

1                                   A bill to be entitled  
2           An act relating to environmental protection; amending  
3           s. 163.3177, F.S.; revising the required components of  
4           a local government comprehensive plan capital  
5           improvements element and general sanitary sewer, solid  
6           waste, drainage, potable water, and natural  
7           groundwater aquifer recharge element; making technical  
8           changes; requiring the update of comprehensive plans  
9           by a specified date; providing applicability; amending  
10          s. 253.025, F.S.; increasing the estimated value  
11          threshold of land acquisition agreements that are  
12          required to be submitted to and approved by the Board  
13          of Trustees of the Internal Improvement Trust Fund;  
14          removing the requirement that agreements to acquire  
15          initial lands for Florida Forever projects be  
16          submitted to and approved by the board of trustees;  
17          increasing the estimated value threshold for the  
18          appraisal of certain land acquisitions; requiring,  
19          rather than authorizing, the Department of  
20          Environmental Protection to disclose appraisal reports  
21          to private landowners or their representatives during  
22          negotiations for certain land acquisitions; removing a  
23          provision requiring private landowners to maintain  
24          confidentiality of such reports; specifying the  
25          authority of the board of trustees or the department,

26 | as applicable, to acquire certain parcels at full  
27 | value as determined by the highest approved appraisal;  
28 | amending s. 259.032, F.S.; authorizing the board of  
29 | trustees to acquire interests in lands that complete  
30 | certain linkages within the Florida wildlife corridor;  
31 | conforming a provision to changes made by the act;  
32 | making technical changes; amending s. 259.105, F.S.;  
33 | requiring the Department of Agriculture and Consumer  
34 | Services to submit an updated priority list for the  
35 | acquisition of certain agricultural lands to the  
36 | Acquisition and Restoration Council by a specified  
37 | date; providing construction; conforming cross-  
38 | references; deleting an obsolete provision; requiring  
39 | the council to give increased priority to specified  
40 | projects; creating s. 373.469, F.S.; providing  
41 | legislative findings and intent; defining terms;  
42 | providing the components of the Indian River Lagoon  
43 | Protection Program; requiring the department to  
44 | evaluate and update the basin management action plans  
45 | within the program at specified intervals; requiring  
46 | the department, in coordination with specified  
47 | entities, to identify and prioritize strategies and  
48 | projects to achieve certain water quality standards  
49 | and total maximum daily loads; requiring the  
50 | department, in coordination with specified entities,

51 to implement the Indian River Lagoon Watershed  
52 Research and Water Quality Monitoring Program for  
53 specified purposes; prohibiting the installation of  
54 new onsite sewage treatment and disposal systems  
55 beginning on a specified date under certain  
56 circumstances; requiring that commercial or  
57 residential properties with existing onsite sewage  
58 treatment and disposal systems be connected to central  
59 sewer or be upgraded to a certain system by a  
60 specified date; providing construction; authorizing  
61 the department and the governing boards of the St.  
62 Johns River Water Management District and the South  
63 Florida Water Management District to adopt rules;  
64 amending s. 373.501, F.S.; requiring, rather than  
65 authorizing, the department to transfer appropriated  
66 funds to the water management districts for specified  
67 purposes; requiring the districts to annually report  
68 to the department on the use of such funds; amending  
69 s. 373.802, F.S.; defining the term "enhanced  
70 nutrient-reducing onsite sewage treatment and disposal  
71 system"; amending s. 373.807, F.S.; conforming a  
72 cross-reference; revising requirements for onsite  
73 sewage treatment and disposal system remediation plans  
74 for springs; amending s. 373.811, F.S.; prohibiting  
75 new onsite sewage treatment and disposal systems

76 | within basin management action plans in effect for  
 77 | Outstanding Florida Springs under certain  
 78 | circumstances; authorizing the installation of  
 79 | enhanced or alternative systems for certain lots;  
 80 | amending s. 375.041, F.S.; requiring an annual  
 81 | appropriation from the Land Acquisition Trust Fund to  
 82 | the department for the acquisition of specified lands;  
 83 | deleting an obsolete provision; amending s. 381.0065,  
 84 | F.S.; defining the term "enhanced nutrient-reducing  
 85 | onsite sewage treatment and disposal system"; amending  
 86 | s. 381.00655, F.S.; encouraging local governmental  
 87 | agencies that receive funding for connecting onsite  
 88 | sewage treatment and disposal systems to central sewer  
 89 | facilities to provide notice of the funding  
 90 | availability to certain owners of onsite sewage  
 91 | treatment and disposal systems and to maintain a  
 92 | website with certain information regarding the  
 93 | funding; reordering and amending s. 403.031, F.S.;  
 94 | defining and revising terms; amending s. 403.067,  
 95 | F.S.; revising requirements for new or revised basin  
 96 | management action plans; requiring that basin  
 97 | management action plans include 5-year milestones for  
 98 | implementation; requiring certain entities to identify  
 99 | projects or strategies to meet such milestones;  
 100 | prohibiting the installation of new onsite sewage

101 treatment and disposal systems within specified areas  
102 under certain circumstances; requiring the  
103 installation of enhanced or alternative systems for  
104 certain lots; revising requirements for a basin  
105 management action plan's cooperative agricultural  
106 regional water quality improvement element; amending  
107 s. 403.0673, F.S.; renaming the wastewater grant  
108 program as the water quality improvement grant  
109 program; revising the purposes of the grant program;  
110 specifying the projects for which the department may  
111 provide grants under the program; requiring the  
112 department to prioritize certain projects; requiring  
113 the department to coordinate with each water  
114 management district to annually identify projects;  
115 requiring the department to coordinate with specified  
116 entities to identify projects; revising reporting  
117 requirements; amending s. 403.086, F.S.; revising the  
118 waters that sewage disposal facilities are prohibited  
119 from disposing wastes into; amending s. 570.71, F.S.;  
120 requiring the Department of Agriculture and Consumer  
121 Services, in consultation with the Department of  
122 Environmental Protection, the water management  
123 districts, the Department of Economic Opportunity, and  
124 the Florida Fish and Wildlife Conservation Commission,  
125 to adopt rules giving funding priority and preference

126 to specified lands; requiring the Department of  
 127 Agriculture and Consumer Services to submit certain  
 128 purchase agreements to the Board of Trustees of the  
 129 Internal Improvement Trust Fund for approval; amending  
 130 s. 570.715, F.S.; increasing the estimated value  
 131 threshold for the appraisal of specified conservation  
 132 easement acquisitions; requiring, rather than  
 133 authorizing, the Department of Agriculture and  
 134 Consumer Services to disclose appraisal reports to  
 135 private landowners or their representatives during  
 136 negotiations for certain land acquisitions; amending  
 137 ss. 201.15, 259.105, 373.019, 373.4132, 373.414,  
 138 373.4142, 373.430, 373.4592, 403.890, 403.892,  
 139 403.9301, and 403.9302, F.S.; conforming cross-  
 140 references and provisions to changes made by the act;  
 141 reenacting s. 259.045(6), F.S., relating to the  
 142 purchase of lands in areas of critical state concern,  
 143 to incorporate the amendment made to s. 259.032, F.S.,  
 144 in a reference thereto; providing a declaration of  
 145 important state interest; providing an effective date.

146  
 147 Be It Enacted by the Legislature of the State of Florida:

148  
 149 Section 1. Paragraph (a) of subsection (3) and paragraph  
 150 (c) of subsection (6) of section 163.3177, Florida Statutes, are

151 amended to read:

152 163.3177 Required and optional elements of comprehensive  
153 plan; studies and surveys.-

154 (3)(a) The comprehensive plan must ~~shall~~ contain a capital  
155 improvements element designed to consider the need for and the  
156 location of public facilities in order to encourage the  
157 efficient use of such facilities and set forth all of the  
158 following:

159 1. A component that outlines principles for construction,  
160 extension, or increase in capacity of public facilities, as well  
161 as a component that outlines principles for correcting existing  
162 public facility deficiencies, which are necessary to implement  
163 the comprehensive plan. The components must ~~shall~~ cover at least  
164 a 5-year period.

165 2. Estimated public facility costs, including a  
166 delineation of when facilities will be needed, the general  
167 location of the facilities, and projected revenue sources to  
168 fund the facilities.

169 3. Standards to ensure the availability of public  
170 facilities and the adequacy of those facilities to meet  
171 established acceptable levels of service.

172 4. A schedule of capital improvements which includes any  
173 publicly funded projects of federal, state, or local government,  
174 and which may include privately funded projects for which the  
175 local government has no fiscal responsibility. Projects

176 necessary to ensure that any adopted level-of-service standards  
 177 are achieved and maintained for the 5-year period must be  
 178 identified as either funded or unfunded and given a level of  
 179 priority for funding.

180 ~~5.~~ The schedule must:

181 a. Include transportation improvements included in the  
 182 applicable metropolitan planning organization's transportation  
 183 improvement program adopted pursuant to s. 339.175(8) to the  
 184 extent that such improvements are relied upon to ensure  
 185 concurrency and financial feasibility;

186 b. Where applicable, include a list of projects necessary  
 187 to achieve the pollutant load reductions attributable to the  
 188 local government, as established in a basin management action  
 189 plan pursuant to s. 403.067(7); and

190 c. ~~The schedule must~~ Be coordinated with the applicable  
 191 metropolitan planning organization's long-range transportation  
 192 plan adopted pursuant to s. 339.175(7).

193 (6) In addition to the requirements of subsections (1) -  
 194 (5), the comprehensive plan shall include the following  
 195 elements:

196 (c) A general sanitary sewer, solid waste, drainage,  
 197 potable water, and natural groundwater aquifer recharge element  
 198 correlated to principles and guidelines for future land use,  
 199 indicating ways to provide for future potable water, drainage,  
 200 sanitary sewer, solid waste, and aquifer recharge protection



201 requirements for the area. The element may be a detailed  
 202 engineering plan including a topographic map depicting areas of  
 203 prime groundwater recharge.

204 1. Each local government shall address in the data and  
 205 analyses required by this section those facilities that provide  
 206 service within the local government's jurisdiction. Local  
 207 governments that provide facilities to serve areas within other  
 208 local government jurisdictions shall also address those  
 209 facilities in the data and analyses required by this section,  
 210 using data from the comprehensive plan for those areas for the  
 211 purpose of projecting facility needs as required in this  
 212 subsection. For shared facilities, each local government shall  
 213 indicate the proportional capacity of the systems allocated to  
 214 serve its jurisdiction.

215 2. The element must ~~shall~~ describe the problems and needs  
 216 and the general facilities that will be required for solution of  
 217 the problems and needs, including correcting existing facility  
 218 deficiencies. The element must ~~shall~~ address coordinating the  
 219 extension of, ~~or~~ increase in the capacity of, or upgrade in  
 220 treatment of facilities to meet future needs; prioritizing  
 221 advanced waste treatment while maximizing the use of existing  
 222 facilities and discouraging urban sprawl; conserving potable  
 223 water resources; and protecting the functions of natural  
 224 groundwater recharge areas and natural drainage features.

