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A bill to be entitled
 An act relating to water pollution operation permits;
 amending s. 369.20, F.S.; providing a condition for
 the exemption from the requirement to obtain a water
 pollution permit for the application of herbicides to
 state waters; defining the term "herbicide"; amending
 s. 403.088, F.S.; revising the requirements for water
 pollution operation permits; defining the term
 "multimodal biological control"; providing an
 effective date.

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

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

369.20 Florida Aquatic Weed Control Act.—

(9) The application of herbicides to waters of the state
 for the control of aquatic plants, algae, or invasive exotic
 plants is exempt from the requirement to obtain a water
 pollution operation permit pursuant to ~~except as provided in ss.~~
 403.088 and 403.0885 only if multimodal biological control as
defined in s. 403.088(2)(c) is implemented in the water body. As
used in this subsection, the term "herbicide" means a chemical
substance used to control or manipulate undesirable vegetation.

Section 2. Paragraph (c) of subsection (2) of section

26 | 403.088, Florida Statutes, is amended to read:

27 | 403.088 Water pollution operation permits; conditions.—

28 | (2)

29 | (c) A permit shall:

30 | 1. Specify the manner, nature, volume, and frequency of
31 | the discharge permitted;

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

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

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

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

42 | 6. Require substantial evidence, as determined by the
43 | department, that multimodal biological control cannot be used to
44 | effectively control aquatic plants, algae, or invasive exotic
45 | plants. As used in this paragraph, the term "multimodal
46 | biological control" means the use of complementary native
47 | species to control aquatic plants, algae, or invasive exotic
48 | plants at the surface, middle, and bottom of an aquatic
49 | environment.

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