

By Senator Hutson

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1 A bill to be entitled
2 An act relating to soil and water conservation
3 districts; repealing ch. 582, F.S., relating to soil
4 and water conservation districts; abolishing all soil
5 and water conservation districts in this state;
6 transferring the assets and liabilities of such
7 districts; amending ss. 120.52, 189.0695, 259.032,
8 259.036, 373.1391, 373.1401, 373.591, 403.067, 570.66,
9 and 570.921, F.S.; conforming provisions to changes
10 made by the act; providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Chapter 582, Florida Statutes, consisting of
15 sections 582.01, 582.02, 582.055, 582.06, 582.10, 582.11,
16 582.12, 582.13, 582.14, 582.15, 582.16, 582.18, 582.19, 582.20,
17 582.28, 582.29, 582.30, 582.31, and 582.32, is repealed.

18 Section 2. The following soil and water conservation
19 districts are abolished and all assets and liabilities of each
20 district are transferred to the Northwest Florida Water
21 Management District:

22 (1) Escambia Soil and Water Conservation District.

23 (2) Yellow River Soil and Water Conservation District.

24 (3) Choctawhatchee River Soil and Water Conservation
25 District.

26 (4) Holmes Creek Soil and Water Conservation District.

27 (5) Orange Hill Soil and Water Conservation District.

28 (6) Jackson Soil and Water Conservation District.

29 (7) Chipola River Soil and Water Conservation District.

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30 (8) Tupelo Soil and Water Conservation District.
 31 (9) Gadsden Soil and Water Conservation District.
 32 (10) Franklin Soil and Water Conservation District.
 33 (11) Leon Soil and Water Conservation District.
 34 (12) Wakulla Soil and Water Conservation District.
 35 (13) Jefferson Soil and Water Conservation District.
 36 Section 3. The following soil and water conservation
 37 districts are abolished and all assets and liabilities of each
 38 district are transferred to the Suwannee River Water Management
 39 District:

40 (1) Taylor Soil and Water Conservation District.
 41 (2) Hamilton County Soil and Water Conservation District.
 42 (3) Suwannee County Conservation District.
 43 (4) Lafayette Soil and Water Conservation District.
 44 (5) Dixie Soil and Water Conservation District.
 45 (6) Santa Fe Soil and Water Conservation District.
 46 (7) Gilchrist Soil and Water Conservation District.
 47 (8) Levy Soil and Water Conservation District.
 48 (9) Bradford Soil and Water Conservation District.
 49 (10) Alachua Soil and Water Conservation District.

50 Section 4. The following soil and water conservation
 51 districts are abolished and all assets and liabilities of each
 52 district are transferred to the St. Johns River Water Management
 53 District:

54 (1) Nassau Soil and Water Conservation District.
 55 (2) Baker Soil and Water Conservation District.
 56 (3) Duval Soil and Water Conservation District.
 57 (4) Clay Soil and Water Conservation District.
 58 (5) St. Johns Soil and Water Conservation District.

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- 59 (6) Putnam Soil and Water Conservation District.
- 60 (7) Marion Soil and Water Conservation District.
- 61 (8) Volusia Soil and Water Conservation District.
- 62 (9) Lake Soil and Water Conservation District.
- 63 (10) Seminole Soil and Water Conservation District.
- 64 (11) Orange Soil and Water Conservation District.
- 65 (12) Brevard Soil and Water Conservation District.
- 66 (13) Indian River Soil and Water Conservation District.

67 Section 5. The following soil and water conservation
 68 districts are abolished and all assets and liabilities of each
 69 district are transferred to the Southwest Florida Water
 70 Management District:

- 71 (1) Sumter Soil and Water Conservation District.
- 72 (2) Polk Soil and Water Conservation District.
- 73 (3) Hillsborough Soil and Water Conservation District.
- 74 (4) Manatee River Soil and Water Conservation District.
- 75 (5) Hardee Soil and Water Conservation District.
- 76 (6) Peace River Soil and Water Conservation District.
- 77 (7) Sarasota Soil and Water Conservation District.
- 78 (8) Charlotte Soil and Water Conservation District.