225 3. Within the local government's jurisdiction, for any

226 development of more than 50 residential lots, whether built or  
227 unbuilt, with more than one onsite sewage treatment and disposal  
228 system per 1 acre, the element must consider the feasibility of  
229 providing sanitary sewer services within a 10-year planning  
230 horizon and must identify the name and location of the  
231 wastewater facility that could receive sanitary sewer flows  
232 after connection; the capacity of the facility and any  
233 associated transmission facilities; the projected wastewater  
234 flow at that facility for the next 20 years, including expected  
235 future new construction and connections of onsite sewage  
236 treatment and disposal systems to sanitary sewer; and a timeline  
237 for the construction of the sanitary sewer system. An onsite  
238 sewage treatment and disposal system is presumed to exist on a  
239 parcel if sanitary sewer services are not available at or  
240 adjacent to the parcel boundary. Each comprehensive plan must be  
241 updated to include this element by July 1, 2024, and as needed  
242 thereafter to account for future applicable developments. This  
243 subparagraph does not apply to a local government designated as  
244 a rural area of opportunity under s. 288.0656.

245 4. Within 18 months after the governing board approves an  
246 updated regional water supply plan, the element must incorporate  
247 the alternative water supply project or projects selected by the  
248 local government from those identified in the regional water  
249 supply plan pursuant to s. 373.709(2) (a) or proposed by the  
250 local government under s. 373.709(8) (b). If a local government

251 is located within two water management districts, the local  
252 government must ~~shall~~ adopt its comprehensive plan amendment  
253 within 18 months after the later updated regional water supply  
254 plan. The element must identify such alternative water supply  
255 projects and traditional water supply projects and conservation  
256 and reuse necessary to meet the water needs identified in s.  
257 373.709(2) (a) within the local government's jurisdiction and  
258 include a work plan, covering at least a 10-year planning  
259 period, for building public, private, and regional water supply  
260 facilities, including development of alternative water supplies,  
261 which are identified in the element as necessary to serve  
262 existing and new development. The work plan must ~~shall~~ be  
263 updated, at a minimum, every 5 years within 18 months after the  
264 governing board of a water management district approves an  
265 updated regional water supply plan. Local governments, public  
266 and private utilities, regional water supply authorities,  
267 special districts, and water management districts are encouraged  
268 to cooperatively plan for the development of multijurisdictional  
269 water supply facilities that are sufficient to meet projected  
270 demands for established planning periods, including the  
271 development of alternative water sources to supplement  
272 traditional sources of groundwater and surface water supplies.

273 5.4. A local government that does not own, operate, or  
274 maintain its own water supply facilities, including, but not  
275 limited to, wells, treatment facilities, and distribution

276 infrastructure, and is served by a public water utility with a  
 277 permitted allocation of greater than 300 million gallons per day  
 278 is not required to amend its comprehensive plan in response to  
 279 an updated regional water supply plan or to maintain a work plan  
 280 if any such local government's usage of water constitutes less  
 281 than 1 percent of the public water utility's total permitted  
 282 allocation. However, any such local government shall ~~is required~~  
 283 ~~to~~ cooperate with, and provide relevant data to, any local  
 284 government or utility provider that provides service within its  
 285 jurisdiction, and shall ~~to~~ keep its general sanitary sewer,  
 286 solid waste, potable water, and natural groundwater aquifer  
 287 recharge element updated in accordance with s. 163.3191.

288 Section 2. Subsection (4) and paragraphs (b), (f), and (j)  
 289 of subsection (8) of section 253.025, Florida Statutes, are  
 290 amended to read:

291 253.025 Acquisition of state lands.—

292 (4) An agreement to acquire real property for the purposes  
 293 described in this chapter, chapter 259, chapter 260, or chapter  
 294 375, title to which will vest in the board of trustees, may not  
 295 bind the state before the agreement is reviewed and approved by  
 296 the Department of Environmental Protection as complying with  
 297 this section and any rules adopted pursuant to this section. If  
 298 any of the following conditions exist, the agreement must ~~shall~~  
 299 be submitted to and approved by the board of trustees:

300 (a) The purchase price agreed to by the seller exceeds the

301 value as established pursuant to the rules of the board of  
 302 trustees.~~‡~~

303 (b) The contract price agreed to by the seller and the  
 304 acquiring agency exceeds \$5 ~~\$1~~ million.~~‡~~

305 ~~(c) The acquisition is the initial purchase in a Florida  
 306 Forever project; or~~

307 (c)~~(d)~~ Other conditions that the board of trustees may  
 308 adopt by rule. Such conditions may include, but are not limited  
 309 to, Florida Forever projects when title to the property being  
 310 acquired is considered nonmarketable or is encumbered in such a  
 311 way as to significantly affect its management.

312  
 313 If approval of the board of trustees is required pursuant to  
 314 this subsection, the acquiring agency must provide a  
 315 justification as to why it is in the public's interest to  
 316 acquire the parcel or Florida Forever project. Approval of the  
 317 board of trustees is also required for Florida Forever projects  
 318 the department recommends acquiring pursuant to subsections (11)  
 319 and (22). Review and approval of agreements for acquisitions for  
 320 Florida Greenways and Trails Program properties pursuant to  
 321 chapter 260 may be waived by the department in any contract with  
 322 nonprofit corporations that have agreed to assist the department  
 323 with this program. If the contribution of the acquiring agency  
 324 exceeds \$100 million in any one fiscal year, the agreement must  
 325 ~~shall~~ be submitted to and approved by the Legislative Budget

326 Commission.

327 (8) Before approval by the board of trustees, or, when  
328 applicable, the Department of Environmental Protection, of any  
329 agreement to purchase land pursuant to this chapter, chapter  
330 259, chapter 260, or chapter 375, and before negotiations with  
331 the parcel owner to purchase any other land, title to which will  
332 vest in the board of trustees, an appraisal of the parcel shall  
333 be required as follows:

334 (b) Each parcel to be acquired must ~~shall~~ have at least  
335 one appraisal. Two appraisals are required when the estimated  
336 value of the parcel exceeds \$5 ~~\$1~~ million. However, if both  
337 appraisals exceed \$5 ~~\$1~~ million and differ significantly, a  
338 third appraisal may be obtained. If a parcel is estimated to be  
339 worth \$100,000 or less and the director of the Division of State  
340 Lands finds that the cost of an outside appraisal is not  
341 justified, a comparable sales analysis, an appraisal prepared by  
342 the division, or other reasonably prudent procedures may be used  
343 by the division to estimate the value of the parcel, provided  
344 the public's interest is reasonably protected. The state is not  
345 required to appraise the value of lands and appurtenances that  
346 are being donated to the state.

347 (f) Appraisal reports are confidential and exempt from s.  
348 119.07(1), for use by the agency and the board of trustees,  
349 until an option contract is executed or, if no option contract  
350 is executed, until 2 weeks before a contract or agreement for

351 purchase is considered for approval by the board of trustees.  
352 However, the Department of Environmental Protection shall ~~may~~  
353 disclose appraisal reports to private landowners or their  
354 representatives during negotiations for acquisitions ~~using~~  
355 ~~alternatives to fee simple techniques, if the department~~  
356 ~~determines that disclosure of such reports will bring the~~  
357 ~~proposed acquisition to closure. However, the private landowner~~  
358 ~~must agree to maintain the confidentiality of the reports or~~  
359 ~~information.~~ The department may also disclose appraisal  
360 information to public agencies or nonprofit organizations that  
361 agree to maintain the confidentiality of the reports or  
362 information when joint acquisition of property is contemplated,  
363 or when a public agency or nonprofit organization enters into a  
364 written agreement with the department to purchase and hold  
365 property for subsequent resale to the board of trustees. In  
366 addition, the department may use, as its own, appraisals  
367 obtained by a public agency or nonprofit organization, if the  
368 appraiser is selected from the department's list of appraisers  
369 and the appraisal is reviewed and approved by the department.  
370 For purposes of this paragraph, the term "nonprofit  
371 organization" means an organization that is exempt from federal  
372 income tax under s. 501(c)(3) of the Internal Revenue Code and,  
373 for purposes of the acquisition of conservation lands, an  
374 organization whose purpose must include the preservation of  
375 natural resources. The agency may release an appraisal report

376 when the passage of time has rendered the conclusions of value  
377 in the report invalid or when the acquiring agency has  
378 terminated negotiations.

379 (j)1. The board of trustees shall adopt by rule the method  
380 for determining the value of parcels sought to be acquired by  
381 state agencies pursuant to this section. An offer by a state  
382 agency may not exceed the value for that parcel as determined  
383 pursuant to the highest approved appraisal or the value  
384 determined pursuant to the rules of the board of trustees,  
385 whichever value is less.

386 2. The board of trustees or, when applicable, the  
387 Department of Environmental Protection may acquire parcels  
388 pursuant to this chapter and chapter 259 for the full value of  
389 that parcel as determined pursuant to the highest approved  
390 appraisal.

391 ~~3.2.~~ For a joint acquisition by a state agency and a local  
392 government or other entity apart from the state, the joint  
393 purchase price may not exceed 150 percent of the value for a  
394 parcel as determined in accordance with the limits in  
395 subparagraph 1. The state agency share of a joint purchase offer  
396 may not exceed what the agency may offer singly pursuant to  
397 subparagraph 1.

398 ~~4.3.~~ This paragraph does not apply to the acquisition of  
399 historically unique or significant property as determined by the  
400 Division of Historical Resources of the Department of State.



401  
402 Notwithstanding this subsection, on behalf of the board of  
403 trustees and before the appraisal of parcels approved for  
404 purchase under this chapter or chapter 259, the Secretary of  
405 Environmental Protection or the director of the Division of  
406 State Lands may enter into option contracts to buy such parcels.  
407 Any such option contract shall state that the final purchase  
408 price is subject to approval by the board of trustees or, if  
409 applicable, the Secretary of Environmental Protection, and that  
410 the final purchase price may not exceed the maximum offer  
411 allowed by law. Any such option contract presented to the board  
412 of trustees for final purchase price approval shall explicitly  
413 state that payment of the final purchase price is subject to an  
414 appropriation from the Legislature. The consideration for such  
415 an option may not exceed \$1,000 or 0.01 percent of the estimate  
416 by the department of the value of the parcel, whichever amount  
417 is greater.

