

1                                   A bill to be entitled  
 2           An act relating to Biscayne Bay; creating s. 163.11,  
 3           F.S.; establishing the Biscayne Bay Commission;  
 4           providing for commission purpose, membership, duties,  
 5           and authority; amending s. 403.086, F.S.; prohibiting  
 6           sewage disposal facilities from disposing of any  
 7           wastes into Biscayne Bay without providing advanced  
 8           waste treatment; providing an effective date.

9  
 10 Be It Enacted by the Legislature of the State of Florida:

11  
 12           Section 1. Section 163.11, Florida Statutes, is created to  
 13 read:

14           163.11 Biscayne Bay Commission.—

15           (1) The Biscayne Bay Commission is hereby established as  
 16 an advisory council, as defined in s. 20.03, within the  
 17 Department of Environmental Protection. The department shall  
 18 provide administrative support and service to the commission as  
 19 requested by the commission and within the available resources  
 20 of the department. The commission shall comply with the  
 21 requirements of s. 20.052 except as otherwise provided in this  
 22 section.

23           (2) The commission shall serve as the official  
 24 coordinating clearinghouse for all public policy and projects  
 25 related to Biscayne Bay to unite all governmental agencies,

26 businesses, and residents in the area to speak with one voice on  
27 bay issues; to develop coordinated plans, priorities, programs,  
28 and projects that might substantially improve the bay area; and  
29 to act as the principal advocate and watchdog to ensure that bay  
30 projects are funded and implemented in a proper and timely  
31 manner.

32 (3) (a) The Biscayne Bay Commission shall be comprised of  
33 the following members:

34 1. One member appointed by the Governor.

35 2. Three members of the Miami-Dade Board of County  
36 Commissioners, appointed by the board.

37 3. One member of the Miami-Dade County League of Cities  
38 who resides within the boundaries of a city that borders  
39 Biscayne Bay, nominated by the league and appointed by the  
40 Secretary of Environmental Protection. To the extent  
41 practicable, the league must nominate a member from each city  
42 that borders Biscayne Bay on a rotating basis.

43 4. One member of the South Florida Water Management  
44 District Governing Board who resides in Miami-Dade County,  
45 appointed by the board.

46 5. One representative of the Department of Environmental  
47 Protection, appointed by the Secretary of Environmental  
48 Protection.

49 6. One representative of the Fish and Wildlife  
50 Conservation Commission, appointed by the commission.

51 7. One representative of the Florida Inland Navigation  
52 District, appointed by the district.

53 (b) Members shall serve for a term of 4 years; however,  
54 for the purpose of providing staggered terms, the initial  
55 appointments of representatives of the South Florida Water  
56 Management District Governing Board, the Department of  
57 Environmental Protection, the Fish and Wildlife Conservation  
58 Commission, and the Florida Inland Navigation District shall be  
59 for a term of 2 years. A vacancy shall be filled for the  
60 remainder of the unexpired term in the same manner as the  
61 initial appointment. Notwithstanding s. 20.052, private citizen  
62 members of the commission are not required to be confirmed by  
63 the Senate.

64 (c) All members shall be voting members.

65 (d) Members of the commission shall serve without  
66 compensation and are not entitled to reimbursement for per diem  
67 and travel expenses pursuant to s. 112.061.

68 (4) The commission may meet monthly, but shall meet at  
69 least quarterly.

70 (5) The commission shall:

71 (a) Consolidate existing plans, programs, and proposals,  
72 including the recommendations outlined in the June 2020 Biscayne  
73 Bay Task Force report, into a coordinated strategic plan for  
74 improvement of Biscayne Bay and the surrounding areas,  
75 addressing environmental, economic, social, recreational, and

76 aesthetic issues. The commission shall monitor the progress on  
 77 each element of such plan and shall revise the plan regularly.

78 (b) Prepare a consolidated financial plan using the  
 79 projected financial resources available from the different  
 80 jurisdictional agencies. The commission shall monitor the  
 81 progress on each element of such plan and revise the plan  
 82 regularly.

83 (c) Provide technical assistance and support as needed to  
 84 help implement each element of the strategic and financial  
 85 plans.

86 (d) Work in consultation with the United States Department  
 87 of the Interior.

88 (e) Provide a forum for exchange of information.

89 (f) Act as a clearinghouse for public information.

90 (6) The commission may establish subcommittees as  
 91 necessary to carry out its responsibilities.

92 (7) The commission shall submit a semiannual report  
 93 describing the accomplishments of the commission and each member  
 94 agency, as well as the status of each pending task, to the Miami  
 95 City Commission, the Miami-Dade County Board of County  
 96 Commissioners, the Mayor of Miami, the Mayor of Miami-Dade  
 97 County, the Governor, and the chair of the Miami-Dade County  
 98 Legislative Delegation. The first report shall be submitted by  
 99 January 15, 2022. The report shall also be made available on the

100 Department of Environmental Protection's website and Miami-Dade  
 101 County's website.

102 (8) This act does not affect or supersede the regulatory  
 103 authority of any governmental agency or any local government,  
 104 and any responsibilities of any governmental entity relating to  
 105 Biscayne Bay remain with the respective governmental entity.

106 Section 2. Paragraph (c) of subsection (1) of section  
 107 403.086, Florida Statutes, is amended to read:

108 403.086 Sewage disposal facilities; advanced and secondary  
 109 waste treatment.—

110 (1)

111 (c) Notwithstanding this chapter or chapter 373, sewage  
 112 disposal facilities may not dispose of any wastes into Old Tampa  
 113 Bay, Tampa Bay, Hillsborough Bay, Boca Ciega Bay, St. Joseph  
 114 Sound, Clearwater Bay, Sarasota Bay, Little Sarasota Bay,  
 115 Roberts Bay, Lemon Bay, Charlotte Harbor Bay, Biscayne Bay, or,  
 116 beginning July 1, 2025, Indian River Lagoon, or into any river,  
 117 stream, channel, canal, bay, bayou, sound, or other water  
 118 tributary thereto, without providing advanced waste treatment,  
 119 as defined in subsection (4), approved by the department. This  
 120 paragraph does not apply to facilities which were permitted by  
 121 February 1, 1987, and which discharge secondary treated  
 122 effluent, followed by water hyacinth treatment, to tributaries  
 123 of tributaries of the named waters; or to facilities permitted  
 124 to discharge to the nontidally influenced portions of the Peace

125 | River.

126 |       Section 3. This act shall take effect upon becoming a law.