79 Section 6. The following soil and water conservation
 80 districts are abolished and all assets and liabilities of each
 81 district are transferred to the South Florida Water Management
 82 District:

- 83 (1) Osceola Soil and Water Conservation District.
- 84 (2) Okeechobee Soil and Water Conservation District.
- 85 (3) Highlands Soil and Water Conservation District.
- 86 (4) Collier Soil and Water Conservation District.
- 87 (5) St. Lucie Soil and Water Conservation District.

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(6) Martin Soil and Water Conservation District.
(7) Palm Beach Soil and Water Conservation District.
(8) Broward Soil and Water Conservation District.
(9) South Dade Soil and Water Conservation District.
 Section 7. The Blackwater Soil and Water Conservation District is dissolved and the assets and liabilities of the district are transferred to Santa Rosa County.
 Section 8. The Glades Soil and Water Conservation District is dissolved and the assets and liabilities of the district are transferred to Glades County.
 Section 9. The Hendry Soil and Water Conservation District is dissolved and the assets and liabilities of the district are transferred to Hendry County.
 Section 10. The Madison Soil and Water Conservation District is dissolved and the assets and liabilities of the district are transferred to Madison County.
 Section 11. The Union Soil and Water Conservation District is dissolved and the assets and liabilities of the district are transferred to Union County.
 Section 12. Paragraph (a) of subsection (1) of section 120.52, Florida Statutes, is amended to read:
 120.52 Definitions.—As used in this act:
 (1) "Agency" means the following officers or governmental entities if acting pursuant to powers other than those derived from the constitution:
 (a) The Governor; each state officer and state department, and each departmental unit described in s. 20.04; the Board of Governors of the State University System; the Commission on Ethics; the Fish and Wildlife Conservation Commission; a

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117 regional water supply authority; a regional planning agency; a
118 multicounty special district, but only if a majority of its
119 governing board is comprised of nonelected persons; educational
120 units; and each entity described in chapters 163, 373, and 380~~7~~
121 ~~and 582~~ and s. 186.504.

122
123 This definition does not include a municipality or legal entity
124 created solely by a municipality; a legal entity or agency
125 created in whole or in part pursuant to part II of chapter 361;
126 a metropolitan planning organization created pursuant to s.
127 339.175; a separate legal or administrative entity created
128 pursuant to s. 339.175 of which a metropolitan planning
129 organization is a member; an expressway authority pursuant to
130 chapter 348 or any transportation authority or commission under
131 chapter 343 or chapter 349; or a legal or administrative entity
132 created by an interlocal agreement pursuant to s. 163.01(7),
133 unless any party to such agreement is otherwise an agency as
134 defined in this subsection.

135 Section 13. Subsection (3) of section 189.0695, Florida
136 Statutes, is amended to read:

137 189.0695 Independent special districts; performance
138 reviews.—

139 (3) The Office of Program Policy Analysis and Government
140 Accountability must conduct a performance review of all
141 independent mosquito control ~~special~~ districts ~~within the~~
142 ~~classifications described in paragraphs (a) and (b)~~ and may
143 contract as needed to complete the requirements of this
144 subsection. The Office of Program Policy Analysis and Government
145 Accountability shall submit the final report of the performance

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146 review to the President of the Senate and the Speaker of the
147 House of Representatives ~~as follows:~~

148 ~~(a) For all independent mosquito control districts as~~
149 ~~defined in s. 388.011, no later than September 30, 2023.~~

150 ~~(b) For all soil and water conservation districts as~~
151 ~~defined in s. 582.01, no later than September 30, 2024.~~

152 Section 14. Subsection (5), paragraphs (d) and (e) of
153 subsection (7), and paragraph (b) of subsection (8) of section
154 259.032, Florida Statutes, are amended to read:

155 259.032 Conservation and recreation lands.—

156 (5) The board of trustees may enter into any contract
157 necessary to accomplish the purposes of this section. The lead
158 land managing agencies designated by the board of trustees ~~also~~
159 are directed by the Legislature to enter into contracts or
160 interagency agreements with other governmental entities,
161 ~~including local soil and water conservation districts,~~ or
162 private land managers who have the expertise to perform specific
163 management activities which a lead agency lacks, or which would
164 cost more to provide in-house. Such activities shall include,
165 but not be limited to, controlled burning, road and ditch
166 maintenance, mowing, and wildlife assessments.