418 Section 3. Subsections (2) and (7), paragraph (b) of  
419 subsection (8), and paragraph (d) of subsection (9) of section  
420 259.032, Florida Statutes, are amended to read:

421 259.032 Conservation and recreation lands.—

422 (2) The Governor and Cabinet, sitting as the Board of  
423 Trustees of the Internal Improvement Trust Fund, may expend  
424 moneys appropriated by the Legislature to acquire the fee or any  
425 lesser interest in lands for any of the following public

426 | purposes:

427 |       (a) To conserve and protect environmentally unique and  
 428 | irreplaceable lands that contain native, relatively unaltered  
 429 | flora and fauna representing a natural area unique to, or scarce  
 430 | within, a region of this state or a larger geographic area;

431 |       (b) To conserve and protect lands within designated areas  
 432 | of critical state concern, if the proposed acquisition relates  
 433 | to the natural resource protection purposes of the designation;

434 |       (c) To conserve and protect native species habitat or  
 435 | endangered or threatened species, emphasizing long-term  
 436 | protection for endangered or threatened species designated G-1  
 437 | or G-2 by the Florida Natural Areas Inventory, and especially  
 438 | those areas that are special locations for breeding and  
 439 | reproduction;

440 |       (d) To conserve, protect, manage, or restore important  
 441 | ecosystems, landscapes, and forests, if the protection and  
 442 | conservation of such lands is necessary to enhance or protect  
 443 | significant surface water, groundwater, coastal, recreational,  
 444 | timber, or fish or wildlife resources which cannot otherwise be  
 445 | accomplished through local and state regulatory programs;

446 |       (e) To promote water resource development that benefits  
 447 | natural systems and citizens of the state;

448 |       (f) To facilitate the restoration and subsequent health  
 449 | and vitality of the Florida Everglades;

450 |       (g) To provide areas, including recreational trails, for

451 natural resource-based recreation and other outdoor recreation  
 452 on any part of any site compatible with conservation purposes;

453 (h) To preserve significant archaeological or historic  
 454 sites;

455 (i) To conserve urban open spaces suitable for greenways  
 456 or outdoor recreation which are compatible with conservation  
 457 purposes; ~~or~~

458 (j) To preserve agricultural lands under threat of  
 459 conversion to development through less-than-fee acquisitions; or

460 (k) To complete critical linkages through fee or less-  
 461 than-fee acquisitions that will help preserve and protect the  
 462 green and blue infrastructure and vital habitat for wide-ranging  
 463 wildlife, such as the Florida panther, within the Florida  
 464 wildlife corridor as defined in s. 259.1055(4).

465 (7) (a) All lands managed under this chapter and s. 253.034  
 466 must ~~shall~~ be:

467 1. (a) Managed in a manner that will provide the greatest  
 468 combination of benefits to the public and to the resources.

469 2. (b) Managed for public outdoor recreation which is  
 470 compatible with the conservation and protection of public lands.  
 471 Such management may include, but not be limited to, the  
 472 following public recreational uses: fishing, hunting, camping,  
 473 bicycling, hiking, nature study, swimming, boating, canoeing,  
 474 horseback riding, diving, model hobbyist activities, birding,  
 475 sailing, jogging, and other related outdoor activities.

476 (b)~~(e)~~ Concurrent with its adoption of the annual list of  
 477 acquisition projects pursuant to s. 259.035, the board shall  
 478 adopt a management prospectus for each project. The management  
 479 prospectus shall delineate:

- 480 1. The management goals for the property;
- 481 2. The conditions that will affect the intensity of  
 482 management;
- 483 3. An estimate of the revenue-generating potential of the  
 484 property, if appropriate;
- 485 4. A timetable for implementing the various stages of  
 486 management and for providing access to the public, if  
 487 applicable;
- 488 5. A description of potential multiple-use activities as  
 489 described in this section and s. 253.034;
- 490 6. Provisions for protecting existing infrastructure and  
 491 for ensuring the security of the project upon acquisition;
- 492 7. The anticipated costs of management and projected  
 493 sources of revenue, including legislative appropriations, to  
 494 fund management needs; and
- 495 8. Recommendations as to how many employees will be needed  
 496 to manage the property, and recommendations as to whether local  
 497 governments, volunteer groups, the former landowner, or other  
 498 interested parties can be involved in the management.

499 (c)~~(d)~~ Concurrent with the approval of the acquisition  
 500 contract pursuant to s. 253.025(4) ~~s. 253.025(4)(e)~~ for any

501 interest in lands except those lands acquired pursuant to s.  
 502 259.1052, the board shall designate an agency or agencies to  
 503 manage such lands. The board shall evaluate and amend, as  
 504 appropriate, the management policy statement for the project as  
 505 provided by s. 259.035 to ensure that the policy statement is  
 506 compatible with conservation, recreation, or both. For any fee  
 507 simple acquisition of a parcel which is or will be leased back  
 508 for agricultural purposes, or any acquisition of a less than fee  
 509 interest in land that is or will be used for agricultural  
 510 purposes, the board shall first consider having a soil and water  
 511 conservation district, created pursuant to chapter 582, manage  
 512 and monitor such interests.

513 (d)~~(e)~~ State agencies designated to manage lands acquired  
 514 under this chapter or with funds deposited into the Land  
 515 Acquisition Trust Fund, except those lands acquired under s.  
 516 259.1052, may contract with local governments and soil and water  
 517 conservation districts to assist in management activities,  
 518 including the responsibility of being the lead land manager.  
 519 Such land management contracts may include a provision for the  
 520 transfer of management funding to the local government or soil  
 521 and water conservation district from the land acquisition trust  
 522 fund of the lead land managing agency in an amount adequate for  
 523 the local government or soil and water conservation district to  
 524 perform its contractual land management responsibilities and  
 525 proportionate to its responsibilities, and which otherwise would

526 have been expended by the state agency to manage the property.

527 (e)~~(f)~~ Immediately following the acquisition of any  
528 interest in conservation and recreation lands, the department,  
529 acting on behalf of the board, may issue to the lead managing  
530 entity an interim assignment letter to be effective until the  
531 execution of a formal lease.

532 (8)

533 (b) Individual management plans required by s. 253.034(5),  
534 for parcels over 160 acres, shall be developed with input from  
535 an advisory group. Members of this advisory group shall include,  
536 at a minimum, representatives of the lead land managing agency,  
537 comanaging entities, local private property owners, the  
538 appropriate soil and water conservation district, a local  
539 conservation organization, and a local elected official. If  
540 habitat or potentially restorable habitat for imperiled species  
541 is located on state lands, the Fish and Wildlife Conservation  
542 Commission and the Department of Agriculture and Consumer  
543 Services shall be included on any advisory group required under  
544 chapter 253, and the short-term and long-term management goals  
545 required under chapter 253 must advance the goals and objectives  
546 of imperiled species management without restricting other uses  
547 identified in the management plan. The advisory group shall  
548 conduct at least one public hearing within the county in which  
549 the parcel or project is located. For those parcels or projects  
550 that are within more than one county, at least one areawide

551 public hearing shall be acceptable and the lead managing agency  
 552 shall invite a local elected official from each county. The  
 553 areawide public hearing shall be held in the county in which the  
 554 core parcels are located. Notice of such public hearing shall be  
 555 posted on the parcel or project designated for management,  
 556 advertised in a paper of general circulation, and announced at a  
 557 scheduled meeting of the local governing body before the actual  
 558 public hearing. The management prospectus required pursuant to  
 559 paragraph (7) (b) ~~(7) (e)~~ shall be available to the public for a  
 560 period of 30 days before the public hearing.

561  
 562 By July 1 of each year, each governmental agency and each  
 563 private entity designated to manage lands shall report to the  
 564 Secretary of Environmental Protection on the progress of  
 565 funding, staffing, and resource management of every project for  
 566 which the agency or entity is responsible.

567 (9)

568 (d) Up to one-fifth of the funds appropriated for the  
 569 purposes identified in paragraph (b) shall be reserved by the  
 570 board for interim management of acquisitions and for associated  
 571 contractual services, to ensure the conservation and protection  
 572 of natural resources on project sites and to allow limited  
 573 public recreational use of lands. Interim management activities  
 574 may include, but not be limited to, resource assessments,  
 575 control of invasive, nonnative species, habitat restoration,

576 fencing, law enforcement, controlled burning, and public access  
577 consistent with preliminary determinations made pursuant to  
578 paragraph (7)(e) ~~(7)(f)~~. The board shall make these interim  
579 funds available immediately upon purchase.

580 Section 4. Paragraphs (i), (l), and (m) of subsection (3),  
581 paragraph (a) of subsection (5), and paragraph (i) of subsection  
582 (15) of section 259.105, Florida Statutes, are amended, and  
583 paragraphs (g) and (h) are added to subsection (10) of that  
584 section, to read:

585 259.105 The Florida Forever Act.—

586 (3) Less the costs of issuing and the costs of funding  
587 reserve accounts and other costs associated with bonds, the  
588 proceeds of cash payments or bonds issued pursuant to this  
589 section shall be deposited into the Florida Forever Trust Fund  
590 created by s. 259.1051. The proceeds shall be distributed by the  
591 Department of Environmental Protection in the following manner:

592 (i) Three and five-tenths percent to the Department of  
593 Agriculture and Consumer Services for the acquisition of  
594 agricultural lands, through perpetual conservation easements and  
595 other perpetual less than fee techniques, which will achieve the  
596 objectives of Florida Forever and s. 570.71. Rules concerning  
597 the application, acquisition, and priority ranking process for  
598 such easements shall be developed pursuant to s. 570.71(10) and  
599 as provided by this paragraph. The board shall ensure that such  
600 rules are consistent with the acquisition process provided for



601 in s. 570.715. The rules developed pursuant to s. 570.71(10),  
602 shall also provide for the following:

603 1. An annual priority list shall be developed pursuant to  
604 s. 570.71(10), submitted to the council for review, and approved  
605 by the board pursuant to s. 259.04. By March 1, 2024, the  
606 Department of Agriculture and Consumer Services shall submit an  
607 updated priority list to the council. Any acquisitions for which  
608 funds have been obligated before July 1, 2023, to pay for an  
609 appraisal may not be impacted by the updated priority list.

610 2. Terms of easements and acquisitions proposed pursuant  
611 to this paragraph shall be approved by the board and may not be  
612 delegated by the board to any other entity receiving funds under  
613 this section.

614 3. All acquisitions pursuant to this paragraph shall  
615 contain a clear statement that they are subject to legislative  
616 appropriation.

617  
618 Funds provided under this paragraph may not be expended until  
619 final adoption of rules by the board pursuant to s. 570.71.

620 (1) For the purposes of paragraphs (e), (f), (g), and (h),  
621 the agencies that receive the funds shall develop their  
622 individual acquisition or restoration lists in accordance with  
623 specific criteria and numeric performance measures developed  
624 pursuant to s. 259.035(4). Proposed additions may be acquired if  
625 they are identified within the original project boundary, the

626 management plan required pursuant to s. 253.034(5), or the  
 627 management prospectus required pursuant to s. 259.032(7)(b) ~~s.~~  
 628 ~~259.032(7)(c)~~. Proposed additions not meeting the requirements  
 629 of this paragraph shall be submitted to the council for  
 630 approval. The council may only approve the proposed addition if  
 631 it meets two or more of the following criteria: serves as a link  
 632 or corridor to other publicly owned property; enhances the  
 633 protection or management of the property; would add a desirable  
 634 resource to the property; would create a more manageable  
 635 boundary configuration; has a high resource value that otherwise  
 636 would be unprotected; or can be acquired at less than fair  
 637 market value.

