent, followed by water hyacinth treatment, to tributaries  
550 of tributaries of the named waters; or to facilities permitted  
551 to discharge to the nontidally influenced portions of the Peace  
552 River.

553 Section 11. Present subsection (4) of section 403.9337,  
554 Florida Statutes, is redesignated as subsection (5), and a new  
555 subsection (4) is added to that section, to read:

556 403.9337 Model Ordinance for Florida-Friendly Fertilizer  
557 Use on Urban Landscapes.—

558 (4) A local government that fails to adopt, enact, and  
559 implement an ordinance required by subsection (2) by January 1,  
560 2020, is subject to a daily fine as provided in ss. 403.121,  
561 403.141, and 403.161 and may not participate in the wastewater



562 grant program established under s. 403.0673 until the ordinance  
563 has been adopted,

564  
565 ===== T I T L E A M E N D M E N T =====

566 And the title is amended as follows:

567 Delete lines 13 - 68

568 and insert:

569 prohibiting a local government from participating in  
570 the wastewater grant program under certain  
571 circumstances; providing penalties; requiring certain  
572 agricultural operations that fail to adopt a basin  
573 management action plan or alternative restoration plan  
574 within a specified timeframe to sign a notice of  
575 intent to implement certain practices, measures, or  
576 monitoring; amending s. 373.811, F.S.; conforming a  
577 cross-reference; amending s. 403.031, F.S.; defining  
578 terms; creating s. 403.0616, F.S.; requiring the  
579 department, subject to appropriation, to establish a  
580 real-time water quality monitoring program;  
581 encouraging the formation of public-private  
582 partnerships; amending s. 403.067, F.S.; requiring  
583 certain agricultural operations that fail to adopt a  
584 basin management action plan or alternative  
585 restoration plan within a specified timeframe to sign  
586 a notice of intent to implement certain practices,  
587 measures, or monitoring; revising requirements for a  
588 basin management action plan; requiring each local  
589 government to develop a wastewater treatment plan that  
590 meets certain requirements; prohibiting a local



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591 government that does not meet certain requirements  
592 relating to wastewater treatment plant project plans  
593 or onsite sewage treatment and disposal system  
594 remediation plans from participating in the wastewater  
595 grant program within a specified timeframe; providing  
596 penalties; defining the term "onsite sewage treatment  
597 and disposal system"; requiring a local government, in  
598 cooperation with specified entities, to develop an  
599 onsite sewage treatment and disposal system  
600 remediation plan as part of the basin management  
601 action plan under certain circumstances; providing  
602 requirements for such plan; providing requirements for  
603 a restoration plan for certain water bodies; creating  
604 s. 403.0673, F.S.; establishing a wastewater grant  
605 program within the Department of Environmental  
606 Protection; authorizing the department to distribute  
607 appropriated funds for certain projects; providing  
608 requirements for the distribution; requiring the  
609 department to coordinate with each water management  
610 district to identify grant recipients; requiring an  
611 annual report to the Governor and the Legislature by a  
612 specified date; creating s. 403.0771, F.S.; requiring  
613 a wastewater treatment plant to notify customers of  
614 unlawful discharges of raw or partially treated sewage  
615 into any waterway or aquifer within a specified  
616 timeframe; prohibiting a local government that owns  
617 such a plant from participating in the wastewater  
618 grant program within a specified timeframe; providing  
619 penalties;