167 (7) All lands managed under this chapter and s. 253.034
168 shall be:

169 (d) Concurrent with the approval of the acquisition
170 contract pursuant to s. 253.025(4)(c) for any interest in lands
171 except those lands acquired pursuant to s. 259.1052, the board
172 shall designate an agency or agencies to manage such lands. The
173 board shall evaluate and amend, as appropriate, the management
174 policy statement for the project as provided by s. 259.035 to

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175 ensure that the policy statement is compatible with
176 conservation, recreation, or both. ~~For any fee simple~~
177 ~~acquisition of a parcel which is or will be leased back for~~
178 ~~agricultural purposes, or any acquisition of a less than fee~~
179 ~~interest in land that is or will be used for agricultural~~
180 ~~purposes, the board shall first consider having a soil and water~~
181 ~~conservation district, created pursuant to chapter 582, manage~~
182 ~~and monitor such interests.~~

183 (e) State agencies designated to manage lands acquired
184 under this chapter or with funds deposited into the Land
185 Acquisition Trust Fund, except those lands acquired under s.
186 259.1052, may contract with local governments ~~and soil and water~~
187 ~~conservation districts~~ to assist in management activities,
188 including the responsibility of being the lead land manager.
189 Such land management contracts may include a provision for the
190 transfer of management funding to the local government ~~or soil~~
191 ~~and water conservation district~~ from the land acquisition trust
192 fund of the lead land managing agency in an amount adequate for
193 the local government ~~or soil and water conservation district~~ to
194 perform its contractual land management responsibilities and
195 proportionate to its responsibilities, and which otherwise would
196 have been expended by the state agency to manage the property.

197 (8)

198 (b) Individual management plans required by s. 253.034(5),
199 for parcels over 160 acres, shall be developed with input from
200 an advisory group. Members of this advisory group shall include,
201 at a minimum, representatives of the lead land managing agency,
202 comanaging entities, local private property owners, ~~the~~
203 ~~appropriate soil and water conservation district,~~ a local

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204 conservation organization, and a local elected official. If
205 habitat or potentially restorable habitat for imperiled species
206 is located on state lands, the Fish and Wildlife Conservation
207 Commission and the Department of Agriculture and Consumer
208 Services shall be included on any advisory group required under
209 chapter 253, and the short-term and long-term management goals
210 required under chapter 253 must advance the goals and objectives
211 of imperiled species management without restricting other uses
212 identified in the management plan. The advisory group shall
213 conduct at least one public hearing within the county in which
214 the parcel or project is located. For those parcels or projects
215 that are within more than one county, at least one areawide
216 public hearing shall be acceptable and the lead managing agency
217 shall invite a local elected official from each county. The
218 areawide public hearing shall be held in the county in which the
219 core parcels are located. Notice of such public hearing shall be
220 posted on the parcel or project designated for management,
221 advertised in a paper of general circulation, and announced at a
222 scheduled meeting of the local governing body before the actual
223 public hearing. The management prospectus required pursuant to
224 paragraph (7)(c) shall be available to the public for a period
225 of 30 days before the public hearing.

226
227 By July 1 of each year, each governmental agency and each
228 private entity designated to manage lands shall report to the
229 Secretary of Environmental Protection on the progress of
230 funding, staffing, and resource management of every project for
231 which the agency or entity is responsible.

232 Section 15. Paragraph (a) of subsection (1) of section

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233 259.036, Florida Statutes, is amended to read:

234 259.036 Management review teams.—

235 (1) To determine whether conservation, preservation, and
236 recreation lands titled in the name of the board are being
237 managed for purposes that are compatible with conservation,
238 preservation, or recreation in accordance with a land management
239 plan adopted pursuant to s. 259.032, the board, acting through
240 the department, shall cause periodic management reviews to be
241 conducted as follows:

242 (a) The department shall establish a regional land
243 management review team composed of the following members:

244 1. One individual who is from the county or local community
245 in which the parcel or project is located and who is selected by
246 the county commission in the county which is most impacted by
247 the acquisition.