638 ~~(m) Notwithstanding paragraphs (a)-(j) and for the 2021-~~  
 639 ~~2022 fiscal year, the amount of \$1,998,100 to only the~~  
 640 ~~Department of Environmental Protection for grants pursuant to s.~~  
 641 ~~375.075. This paragraph expires July 1, 2022.~~

642 (5)(a) All lands acquired pursuant to this section shall  
 643 be managed for multiple-use purposes, where compatible with the  
 644 resource values of and management objectives for such lands. As  
 645 used in this section, "multiple-use" includes, but is not  
 646 limited to, outdoor recreational activities as described in ss.  
 647 253.034 and 259.032(7)(a)2. ~~259.032(7)(b)~~, water resource  
 648 development projects, sustainable forestry management, carbon  
 649 sequestration, carbon mitigation, or carbon offsets.

650 (10) The council shall give increased priority to:

651 (g) Projects in imminent danger of development, loss of  
 652 significant natural attributes or recreational open space, or  
 653 subdivision, which would result in multiple ownership and make  
 654 acquisition of the project costly or less likely to be  
 655 accomplished.

656 (h) Projects located within the Florida wildlife corridor  
 657 as defined in s. 259.1055(4).

658 (15) The council shall submit to the board, with its list  
 659 of projects, a report that includes, but need not be limited to,  
 660 the following information for each project listed:

661 (i) A management policy statement for the project and a  
 662 management prospectus pursuant to s. 259.032(7) (b) ~~s.~~  
 663 ~~259.032(7) (c).~~

664 Section 5. Section 373.469, Florida Statutes, is created  
 665 to read:

666 373.469 Indian River Lagoon Protection Program.—

667 (1) FINDINGS AND INTENT.—

668 (a) The Legislature finds that:

669 1. The Indian River Lagoon is a critical water resource of  
 670 this state which provides many economic, natural habitat, and  
 671 biodiversity functions that benefit the public interest,  
 672 including fishing, navigation, recreation, and habitat to  
 673 endangered and threatened species and other flora and fauna.

674 2. Among other causes, land use changes, onsite sewage  
 675 treatment and disposal systems, aging infrastructure, stormwater

676 runoff, agriculture, and residential fertilizer have resulted in  
677 excess nutrients entering the Indian River Lagoon and adversely  
678 impacting the lagoon's water quality.

679 3. Improvement to the hydrology, water quality, and  
680 associated aquatic habitats within the Indian River Lagoon is  
681 essential to the protection of the resource.

682 4. It is imperative for the state, local governments, and  
683 agricultural and environmental communities to commit to  
684 restoring and protecting the surface water resources of the  
685 Indian River Lagoon, and a holistic approach to address these  
686 issues must be developed and implemented immediately.

687 5. The expeditious implementation of the Banana River  
688 Lagoon Basin Management Action Plan, Central Indian River Lagoon  
689 Basin Management Action Plan, North Indian River Lagoon Basin  
690 Management Action Plan, and Mosquito Lagoon Reasonable Assurance  
691 Plan are necessary to improve the quality of water in the Indian  
692 River Lagoon ecosystem and to provide a reasonable means of  
693 achieving the total maximum daily load requirements and  
694 achieving and maintaining compliance with state water quality  
695 standards.

696 6. The implementation of the programs contained in this  
697 section will benefit the public health, safety, and welfare and  
698 is in the public interest.

699 (b) The Legislature intends for this state to protect and  
700 restore surface water resources and achieve and maintain

701 compliance with water quality standards in the Indian River  
702 Lagoon through the phased, comprehensive, and innovative  
703 protection program set forth in this section, including long-  
704 term solutions based upon the total maximum daily loads  
705 established in accordance with s. 403.067. This program is  
706 watershed-based, provides for the consideration of all water  
707 quality issues needed to meet the total maximum daily load, and  
708 includes research and monitoring, development and implementation  
709 of best management practices, refinement of existing  
710 regulations, and structural and nonstructural projects,  
711 including public works.

712 (2) DEFINITIONS.—As used in this section, the term:

713 (a) "Best management practice" means a practice or  
714 combination of practices determined by the coordinating  
715 agencies, based on research, field-testing, and expert review,  
716 to be the most effective and practicable on-location means,  
717 including economic and technological considerations, for  
718 improving water quality in agricultural and urban discharges.  
719 Best management practices for agricultural discharges must  
720 reflect a balance between water quality improvements and  
721 agricultural productivity.

722 (b) "Enhanced nutrient-reducing onsite sewage treatment  
723 and disposal system" means an onsite sewage treatment and  
724 disposal system approved by the department as capable of meeting  
725 or exceeding a 50 percent total nitrogen reduction before

726 disposal of wastewater in the drainfield, or at least 65 percent  
727 total nitrogen reduction combined from onsite sewage tank or  
728 tanks and drainfield.

729 (c) "Total maximum daily load" means the sum of the  
730 individual wasteload allocations for point sources and the load  
731 allocations for nonpoint sources and natural background adopted  
732 pursuant to s. 403.067. Before determining individual wasteload  
733 allocations and load allocations, the maximum amount of a  
734 pollutant that a waterbody or water segment can assimilate from  
735 all sources without exceeding water quality standards must first  
736 be calculated.

737 (3) THE INDIAN RIVER LAGOON PROTECTION PROGRAM.—The Indian  
738 River Lagoon Protection Program consists of the Banana River  
739 Lagoon Basin Management Action Plan, Central Indian River Lagoon  
740 Basin Management Action Plan, North Indian River Lagoon Basin  
741 Management Action Plan, and Mosquito Lagoon Reasonable Assurance  
742 Plan, and such plans are the components of the Indian River  
743 Lagoon Protection Program which achieve phosphorous and nitrogen  
744 load reductions for the Indian River Lagoon.

745 (a) Evaluation.—Every 5 years, the department shall  
746 evaluate and update the Banana River Lagoon Basin Management  
747 Action Plan, Central Indian River Lagoon Basin Management Action  
748 Plan, and North Indian River Lagoon Basin Management Action Plan  
749 and identify any further load reductions necessary to achieve  
750 compliance with the relevant total maximum daily loads

751 established pursuant to s. 403.067. As provided in s.  
752 403.067(7)(a)6., such plans must include 5-year milestones for  
753 implementation and water quality improvement and a water quality  
754 monitoring component sufficient to evaluate whether reasonable  
755 progress in pollutant load reductions is being achieved over  
756 time.

757 (b) *Water quality standards and total maximum daily*  
758 *loads.*—The department, in coordination with the St. Johns River  
759 Water Management District, South Florida Water Management  
760 District, local governments, the Indian River Lagoon National  
761 Estuary Program, and other stakeholders, shall identify and  
762 prioritize strategies and projects necessary to achieve water  
763 quality standards within the Indian River Lagoon watershed and  
764 meet the total maximum daily loads. Projects identified from  
765 this evaluation must be incorporated into the Banana River  
766 Lagoon Basin Management Action Plan, Central Indian River Lagoon  
767 Basin Management Action Plan, North Indian River Lagoon Basin  
768 Management Action Plan, and Mosquito Lagoon Reasonable Assurance  
769 Plan, as appropriate.

770 (c) *Indian River Lagoon Watershed Research and Water*  
771 *Quality Monitoring Program.*—The department, in coordination with  
772 the St. Johns River Water Management District, the South Florida  
773 Water Management District, and the Indian River Lagoon National  
774 Estuary Program, shall implement the Indian River Lagoon  
775 Watershed Research and Water Quality Monitoring Program to

776 establish a comprehensive water quality monitoring network  
777 throughout the Indian River Lagoon and fund research pertaining  
778 to water quality, ecosystem restoration, and seagrass impacts  
779 and restoration. The department shall use the results from the  
780 program to prioritize projects and to make modifications to the  
781 Banana River Lagoon Basin Management Action Plan, Central Indian  
782 River Lagoon Basin Management Action Plan, North Indian River  
783 Lagoon Basin Management Action Plan, and Mosquito Lagoon  
784 Reasonable Assurance Plan, as appropriate.

785 (d) Onsite sewage treatment and disposal systems.—

786 1. Beginning on January 1, 2024, unless previously  
787 permitted, the installation of new onsite sewage treatment and  
788 disposal systems is prohibited within the Banana River Lagoon  
789 Basin Management Action Plan, Central Indian River Lagoon Basin  
790 Management Action Plan, North Indian River Lagoon Basin  
791 Management Action Plan, and Mosquito Lagoon Reasonable Assurance  
792 Plan areas where a publicly owned or investor-owned sewerage  
793 system is available as defined in s. 381.0065(2)(a). Where  
794 central sewerage is not available, only enhanced nutrient-  
795 reducing onsite sewage treatment and disposal systems or other  
796 wastewater treatment systems that achieve at least 65 percent  
797 nitrogen reduction are authorized.

798 2. By July 1, 2030, any commercial or residential property  
799 with an existing onsite sewage treatment and disposal system  
800 located within the Banana River Lagoon Basin Management Action



801 Plan, Central Indian River Lagoon Basin Management Action Plan,  
 802 North Indian River Lagoon Basin Management Action Plan, and  
 803 Mosquito Lagoon Reasonable Assurance Plan areas must connect to  
 804 central sewer if available or upgrade to an enhanced nutrient-  
 805 reducing onsite sewage treatment and disposal system or other  
 806 wastewater treatment system that achieves at least 65 percent  
 807 nitrogen reduction.

808 (4) RELATIONSHIP TO STATE WATER QUALITY STANDARDS.—This  
 809 section may not be construed to modify any existing state water  
 810 quality standard or to modify s. 403.067(6) and (7)(a).

811 (5) PRESERVATION OF AUTHORITY.—This section may not be  
 812 construed to restrict the authority otherwise granted to  
 813 agencies pursuant to this chapter and chapter 403, and this  
 814 section is supplemental to the authority granted to agencies  
 815 pursuant to this chapter and chapter 403.

816 (6) RULES.—The department and governing boards of the St.  
 817 Johns River Water Management District and South Florida Water  
 818 Management District may adopt rules pursuant to ss. 120.536(1)  
 819 and 120.54 to implement this section.

820 Section 6. Subsection (1) of section 373.501, Florida  
 821 Statutes, is amended to read:

822 373.501 Appropriation of funds to water management  
 823 districts.—

824 (1) The department shall transfer ~~may allocate~~ to the  
 825 water management districts, ~~from~~ funds appropriated to the

826 districts through the department in, such sums as ~~may be~~ deemed  
827 necessary to defray the costs of the administrative, regulatory,  
828 and other operational activities of the districts. The governing  
829 boards shall submit annual budget requests for such purposes to  
830 the department, and the department shall consider such budgets  
831 in preparing its budget request for the Legislature. The  
832 districts shall annually report to the department on the use of  
833 the funds.

834 Section 7. Present subsections (2) through (8) of section  
835 373.802, Florida Statutes, are redesignated as subsections (3)  
836 through (9), respectively, and a new subsection (2) is added to  
837 that section, to read:

838 373.802 Definitions.—As used in this part, the term:

839 (2) "Enhanced nutrient-reducing onsite sewage treatment  
840 and disposal system" means an onsite sewage treatment and  
841 disposal system approved by the department as capable of meeting  
842 or exceeding a 50 percent total nitrogen reduction before  
843 disposal of wastewater in the drainfield, or at least 65 percent  
844 total nitrogen reduction combined from onsite sewage tank or  
845 tanks and drainfield.

846 Section 8. Subsections (2) and (3) of section 373.807,  
847 Florida Statutes, are amended to read:

848 373.807 Protection of water quality in Outstanding Florida  
849 Springs.—By July 1, 2016, the department shall initiate  
850 assessment, pursuant to s. 403.067(3), of Outstanding Florida

851 Springs or spring systems for which an impairment determination  
 852 has not been made under the numeric nutrient standards in effect  
 853 for spring vents. Assessments must be completed by July 1, 2018.

854 (2) By July 1, 2017, each local government, as defined in  
 855 s. 373.802(3) ~~s. 373.802(2)~~, that has not adopted an ordinance  
 856 pursuant to s. 403.9337, shall develop, enact, and implement an  
 857 ordinance pursuant to that section. It is the intent of the  
 858 Legislature that ordinances required to be adopted under this  
 859 subsection reflect the latest scientific information,  
 860 advancements, and technological improvements in the industry.

861 (3) As part of a basin management action plan that  
 862 includes an Outstanding Florida Spring, the department, relevant  
 863 local governments, and relevant local public and private  
 864 wastewater utilities shall develop an onsite sewage treatment  
 865 and disposal system remediation plan for a spring if the  
 866 department determines onsite sewage treatment and disposal  
 867 systems within a basin management action plan ~~priority focus~~  
 868 ~~area~~ contribute at least 20 percent of nonpoint source nitrogen  
 869 pollution or if the department determines remediation is  
 870 necessary to achieve the total maximum daily load. The plan must  
 871 ~~shall~~ identify cost-effective and financially feasible projects  
 872 necessary to reduce the nutrient impacts from onsite sewage  
 873 treatment and disposal systems and shall be completed and  
 874 adopted as part of the basin management action plan no later  
 875 than the first 5-year milestone required by subparagraph

876 (1)(b)8. The department is the lead agency in coordinating the  
877 preparation of and the adoption of the plan. The department  
878 shall:

879 (a) Collect and evaluate credible scientific information  
880 on the effect of nutrients, particularly forms of nitrogen, on  
881 springs and springs systems; and

882 (b) Develop a public education plan to provide area  
883 residents with reliable, understandable information about onsite  
884 sewage treatment and disposal systems and springs.

885

886 In addition to the requirements in s. 403.067, the plan must  
887 ~~shall~~ include options for repair, upgrade, replacement,  
888 drainfield modification, addition of effective nitrogen reducing  
889 features, connection to a central sewerage system, or other  
890 action for an onsite sewage treatment and disposal system or  
891 group of systems within a basin management action plan ~~priority~~  
892 ~~focus area~~ that contribute at least 20 percent of nonpoint  
893 source nitrogen pollution or if the department determines  
894 remediation is necessary to achieve a total maximum daily load.  
895 For these systems, the department shall include in the plan a  
896 priority ranking for each system or group of systems that  
897 requires remediation and shall award funds to implement the  
898 remediation projects contingent on an appropriation in the  
899 General Appropriations Act, which may include all or part of the  
900 costs necessary for repair, upgrade, replacement, drainfield

901 modification, addition of effective nitrogen reducing features,  
 902 initial connection to a central sewerage system, or other  
 903 action. In awarding funds, the department may consider expected  
 904 nutrient reduction benefit per unit cost, size and scope of  
 905 project, relative local financial contribution to the project,  
 906 and the financial impact on property owners and the community.  
 907 The department may waive matching funding requirements for  
 908 proposed projects within an area designated as a rural area of  
 909 opportunity under s. 288.0656.

910 Section 9. Section 373.811, Florida Statutes, is amended  
 911 to read:

912 373.811 Prohibited activities within a basin management  
 913 action plan ~~priority focus area~~.—The following activities are  
 914 prohibited within a basin management action plan ~~priority focus~~  
 915 ~~area~~ in effect for an Outstanding Florida Spring:

916 (1) New domestic wastewater disposal facilities, including  
 917 rapid infiltration basins, with permitted capacities of 100,000  
 918 gallons per day or more, except for those facilities that meet  
 919 an advanced wastewater treatment standard of no more than 3 mg/l  
 920 total nitrogen, expressed as N, on an annual permitted basis, or  
 921 a more stringent treatment standard if the department determines  
 922 the more stringent standard is necessary to attain a total  
 923 maximum daily load for the Outstanding Florida Spring.

924 (2) New onsite sewage treatment and disposal systems where  
 925 connection to a publicly owned or investor-owned sewerage system

926 is available as defined in s. 381.0065(2)(a). On lots of 1 acre  
 927 or less, if a publicly owned or investor-owned sewerage system  
 928 is not available, only the installation of enhanced nutrient-  
 929 reducing onsite sewage treatment and disposal systems or other  
 930 wastewater treatment systems that achieve at least 65 percent  
 931 nitrogen reduction are authorized ~~on lots of less than 1 acre,~~  
 932 ~~if the addition of the specific systems conflicts with an onsite~~  
 933 ~~treatment and disposal system remediation plan incorporated into~~  
 934 ~~a basin management action plan in accordance with s. 373.807(3).~~

935 (3) New facilities for the disposal of hazardous waste.

936 (4) The land application of Class A or Class B domestic  
 937 wastewater biosolids not in accordance with a department  
 938 approved nutrient management plan establishing the rate at which  
 939 all biosolids, soil amendments, and sources of nutrients at the  
 940 land application site can be applied to the land for crop  
 941 production while minimizing the amount of pollutants and  
 942 nutrients discharged to groundwater or waters of the state.

943 (5) New agriculture operations that do not implement best  
 944 management practices, measures necessary to achieve pollution  
 945 reduction levels established by the department, or groundwater  
 946 monitoring plans approved by a water management district or the  
 947 department.

948 Section 10. Paragraph (b) of subsection (3) of section  
 949 375.041, Florida Statutes, is amended to read:

950 375.041 Land Acquisition Trust Fund.—

951 (3) Funds distributed into the Land Acquisition Trust Fund  
 952 pursuant to s. 201.15 shall be applied:

953 (b) Of the funds remaining after the payments required  
 954 under paragraph (a), but before funds may be appropriated,  
 955 pledged, or dedicated for other uses:

956 1. A minimum of the lesser of 25 percent or \$200 million  
 957 shall be appropriated annually for Everglades projects that  
 958 implement the Comprehensive Everglades Restoration Plan as set  
 959 forth in s. 373.470, including the Central Everglades Planning  
 960 Project subject to congressional authorization; the Long-Term  
 961 Plan as defined in s. 373.4592(2); and the Northern Everglades  
 962 and Estuaries Protection Program as set forth in s. 373.4595.  
 963 From these funds, \$32 million shall be distributed each fiscal  
 964 year through the 2023-2024 fiscal year to the South Florida  
 965 Water Management District for the Long-Term Plan as defined in  
 966 s. 373.4592(2). After deducting the \$32 million distributed  
 967 under this subparagraph, from the funds remaining, a minimum of  
 968 the lesser of 76.5 percent or \$100 million shall be appropriated  
 969 each fiscal year through the 2025-2026 fiscal year for the  
 970 planning, design, engineering, and construction of the  
 971 Comprehensive Everglades Restoration Plan as set forth in s.  
 972 373.470, including the Central Everglades Planning Project, the  
 973 Everglades Agricultural Area Storage Reservoir Project, the Lake  
 974 Okeechobee Watershed Project, the C-43 West Basin Storage  
 975 Reservoir Project, the Indian River Lagoon-South Project, the

976 Western Everglades Restoration Project, and the Picayune Strand  
 977 Restoration Project. The Department of Environmental Protection  
 978 and the South Florida Water Management District shall give  
 979 preference to those Everglades restoration projects that reduce  
 980 harmful discharges of water from Lake Okeechobee to the St.  
 981 Lucie or Caloosahatchee estuaries in a timely manner. For the  
 982 purpose of performing the calculation provided in this  
 983 subparagraph, the amount of debt service paid pursuant to  
 984 paragraph (a) for bonds issued after July 1, 2016, for the  
 985 purposes set forth under this paragraph shall be added to the  
 986 amount remaining after the payments required under paragraph  
 987 (a). The amount of the distribution calculated shall then be  
 988 reduced by an amount equal to the debt service paid pursuant to  
 989 paragraph (a) on bonds issued after July 1, 2016, for the  
 990 purposes set forth under this subparagraph.

991         2. A minimum of the lesser of 7.6 percent or \$50 million  
 992 shall be appropriated annually for spring restoration,  
 993 protection, and management projects. For the purpose of  
 994 performing the calculation provided in this subparagraph, the  
 995 amount of debt service paid pursuant to paragraph (a) for bonds  
 996 issued after July 1, 2016, for the purposes set forth under this  
 997 paragraph shall be added to the amount remaining after the  
 998 payments required under paragraph (a). The amount of the  
 999 distribution calculated shall then be reduced by an amount equal  
 1000 to the debt service paid pursuant to paragraph (a) on bonds



1001 issued after July 1, 2016, for the purposes set forth under this  
 1002 subparagraph.

1003 3. The sum of \$5 million shall be appropriated annually  
 1004 each fiscal year through the 2025-2026 fiscal year to the St.  
 1005 Johns River Water Management District for projects dedicated to  
 1006 the restoration of Lake Apopka. This distribution shall be  
 1007 reduced by an amount equal to the debt service paid pursuant to  
 1008 paragraph (a) on bonds issued after July 1, 2016, for the  
 1009 purposes set forth in this subparagraph.

1010 4. The sum of \$64 million is appropriated and shall be  
 1011 transferred to the Everglades Trust Fund for the 2018-2019  
 1012 fiscal year, and each fiscal year thereafter, for the EAA  
 1013 reservoir project pursuant to s. 373.4598. Any funds remaining  
 1014 in any fiscal year shall be made available only for Phase II of  
 1015 the C-51 reservoir project or projects identified in  
 1016 subparagraph 1. and must be used in accordance with laws  
 1017 relating to such projects. Any funds made available for such  
 1018 purposes in a fiscal year are in addition to the amount  
 1019 appropriated under subparagraph 1. This distribution shall be  
 1020 reduced by an amount equal to the debt service paid pursuant to  
 1021 paragraph (a) on bonds issued after July 1, 2017, for the  
 1022 purposes set forth in this subparagraph.

1023 5. The sum of \$50 million shall be appropriated annually  
 1024 to the South Florida Water Management District for the Lake  
 1025 Okeechobee Watershed Restoration Project in accordance with s.

1026 373.4599. This distribution must be reduced by an amount equal  
 1027 to the debt service paid pursuant to paragraph (a) on bonds  
 1028 issued after July 1, 2021, for the purposes set forth in this  
 1029 subparagraph.