248 2. One individual from the Division of Recreation and Parks
249 of the department.

250 3. One individual from the Florida Forest Service of the
251 Department of Agriculture and Consumer Services.

252 4. One individual from the Fish and Wildlife Conservation
253 Commission.

254 5. One individual from the department's district office in
255 which the parcel is located.

256 6. A private land manager, preferably from the local
257 community, mutually agreeable to the state agency
258 representatives.

259 7. A member or staff from the jurisdictional water
260 management district ~~or local soil and water conservation~~
261 ~~district board of supervisors.~~

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262 8. A member of a conservation organization.

263 Section 16. Paragraph (d) of subsection (1) of section
264 373.1391, Florida Statutes, is amended to read:

265 373.1391 Management of real property.—

266 (1)

267 ~~(d) For any fee simple acquisition of a parcel which is or~~
268 ~~will be leased back for agricultural purposes, or for any~~
269 ~~acquisition of a less than fee interest in lands that is or will~~
270 ~~be used for agricultural purposes, the district governing board~~
271 ~~shall first consider having a soil and water conservation~~
272 ~~district created pursuant to chapter 582 manage and monitor such~~
273 ~~interest.~~

274 Section 17. Section 373.1401, Florida Statutes, is amended
275 to read:

276 373.1401 Management of lands of water management
277 districts.—~~In addition to provisions contained in s. 373.1391(1)~~
278 ~~for soil and water conservation districts,~~ The governing board
279 of each water management district may contract with a
280 nongovernmental person or entity, any federal or state agency, a
281 county, a municipality, or any other governmental entity, or
282 environmental nonprofit organization to provide for the
283 improvement, management, or maintenance of any real property
284 owned by or under the control of the district.

285 Section 18. Paragraph (d) of subsection (1) of section
286 373.591, Florida Statutes, is amended to read:

287 373.591 Management review teams.—

288 (1) To determine whether conservation, preservation, and
289 recreation lands titled in the names of the water management
290 districts are being managed for the purposes for which they were

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291 acquired and in accordance with land management objectives, the
292 water management districts shall establish land management
293 review teams to conduct periodic management reviews. The land
294 management review teams shall be composed of the following
295 members:

296 ~~(d) A member of the local soil and water conservation~~
297 ~~district board of supervisors.~~

298 Section 19. Subsection (1), paragraph (a) of subsection
299 (3), paragraph (a) of subsection (6), and paragraph (a) of
300 subsection (7) of section 403.067, Florida Statutes, are amended
301 to read:

302 403.067 Establishment and implementation of total maximum
303 daily loads.—

304 (1) LEGISLATIVE FINDINGS AND INTENT.—In furtherance of
305 public policy established in s. 403.021, the Legislature
306 declares that the waters of the state are among its most basic
307 resources and that the development of a total maximum daily load
308 program for state waters as required by s. 303(d) of the Clean
309 Water Act, Pub. L. No. 92-500, 33 U.S.C. ss. 1251 et seq. will
310 promote improvements in water quality throughout the state
311 through the coordinated control of point and nonpoint sources of
312 pollution. The Legislature finds that, while point and nonpoint
313 sources of pollution have been managed through numerous
314 programs, better coordination among these efforts and additional
315 management measures may be needed in order to achieve the
316 restoration of impaired water bodies. The scientifically based
317 total maximum daily load program is necessary to fairly and
318 equitably allocate pollution loads to both nonpoint and point
319 sources. Implementation of the allocation shall include

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320 consideration of a cost-effective approach coordinated between
321 contributing point and nonpoint sources of pollution for
322 impaired water bodies or water body segments and may include the
323 opportunity to implement the allocation through nonregulatory
324 and incentive-based programs. The Legislature further declares
325 that the Department of Environmental Protection shall be the
326 lead agency in administering this program and shall coordinate
327 with local governments, water management districts, the
328 Department of Agriculture and Consumer Services, ~~local soil and~~
329 ~~water conservation districts,~~ environmental groups, regulated
330 interests, other appropriate state agencies, and affected
331 pollution sources in developing and executing the total maximum
332 daily load program.