1030 6. The sum of \$100 million shall be appropriated annually  
 1031 to the Department of Environmental Protection for the  
 1032 acquisition of land pursuant to s. 259.105 ~~Notwithstanding~~  
 1033 ~~subparagraph 3., for the 2022-2023 fiscal year, funds shall be~~  
 1034 ~~appropriated as provided in the General Appropriations Act. This~~  
 1035 ~~subparagraph expires July 1, 2023.~~

1036 Section 11. Present paragraphs (f) through (r) of  
 1037 subsection (2) of section 381.0065, Florida Statutes, are  
 1038 redesignated as paragraphs (g) through (s), respectively, a new  
 1039 paragraph (f) is added to that subsection, and paragraph (n) of  
 1040 subsection (4) of that section is amended, to read:

1041 381.0065 Onsite sewage treatment and disposal systems;  
 1042 regulation.—

1043 (2) DEFINITIONS.—As used in ss. 381.0065-381.0067, the  
 1044 term:

1045 (f) "Enhanced nutrient-reducing onsite sewage treatment  
 1046 and disposal system" means an onsite sewage treatment and  
 1047 disposal system approved by the department as capable of meeting  
 1048 or exceeding a 50 percent total nitrogen reduction before  
 1049 disposal of wastewater in the drainfield, or at least 65 percent  
 1050 total nitrogen reduction combined from onsite sewage tank or

1051 tanks and drainfield.

1052 (4) PERMITS; INSTALLATION; CONDITIONS.—A person may not  
1053 construct, repair, modify, abandon, or operate an onsite sewage  
1054 treatment and disposal system without first obtaining a permit  
1055 approved by the department. The department may issue permits to  
1056 carry out this section, except that the issuance of a permit for  
1057 work seaward of the coastal construction control line  
1058 established under s. 161.053 shall be contingent upon receipt of  
1059 any required coastal construction control line permit from the  
1060 department. A construction permit is valid for 18 months after  
1061 the date of issuance and may be extended by the department for  
1062 one 90-day period under rules adopted by the department. A  
1063 repair permit is valid for 90 days after the date of issuance.  
1064 An operating permit must be obtained before the use of any  
1065 aerobic treatment unit or if the establishment generates  
1066 commercial waste. Buildings or establishments that use an  
1067 aerobic treatment unit or generate commercial waste shall be  
1068 inspected by the department at least annually to assure  
1069 compliance with the terms of the operating permit. The operating  
1070 permit for a commercial wastewater system is valid for 1 year  
1071 after the date of issuance and must be renewed annually. The  
1072 operating permit for an aerobic treatment unit is valid for 2  
1073 years after the date of issuance and must be renewed every 2  
1074 years. If all information pertaining to the siting, location,  
1075 and installation conditions or repair of an onsite sewage

1076 treatment and disposal system remains the same, a construction  
1077 or repair permit for the onsite sewage treatment and disposal  
1078 system may be transferred to another person, if the transferee  
1079 files, within 60 days after the transfer of ownership, an  
1080 amended application providing all corrected information and  
1081 proof of ownership of the property. A fee is not associated with  
1082 the processing of this supplemental information. A person may  
1083 not contract to construct, modify, alter, repair, service,  
1084 abandon, or maintain any portion of an onsite sewage treatment  
1085 and disposal system without being registered under part III of  
1086 chapter 489. A property owner who personally performs  
1087 construction, maintenance, or repairs to a system serving his or  
1088 her own owner-occupied single-family residence is exempt from  
1089 registration requirements for performing such construction,  
1090 maintenance, or repairs on that residence, but is subject to all  
1091 permitting requirements. A municipality or political subdivision  
1092 of the state may not issue a building or plumbing permit for any  
1093 building that requires the use of an onsite sewage treatment and  
1094 disposal system unless the owner or builder has received a  
1095 construction permit for such system from the department. A  
1096 building or structure may not be occupied and a municipality,  
1097 political subdivision, or any state or federal agency may not  
1098 authorize occupancy until the department approves the final  
1099 installation of the onsite sewage treatment and disposal system.  
1100 A municipality or political subdivision of the state may not

1101 approve any change in occupancy or tenancy of a building that  
 1102 uses an onsite sewage treatment and disposal system until the  
 1103 department has reviewed the use of the system with the proposed  
 1104 change, approved the change, and amended the operating permit.

1105 (n) Evaluations for determining the seasonal high-water  
 1106 table elevations or the suitability of soils for the use of a  
 1107 new onsite sewage treatment and disposal system shall be  
 1108 performed by department personnel, professional engineers  
 1109 registered in the state, or such other persons with expertise,  
 1110 as defined by rule, in making such evaluations. Evaluations for  
 1111 determining mean annual flood lines shall be performed by those  
 1112 persons identified in paragraph (2) (1) ~~(2) (k)~~. The department  
 1113 shall accept evaluations submitted by professional engineers and  
 1114 such other persons as meet the expertise established by this  
 1115 section or by rule unless the department has a reasonable  
 1116 scientific basis for questioning the accuracy or completeness of  
 1117 the evaluation.

1118 Section 12. Subsection (3) is added to section 381.00655,  
 1119 Florida Statutes, to read:

1120 381.00655 Connection of existing onsite sewage treatment  
 1121 and disposal systems to central sewerage system; requirements.-

1122 (3) Local governmental agencies, as defined in s.  
 1123 403.1835(2), that receive grants or loans from the department to  
 1124 offset the cost of connecting onsite sewage treatment and  
 1125 disposal systems to publicly owned or investor-owned sewerage

1126 systems are encouraged to do all of the following while such  
 1127 funds remain available:

1128 (a) Identify the owners of onsite sewage treatment and  
 1129 disposal systems within the jurisdiction of the respective local  
 1130 governmental agency who are eligible to apply for the grant or  
 1131 loan funds and notify such owners of the funding availability.

1132 (b) Maintain a publicly available website with information  
 1133 relating to the availability of the grant or loan funds,  
 1134 including the amount of funds available and information on how  
 1135 the owner of an onsite sewage treatment and disposal system may  
 1136 apply for such funds.

1137 Section 13. Section 403.031, Florida Statutes, is  
 1138 reordered and amended to read:

1139 403.031 Definitions.—In construing this chapter, or rules  
 1140 and regulations adopted pursuant hereto, the following words,  
 1141 phrases, or terms, unless the context otherwise indicates, have  
 1142 the following meanings:

1143 (1) "Contaminant" is any substance which is harmful to  
 1144 plant, animal, or human life.

1145 (2) "Department" means the Department of Environmental  
 1146 Protection.

1147 (3) "Effluent limitations" means any restriction  
 1148 established by the department on quantities, rates, or  
 1149 concentrations of chemical, physical, biological, or other  
 1150 constituents which are discharged from sources into waters of

1151 | the state.

1152 |       (5) "Enhanced nutrient-reducing onsite sewage treatment  
 1153 | and disposal system" means an onsite sewage treatment and  
 1154 | disposal system approved by the department as capable of meeting  
 1155 | or exceeding a 50 percent total nitrogen reduction before  
 1156 | disposal of wastewater in the drainfield, or at least 65 percent  
 1157 | total nitrogen reduction combined from onsite sewage tank or  
 1158 | tanks and drainfield.

1159 |       (6)-(4) "Installation" means ~~is~~ any structure, equipment,  
 1160 | or facility, or appurtenances thereto, or operation which may  
 1161 | emit air or water contaminants in quantities prohibited by rules  
 1162 | of the department.

1163 |       (7) "Nutrient or nutrient-related standards" means water  
 1164 | quality standards and criteria established for total nitrogen  
 1165 | and total phosphorous, or their organic or inorganic forms;  
 1166 | biological variables, such as chlorophyll-a, biomass, or the  
 1167 | structure of the phytoplankton, periphyton, or vascular plant  
 1168 | community, that respond to nutrient load or concentration in a  
 1169 | predictable and measurable manner; or dissolved oxygen if it is  
 1170 | demonstrated for the waterbody that dissolved oxygen conditions  
 1171 | result in a biological imbalance and the dissolved oxygen  
 1172 | responds to a nutrient load or concentration in a predictable  
 1173 | and measurable manner.

1174 |       (8) "Onsite sewage treatment and disposal system" means a  
 1175 | system that contains a standard subsurface, filled, or mound

1176 drainfield system; an aerobic treatment unit; a graywater system  
1177 tank; a laundry wastewater system tank; a septic tank; a grease  
1178 interceptor; a pump tank; a solids or effluent pump; a  
1179 waterless, incinerating, or organic waste-composting toilet; or  
1180 a sanitary pit privy that is installed or proposed to be  
1181 installed beyond the building sewer on land of the owner or on  
1182 other land to which the owner has the legal right to install a  
1183 system. The term includes any item placed within, or intended to  
1184 be used as a part of or in conjunction with, the system. The  
1185 term does not include package sewage treatment facilities and  
1186 other treatment works regulated under chapter 403.

1187 (9)-(5) "Person" means the state or any agency or  
1188 institution thereof, the United States or any agency or  
1189 institution thereof, or any municipality, political subdivision,  
1190 public or private corporation, individual, partnership,  
1191 association, or other entity and includes any officer or  
1192 governing or managing body of the state, the United States, any  
1193 agency, any municipality, political subdivision, or public or  
1194 private corporation.

1195 (10)-(6) "Plant" is any unit operation, complex, area, or  
1196 multiple of unit operations that produce, process, or cause to  
1197 be processed any materials, the processing of which can, or may,  
1198 cause air or water pollution.

1199 (11)-(7) "Pollution" is the presence in the outdoor  
1200 atmosphere or waters of the state of any substances,



1201 contaminants, noise, or manmade or human-induced impairment of  
 1202 air or waters or alteration of the chemical, physical,  
 1203 biological, or radiological integrity of air or water in  
 1204 quantities or at levels which are or may be potentially harmful  
 1205 or injurious to human health or welfare, animal or plant life,  
 1206 or property or which unreasonably interfere with the enjoyment  
 1207 of life or property, including outdoor recreation unless  
 1208 authorized by applicable law.

1209 (12)~~(8)~~ "Pollution prevention" means the steps taken by a  
 1210 potential generator of contamination or pollution to eliminate  
 1211 or reduce the contamination or pollution before it is discharged  
 1212 into the environment. The term includes nonmandatory steps taken  
 1213 to use alternative forms of energy, conserve or reduce the use  
 1214 of energy, substitute nontoxic materials for toxic materials,  
 1215 conserve or reduce the use of toxic materials and raw materials,  
 1216 reformulate products, modify manufacturing or other processes,  
 1217 improve in-plant maintenance and operations, implement  
 1218 environmental planning before expanding a facility, and recycle  
 1219 toxic or other raw materials.

1220 (14)~~(9)~~ "Sewerage system" means pipelines or conduits,  
 1221 pumping stations, and force mains and all other structures,  
 1222 devices, appurtenances, and facilities used for collecting or  
 1223 conducting wastes to an ultimate point for treatment or  
 1224 disposal.

1225 (15)~~(10)~~ "Source" means ~~is~~ any and all points of origin of

1226 | a contaminant ~~the item defined in subsection (1)~~, whether  
1227 | privately or publicly owned or operated.

1228 |        ~~(21)-(11)~~ "Treatment works" and "disposal systems" mean any  
1229 | plant or other works used for the purpose of treating,  
1230 | stabilizing, or holding wastes.

1231 |        ~~(22)-(12)~~ "Wastes" means sewage, industrial wastes, and all  
1232 | other liquid, gaseous, solid, radioactive, or other substances  
1233 | which may pollute or tend to pollute any waters of the state.

1234 |        ~~(23)-(13)~~ "Waters" include, but are not limited to, rivers,  
1235 | lakes, streams, springs, impoundments, wetlands, and all other  
1236 | waters or bodies of water, including fresh, brackish, saline,  
1237 | tidal, surface, or underground waters. Waters owned entirely by  
1238 | one person other than the state are included only in regard to  
1239 | possible discharge on other property or water. Underground  
1240 | waters include, but are not limited to, all underground waters  
1241 | passing through pores of rock or soils or flowing through in  
1242 | channels, whether manmade or natural. Solely for purposes of s.  
1243 | 403.0885, waters of the state also include navigable waters or  
1244 | waters of the contiguous zone as used in s. 502 of the Clean  
1245 | Water Act, as amended, 33 U.S.C. ss. 1251 et seq., as in  
1246 | existence on January 1, 1993, except for those navigable waters  
1247 | seaward of the boundaries of the state set forth in s. 1, Art.  
1248 | II of the State Constitution. Solely for purposes of this  
1249 | chapter, waters of the state also include the area bounded by  
1250 | the following:

1251 (a) Commence at the intersection of State Road (SRD) 5  
 1252 (U.S. 1) and the county line dividing Miami-Dade and Monroe  
 1253 Counties, said point also being the mean high-water line of  
 1254 Florida Bay, located in section 4, township 60 south, range 39  
 1255 east of the Tallahassee Meridian for the point of beginning.  
 1256 From said point of beginning, thence run northwesterly along  
 1257 said SRD 5 to an intersection with the north line of section 18,  
 1258 township 58 south, range 39 east; thence run westerly to a point  
 1259 marking the southeast corner of section 12, township 58 south,  
 1260 range 37 east, said point also lying on the east boundary of the  
 1261 Everglades National Park; thence run north along the east  
 1262 boundary of the aforementioned Everglades National Park to a  
 1263 point marking the northeast corner of section 1, township 58  
 1264 south, range 37 east; thence run west along said park to a point  
 1265 marking the northwest corner of said section 1; thence run  
 1266 northerly along said park to a point marking the northwest  
 1267 corner of section 24, township 57 south, range 37 east; thence  
 1268 run westerly along the south lines of sections 14, 15, and 16 to  
 1269 the southwest corner of section 16; thence leaving the  
 1270 Everglades National Park boundary run northerly along the west  
 1271 line of section 16 to the northwest corner of section 16; thence  
 1272 east along the northerly line of section 16 to a point at the  
 1273 intersection of the east one-half and west one-half of section  
 1274 9; thence northerly along the line separating the east one-half  
 1275 and the west one-half of sections 9, 4, 33, and 28; thence run

1276 easterly along the north line of section 28 to the northeast  
 1277 corner of section 28; thence run northerly along the west line  
 1278 of section 22 to the northwest corner of section 22; thence  
 1279 easterly along the north line of section 22 to a point at the  
 1280 intersection of the east one-half and west one-half of section  
 1281 15; thence run northerly along said line to the point of  
 1282 intersection with the north line of section 15; thence easterly  
 1283 along the north line of section 15 to the northeast corner of  
 1284 section 15; thence run northerly along the west lines of  
 1285 sections 11 and 2 to the northwest corner of section 2; thence  
 1286 run easterly along the north lines of sections 2 and 1 to the  
 1287 northeast corner of section 1, township 56 south, range 37 east;  
 1288 thence run north along the east line of section 36, township 55  
 1289 south, range 37 east to the northeast corner of section 36;  
 1290 thence run west along the north line of section 36 to the  
 1291 northwest corner of section 36; thence run north along the west  
 1292 line of section 25 to the northwest corner of section 25; thence  
 1293 run west along the north line of section 26 to the northwest  
 1294 corner of section 26; thence run north along the west line of  
 1295 section 23 to the northwest corner of section 23; thence run  
 1296 easterly along the north line of section 23 to the northeast  
 1297 corner of section 23; thence run north along the west line of  
 1298 section 13 to the northwest corner of section 13; thence run  
 1299 east along the north line of section 13 to a point of  
 1300 intersection with the west line of the southeast one-quarter of

1301 section 12; thence run north along the west line of the  
 1302 southeast one-quarter of section 12 to the northwest corner of  
 1303 the southeast one-quarter of section 12; thence run east along  
 1304 the north line of the southeast one-quarter of section 12 to the  
 1305 point of intersection with the east line of section 12; thence  
 1306 run east along the south line of the northwest one-quarter of  
 1307 section 7 to the southeast corner of the northwest one-quarter  
 1308 of section 7; thence run north along the east line of the  
 1309 northwest one-quarter of section 7 to the point of intersection  
 1310 with the north line of section 7; thence run northerly along the  
 1311 west line of the southeast one-quarter of section 6 to the  
 1312 northwest corner of the southeast one-quarter of section 6;  
 1313 thence run east along the north lines of the southeast one-  
 1314 quarter of section 6 and the southwest one-quarter of section 5  
 1315 to the northeast corner of the southwest one-quarter of section  
 1316 5; thence run northerly along the east line of the northwest  
 1317 one-quarter of section 5 to the point of intersection with the  
 1318 north line of section 5; thence run northerly along the line  
 1319 dividing the east one-half and the west one-half of Lot 5 to a  
 1320 point intersecting the north line of Lot 5; thence run east  
 1321 along the north line of Lot 5 to the northeast corner of Lot 5,  
 1322 township 54 1/2 south, range 38 east; thence run north along the  
 1323 west line of section 33, township 54 south, range 38 east to a  
 1324 point intersecting the northwest corner of the southwest one-  
 1325 quarter of section 33; thence run easterly along the north line

1326 of the southwest one-quarter of section 33 to the northeast  
 1327 corner of the southwest one-quarter of section 33; thence run  
 1328 north along the west line of the northeast one-quarter of  
 1329 section 33 to a point intersecting the north line of section 33;  
 1330 thence run easterly along the north line of section 33 to the  
 1331 northeast corner of section 33; thence run northerly along the  
 1332 west line of section 27 to a point intersecting the northwest  
 1333 corner of the southwest one-quarter of section 27; thence run  
 1334 easterly to the northeast corner of the southwest one-quarter of  
 1335 section 27; thence run northerly along the west line of the  
 1336 northeast one-quarter of section 27 to a point intersecting the  
 1337 north line of section 27; thence run west along the north line  
 1338 of section 27 to the northwest corner of section 27; thence run  
 1339 north along the west lines of sections 22 and 15 to the  
 1340 northwest corner of section 15; thence run easterly along the  
 1341 north lines of sections 15 and 14 to the point of intersection  
 1342 with the L-31N Levee, said intersection located near the  
 1343 southeast corner of section 11, township 54 south, range 38  
 1344 east; thence run northerly along Levee L-31N crossing SRD 90  
 1345 (U.S. 41 Tamiami Trail) to an intersection common to Levees L-  
 1346 31N, L-29, and L-30, said intersection located near the  
 1347 southeast corner of section 2, township 54 south, range 38 east;  
 1348 thence run northeasterly, northerly, and northeasterly along  
 1349 Levee L-30 to a point of intersection with the Miami-  
 1350 Dade/Broward Levee, said intersection located near the northeast

1351 corner of section 17, township 52 south, range 39 east; thence  
 1352 run due east to a point of intersection with SRD 27 (Krome  
 1353 Ave.); thence run northeasterly along SRD 27 to an intersection  
 1354 with SRD 25 (U.S. 27), said intersection located in section 3,  
 1355 township 52 south, range 39 east; thence run northerly along  
 1356 said SRD 25, entering into Broward County, to an intersection  
 1357 with SRD 84 at Andytown; thence run southeasterly along the  
 1358 aforementioned SRD 84 to an intersection with the southwesterly  
 1359 prolongation of Levee L-35A, said intersection being located in  
 1360 the northeast one-quarter of section 5, township 50 south, range  
 1361 40 east; thence run northeasterly along Levee L-35A to an  
 1362 intersection of Levee L-36, said intersection located near the  
 1363 southeast corner of section 12, township 49 south, range 40  
 1364 east; thence run northerly along Levee L-36, entering into Palm  
 1365 Beach County, to an intersection common to said Levees L-36, L-  
 1366 39, and L-40, said intersection located near the west quarter  
 1367 corner of section 19, township 47 south, range 41 east; thence  
 1368 run northeasterly, easterly, and northerly along Levee L-40,  
 1369 said Levee L-40 being the easterly boundary of the Loxahatchee  
 1370 National Wildlife Refuge, to an intersection with SRD 80 (U.S.  
 1371 441), said intersection located near the southeast corner of  
 1372 section 32, township 43 south, range 40 east; thence run  
 1373 westerly along the aforementioned SRD 80 to a point marking the  
 1374 intersection of said road and the northeasterly prolongation of  
 1375 Levee L-7, said Levee L-7 being the westerly boundary of the

1376 | Loxahatchee National Wildlife Refuge; thence run southwesterly  
 1377 | and southerly along said Levee L-7 to an intersection common to  
 1378 | Levees L-7, L-15 (Hillsborough Canal), and L-6; thence run  
 1379 | southwesterly along Levee L-6 to an intersection common to Levee  
 1380 | L-6, SRD 25 (U.S. 27), and Levee L-5, said intersection being  
 1381 | located near the northwest corner of section 27, township 47  
 1382 | south, range 38 east; thence run westerly along the  
 1383 | aforementioned Levee L-5 to a point intersecting the east line  
 1384 | of range 36 east; thence run northerly along said range line to  
 1385 | a point marking the northeast corner of section 1, township 47  
 1386 | south, range 36 east; thence run westerly along the north line  
 1387 | of township 47 south, to an intersection with Levee L-23/24  
 1388 | (Miami Canal); thence run northwesterly along the Miami Canal  
 1389 | Levee to a point intersecting the north line of section 22,  
 1390 | township 46 south, range 35 east; thence run westerly to a point  
 1391 | marking the northwest corner of section 21, township 46 south,  
 1392 | range 35 east; thence run southerly to the southwest corner of  
 1393 | said section 21; thence run westerly to a point marking the  
 1394 | northwest corner of section 30, township 46 south, range 35  
 1395 | east, said point also being on the line dividing Palm Beach and  
 1396 | Hendry Counties; from said point, thence run southerly along  
 1397 | said county line to a point marking the intersection of Broward,  
 1398 | Hendry, and Collier Counties, said point also being the  
 1399 | northeast corner of section 1, township 49 south, range 34 east;  
 1400 | thence run westerly along the line dividing Hendry and Collier