333 (3) ASSESSMENT.—

334 (a) Based on the priority ranking and schedule for a
335 particular listed water body or water body segment, the
336 department shall conduct a total maximum daily load assessment
337 of the basin in which the water body or water body segment is
338 located using the methodology developed pursuant to paragraph
339 (b). In conducting this assessment, the department shall
340 coordinate with the local water management district, the
341 Department of Agriculture and Consumer Services, other
342 appropriate state agencies, ~~soil and water conservation~~
343 ~~districts,~~ environmental groups, regulated interests, and other
344 interested parties.

345 (6) CALCULATION AND ALLOCATION.—

346 (a) Calculation of total maximum daily load.

347 1. Prior to developing a total maximum daily load
348 calculation for each water body or water body segment on the

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349 list specified in subsection (4), the department shall
350 coordinate with applicable local governments, water management
351 districts, the Department of Agriculture and Consumer Services,
352 other appropriate state agencies, ~~local soil and water~~
353 ~~conservation districts~~, environmental groups, regulated
354 interests, and affected pollution sources to determine the
355 information required, accepted methods of data collection and
356 analysis, and quality control/quality assurance requirements.
357 The analysis may include mathematical water quality modeling
358 using approved procedures and methods.

359 2. The department shall develop total maximum daily load
360 calculations for each water body or water body segment on the
361 list described in subsection (4) according to the priority
362 ranking and schedule unless the impairment of such waters is due
363 solely to activities other than point and nonpoint sources of
364 pollution. For waters determined to be impaired due solely to
365 factors other than point and nonpoint sources of pollution, no
366 total maximum daily load will be required. A total maximum daily
367 load may be required for those waters that are impaired
368 predominantly due to activities other than point and nonpoint
369 sources. The total maximum daily load calculation shall
370 establish the amount of a pollutant that a water body or water
371 body segment may receive from all sources without exceeding
372 water quality standards, and shall account for seasonal
373 variations and include a margin of safety that takes into
374 account any lack of knowledge concerning the relationship
375 between effluent limitations and water quality. The total
376 maximum daily load may be based on a pollutant load reduction
377 goal developed by a water management district, provided that

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378 such pollutant load reduction goal is promulgated by the
379 department in accordance with the procedural and substantive
380 requirements of this subsection.

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

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

384 1. In developing and implementing the total maximum daily
385 load for a water body, the department, or the department in
386 conjunction with a water management district, may develop a
387 basin management action plan that addresses some or all of the
388 watersheds and basins tributary to the water body. Such plan
389 must integrate the appropriate management strategies available
390 to the state through existing water quality protection programs
391 to achieve the total maximum daily loads and may provide for
392 phased implementation of these management strategies to promote
393 timely, cost-effective actions as provided for in s. 403.151.
394 The plan must establish a schedule implementing the management
395 strategies, establish a basis for evaluating the plan's
396 effectiveness, and identify feasible funding strategies for
397 implementing the plan's management strategies. The management
398 strategies may include regional treatment systems or other
399 public works, when appropriate, and voluntary trading of water
400 quality credits to achieve the needed pollutant load reductions.

401 2. A basin management action plan must equitably allocate,
402 pursuant to paragraph (6) (b), pollutant reductions to individual
403 basins, as a whole to all basins, or to each identified point
404 source or category of nonpoint sources, as appropriate. For
405 nonpoint sources for which best management practices have been
406 adopted, the initial requirement specified by the plan must be

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407 those practices developed pursuant to paragraph (c). When
408 appropriate, the plan may take into account the benefits of
409 pollutant load reduction achieved by point or nonpoint sources
410 that have implemented management strategies to reduce pollutant
411 loads, including best management practices, before the
412 development of the basin management action plan. The plan must
413 also identify the mechanisms that will address potential future
414 increases in pollutant loading.

415 3. The basin management action planning process is intended
416 to involve the broadest possible range of interested parties,
417 with the objective of encouraging the greatest amount of
418 cooperation and consensus possible. In developing a basin
419 management action plan, the department shall assure that key
420 stakeholders, including, but not limited to, applicable local
421 governments, water management districts, the Department of
422 Agriculture and Consumer Services, other appropriate state
423 agencies, ~~local soil and water conservation districts,~~
424 environmental groups, regulated interests, and affected
425 pollution sources, are invited to participate in the process.
426 The department shall hold at least one public meeting in the
427 vicinity of the watershed or basin to discuss and receive
428 comments during the planning process and shall otherwise
429 encourage public participation to the greatest practicable
430 extent. Notice of the public meeting must be published in a
431 newspaper of general circulation in each county in which the
432 watershed or basin lies at least 5 days, but not more than 15
433 days, before the public meeting. A basin management action plan
434 does not supplant or otherwise alter any assessment made under
435 subsection (3) or subsection (4) or any calculation or initial

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436 allocation.

437 4. Each new or revised basin management action plan shall
438 include:

439 a. The appropriate management strategies available through
440 existing water quality protection programs to achieve total
441 maximum daily loads, which may provide for phased implementation
442 to promote timely, cost-effective actions as provided for in s.
443 403.151;

444 b. A description of best management practices adopted by
445 rule;

446 c. A list of projects in priority ranking with a planning-
447 level cost estimate and estimated date of completion for each
448 listed project;

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

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

454 5. The department shall adopt all or any part of a basin
455 management action plan and any amendment to such plan by
456 secretarial order pursuant to chapter 120 to implement this
457 section.

458 6. The basin management action plan must include milestones
459 for implementation and water quality improvement, and an
460 associated water quality monitoring component sufficient to
461 evaluate whether reasonable progress in pollutant load
462 reductions is being achieved over time. An assessment of
463 progress toward these milestones shall be conducted every 5
464 years, and revisions to the plan shall be made as appropriate.

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465 Revisions to the basin management action plan shall be made by
466 the department in cooperation with basin stakeholders. Revisions
467 to the management strategies required for nonpoint sources must
468 follow the procedures in subparagraph (c)4. Revised basin
469 management action plans must be adopted pursuant to subparagraph
470 5.

471 7. In accordance with procedures adopted by rule under
472 paragraph (9)(c), basin management action plans, and other
473 pollution control programs under local, state, or federal
474 authority as provided in subsection (4), may allow point or
475 nonpoint sources that will achieve greater pollutant reductions
476 than required by an adopted total maximum daily load or
477 wasteload allocation to generate, register, and trade water
478 quality credits for the excess reductions to enable other
479 sources to achieve their allocation; however, the generation of
480 water quality credits does not remove the obligation of a source
481 or activity to meet applicable technology requirements or
482 adopted best management practices. Such plans must allow trading
483 between NPDES permittees, and trading that may or may not
484 involve NPDES permittees, where the generation or use of the
485 credits involve an entity or activity not subject to department
486 water discharge permits whose owner voluntarily elects to obtain
487 department authorization for the generation and sale of credits.

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

493 9. In order to promote resilient wastewater utilities, if

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494 the department identifies domestic wastewater treatment
495 facilities or onsite sewage treatment and disposal systems as
496 contributors of at least 20 percent of point source or nonpoint
497 source nutrient pollution or if the department determines
498 remediation is necessary to achieve the total maximum daily
499 load, a basin management action plan for a nutrient total
500 maximum daily load must include the following:

501 a. A wastewater treatment plan developed by each local
502 government, in cooperation with the department, the water
503 management district, and the public and private domestic
504 wastewater treatment facilities within the jurisdiction of the
505 local government, that addresses domestic wastewater. The
506 wastewater treatment plan must:

507 (I) Provide for construction, expansion, or upgrades
508 necessary to achieve the total maximum daily load requirements
509 applicable to the domestic wastewater treatment facility.

510 (II) Include the permitted capacity in average annual
511 gallons per day for the domestic wastewater treatment facility;
512 the average nutrient concentration and the estimated average
513 nutrient load of the domestic wastewater; a projected timeline
514 of the dates by which the construction of any facility
515 improvements will begin and be completed and the date by which
516 operations of the improved facility will begin; the estimated
517 cost of the improvements; and the identity of responsible
518 parties.

519
520 The wastewater treatment plan must be adopted as part of the
521 basin management action plan no later than July 1, 2025. A local
522 government that does not have a domestic wastewater treatment

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523 facility in its jurisdiction is not required to develop a
524 wastewater treatment plan unless there is a demonstrated need to
525 establish a domestic wastewater treatment facility within its
526 jurisdiction to improve water quality necessary to achieve a
527 total maximum daily load. A local government is not responsible
528 for a private domestic wastewater facility's compliance with a
529 basin management action plan unless such facility is operated
530 through a public-private partnership to which the local
531 government is a party.

532 b. An onsite sewage treatment and disposal system
533 remediation plan developed by each local government in
534 cooperation with the department, the Department of Health, water
535 management districts, and public and private domestic wastewater
536 treatment facilities.

537 (I) The onsite sewage treatment and disposal system
538 remediation plan must identify cost-effective and financially
539 feasible projects necessary to achieve the nutrient load
540 reductions required for onsite sewage treatment and disposal
541 systems. To identify cost-effective and financially feasible
542 projects for remediation of onsite sewage treatment and disposal
543 systems, the local government shall:

544 (A) Include an inventory of onsite sewage treatment and
545 disposal systems based on the best information available;

546 (B) Identify onsite sewage treatment and disposal systems
547 that would be eliminated through connection to existing or
548 future central domestic wastewater infrastructure in the
549 jurisdiction or domestic wastewater service area of the local
550 government, that would be replaced with or upgraded to enhanced
551 nutrient-reducing onsite sewage treatment and disposal systems,

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552 or that would remain on conventional onsite sewage treatment and
553 disposal systems;

554 (C) Estimate the costs of potential onsite sewage treatment
555 and disposal system connections, upgrades, or replacements; and

556 (D) Identify deadlines and interim milestones for the
557 planning, design, and construction of projects.

558 (II) The department shall adopt the onsite sewage treatment
559 and disposal system remediation plan as part of the basin
560 management action plan no later than July 1, 2025, or as
561 required for Outstanding Florida Springs under s. 373.807.

562 10. When identifying wastewater projects in a basin
563 management action plan, the department may not require the
564 higher cost option if it achieves the same nutrient load
565 reduction as a lower cost option. A regulated entity may choose
566 a different cost option if it complies with the pollutant
567 reduction requirements of an adopted total maximum daily load
568 and meets or exceeds the pollution reduction requirement of the
569 original project.

570 Section 20. Section 570.66, Florida Statutes, is amended to
571 read:

572 570.66 Department of Agriculture and Consumer Services;
573 water policy.—The commissioner may create an Office of
574 Agricultural Water Policy under the supervision of a senior
575 manager exempt under s. 110.205 in the Senior Management
576 Service. The commissioner may designate the bureaus and
577 positions in the various organizational divisions of the
578 department that report to the office relating to any matter over
579 which the department has jurisdiction in matters relating to
580 water policy affecting agriculture, application of such

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581 policies, and coordination of such matters with state and
582 federal agencies. ~~The office shall enforce and implement the~~
583 ~~provisions of chapter 582 and rules relating to soil and water~~
584 ~~conservation.~~

585 Section 21. Subsection (3) of section 570.921, Florida
586 Statutes, is amended to read:

587 570.921 Environmental Stewardship Certification Program.—
588 The department may establish the Environmental Stewardship
589 Certification Program consistent with this section.

590 ~~(3) The Soil and Water Conservation Council created by s.~~
591 ~~582.06 may develop and recommend to the department for adoption~~
592 ~~additional criteria for receipt of an agricultural certification~~
593 ~~which may include, but not be limited to:~~

594 ~~(a) Comprehensive management of all on-farm resources.~~

595 ~~(b) Promotion of environmental awareness and responsible~~
596 ~~resource stewardship in agricultural or urban communities.~~

597 ~~(c) Completion of a curriculum of study that is related to~~
598 ~~environmental issues and regulation.~~

599 Section 22. This act shall take effect July 1, 2022.