1401 Counties and continuing along the prolongation thereof to a  
 1402 point marking the southwest corner of section 36, township 48  
 1403 south, range 29 east; thence run southerly to a point marking  
 1404 the southwest corner of section 12, township 49 south, range 29  
 1405 east; thence run westerly to a point marking the southwest  
 1406 corner of section 10, township 49 south, range 29 east; thence  
 1407 run southerly to a point marking the southwest corner of section  
 1408 15, township 49 south, range 29 east; thence run westerly to a  
 1409 point marking the northwest corner of section 24, township 49  
 1410 south, range 28 east, said point lying on the west boundary of  
 1411 the Big Cypress Area of Critical State Concern as described in  
 1412 rule 28-25.001, Florida Administrative Code; thence run  
 1413 southerly along said boundary crossing SRD 84 (Alligator Alley)  
 1414 to a point marking the southwest corner of section 24, township  
 1415 50 south, range 28 east; thence leaving the aforementioned west  
 1416 boundary of the Big Cypress Area of Critical State Concern run  
 1417 easterly to a point marking the northeast corner of section 25,  
 1418 township 50 south, range 28 east; thence run southerly along the  
 1419 east line of range 28 east to a point lying approximately 0.15  
 1420 miles south of the northeast corner of section 1, township 52  
 1421 south, range 28 east; thence run southwesterly 2.4 miles more or  
 1422 less to an intersection with SRD 90 (U.S. 41 Tamiami Trail),  
 1423 said intersection lying 1.1 miles more or less west of the east  
 1424 line of range 28 east; thence run northwesterly and westerly  
 1425 along SRD 90 to an intersection with the west line of section

1426 10, township 52 south, range 28 east; thence leaving SRD 90 run  
1427 southerly to a point marking the southwest corner of section 15,  
1428 township 52 south, range 28 east; thence run westerly crossing  
1429 the Faka Union Canal 0.6 miles more or less to a point; thence  
1430 run southerly and parallel to the Faka Union Canal to a point  
1431 located on the mean high-water line of Faka Union Bay; thence  
1432 run southeasterly along the mean high-water line of the various  
1433 bays, rivers, inlets, and streams to the point of beginning.

1434 (b) The area bounded by the line described in paragraph  
1435 (a) generally includes those waters to be known as waters of the  
1436 state. The landward extent of these waters shall be determined  
1437 by the delineation methodology ratified in s. 373.4211. Any  
1438 waters which are outside the general boundary line described in  
1439 paragraph (a) but which are contiguous thereto by virtue of the  
1440 presence of a wetland, watercourse, or other surface water, as  
1441 determined by the delineation methodology ratified in s.  
1442 373.4211, shall be a part of this waterbody ~~water body~~. Any  
1443 areas within the line described in paragraph (a) which are  
1444 neither a wetland nor surface water, as determined by the  
1445 delineation methodology ratified in s. 373.4211, shall be  
1446 excluded therefrom. If the Florida Environmental Regulation  
1447 Commission designates the waters within the boundaries an  
1448 Outstanding Florida Water, waters outside the boundaries may  
1449 ~~shall~~ not be included as part of such designation unless a  
1450 hearing is held pursuant to notice in each appropriate county

1451 and the boundaries of such lands are specifically considered and  
1452 described for such designation.

1453 (16)~~(14)~~ "State water resource implementation rule" means  
1454 the rule authorized by s. 373.036, which sets forth goals,  
1455 objectives, and guidance for the development and review of  
1456 programs, rules, and plans relating to water resources, based on  
1457 statutory policies and directives. The waters of the state are  
1458 among its most basic resources. Such waters should be managed to  
1459 conserve and protect water resources and to realize the full  
1460 beneficial use of these resources.

1461 (17)~~(15)~~ "Stormwater management program" means the  
1462 institutional strategy for stormwater management, including  
1463 urban, agricultural, and other stormwater.

1464 (18)~~(16)~~ "Stormwater management system" means a system  
1465 ~~which is~~ designed and constructed or implemented to control  
1466 discharges that ~~which~~ are necessitated by rainfall events,  
1467 incorporating methods to collect, convey, store, absorb,  
1468 inhibit, treat, use, or reuse water to prevent or reduce  
1469 flooding, overdrainage, environmental degradation and water  
1470 pollution or otherwise affect the quantity and quality of  
1471 discharges from the system.

1472 (19)~~(17)~~ "Stormwater utility" means the funding of a  
1473 stormwater management program by assessing the cost of the  
1474 program to the beneficiaries based on their relative  
1475 contribution to its need. It is operated as a typical utility

1476 | which bills services regularly, similar to water and wastewater  
 1477 | services.

1478 |        ~~(24)-(18)~~ "Watershed" means the land area that ~~which~~  
 1479 | contributes to the flow of water into a receiving body of water.

1480 |        ~~(13)-(19)~~ "Regulated air pollutant" means any pollutant  
 1481 | regulated under the federal Clean Air Act.

1482 |        ~~(4)-(20)~~ "Electrical power plant" means, for purposes of  
 1483 | this part of this chapter, any electrical generating facility  
 1484 | that uses any process or fuel and that is owned or operated by  
 1485 | an electric utility, as defined in s. 403.503(14), and includes  
 1486 | any associated facility that directly supports the operation of  
 1487 | the electrical power plant.

1488 |        ~~(20)-(21)~~ "Total maximum daily load" is defined as the sum  
 1489 | of the individual wasteload allocations for point sources and  
 1490 | the load allocations for nonpoint sources and natural  
 1491 | background. Prior to determining individual wasteload  
 1492 | allocations and load allocations, the maximum amount of a  
 1493 | pollutant that a waterbody ~~water body~~ or water segment can  
 1494 | assimilate from all sources without exceeding water quality  
 1495 | standards must first be calculated.

1496 |        Section 14. Paragraphs (a) and (e) of subsection (7) of  
 1497 | section 403.067, Florida Statutes, are amended to read:

1498 |        403.067 Establishment and implementation of total maximum  
 1499 | daily loads.—

1500 |        (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND

1501 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

1502 (a) *Basin management action plans.*—

1503 1. In developing and implementing the total maximum daily  
1504 load for a waterbody ~~water body~~, the department, or the  
1505 department in conjunction with a water management district, may  
1506 develop a basin management action plan that addresses some or  
1507 all of the watersheds and basins tributary to the waterbody  
1508 ~~water body~~. Such plan must integrate the appropriate management  
1509 strategies available to the state through existing water quality  
1510 protection programs to achieve the total maximum daily loads and  
1511 may provide for phased implementation of these management  
1512 strategies to promote timely, cost-effective actions as provided  
1513 for in s. 403.151. The plan must establish a schedule  
1514 implementing the management strategies, establish a basis for  
1515 evaluating the plan's effectiveness, and identify feasible  
1516 funding strategies for implementing the plan's management  
1517 strategies. The management strategies may include regional  
1518 treatment systems or other public works, when appropriate, and  
1519 voluntary trading of water quality credits to achieve the needed  
1520 pollutant load reductions.

1521 2. A basin management action plan must equitably allocate,  
1522 pursuant to paragraph (6) (b), pollutant reductions to individual  
1523 basins, as a whole to all basins, or to each identified point  
1524 source or category of nonpoint sources, as appropriate. For  
1525 nonpoint sources for which best management practices have been

1526 adopted, the initial requirement specified by the plan must be  
1527 those practices developed pursuant to paragraph (c). When  
1528 appropriate, the plan may take into account the benefits of  
1529 pollutant load reduction achieved by point or nonpoint sources  
1530 that have implemented management strategies to reduce pollutant  
1531 loads, including best management practices, before the  
1532 development of the basin management action plan. The plan must  
1533 also identify the mechanisms that will address potential future  
1534 increases in pollutant loading.

1535 3. The basin management action planning process is  
1536 intended to involve the broadest possible range of interested  
1537 parties, with the objective of encouraging the greatest amount  
1538 of cooperation and consensus possible. In developing a basin  
1539 management action plan, the department shall assure that key  
1540 stakeholders, including, but not limited to, applicable local  
1541 governments, water management districts, the Department of  
1542 Agriculture and Consumer Services, other appropriate state  
1543 agencies, local soil and water conservation districts,  
1544 environmental groups, regulated interests, and affected  
1545 pollution sources, are invited to participate in the process.  
1546 The department shall hold at least one public meeting in the  
1547 vicinity of the watershed or basin to discuss and receive  
1548 comments during the planning process and shall otherwise  
1549 encourage public participation to the greatest practicable  
1550 extent. Notice of the public meeting must be published in a

1551 newspaper of general circulation in each county in which the  
 1552 watershed or basin lies at least 5 days, but not more than 15  
 1553 days, before the public meeting. A basin management action plan  
 1554 does not supplant or otherwise alter any assessment made under  
 1555 subsection (3) or subsection (4) or any calculation or initial  
 1556 allocation.

1557 4. Each new or revised basin management action plan must  
 1558 ~~shall~~ include all of the following:

1559 a. The appropriate management strategies available through  
 1560 existing water quality protection programs to achieve total  
 1561 maximum daily loads, which may provide for phased implementation  
 1562 to promote timely, cost-effective actions as provided for in s.  
 1563 403.151.~~†~~

1564 b. A description of best management practices adopted by  
 1565 rule.~~†~~

1566 c. For the applicable 5-year implementation milestone, a  
 1567 list of projects that will achieve the pollutant load reductions  
 1568 needed to meet the total maximum daily load or the load  
 1569 allocations established pursuant to subsection (6). Each project  
 1570 must include a planning-level cost estimate and an estimated  
 1571 date of completion. A list of projects in priority ranking with  
 1572 a planning-level cost estimate and estimated date of completion  
 1573 for each listed project;

1574 d. A list of projects developed pursuant to paragraph (e),  
 1575 if applicable.

1576 ~~e.d.~~ The source and amount of financial assistance to be  
 1577 made available by the department, a water management district,  
 1578 or other entity for each listed project, if applicable. ~~;~~ ~~and~~

1579 ~~f.e.~~ A planning-level estimate of each listed project's  
 1580 expected load reduction, if applicable.

1581 5. The department shall adopt all or any part of a basin  
 1582 management action plan and any amendment to such plan by  
 1583 secretarial order pursuant to chapter 120 to implement this  
 1584 section.

1585 6. The basin management action plan must include 5-year  
 1586 milestones for implementation and water quality improvement, and  
 1587 an associated water quality monitoring component sufficient to  
 1588 evaluate whether reasonable progress in pollutant load  
 1589 reductions is being achieved over time. An assessment of  
 1590 progress toward these milestones shall be conducted every 5  
 1591 years, and revisions to the plan shall be made as appropriate.  
 1592 Any entity with a specific pollutant load reduction requirement  
 1593 established in a basin management action plan shall identify the  
 1594 projects or strategies that such entity will undertake to meet  
 1595 current 5-year pollution reduction milestones, beginning with  
 1596 the first 5-year milestone for new basin management action  
 1597 plans, and submit such projects to the department for inclusion  
 1598 in the appropriate basin management action plan. Each project  
 1599 identified must include an estimated amount of nutrient  
 1600 reduction that is reasonably expected to be achieved based on



1601 the best scientific information available. Revisions to the  
1602 basin management action plan shall be made by the department in  
1603 cooperation with basin stakeholders. Revisions to the management  
1604 strategies required for nonpoint sources must follow the  
1605 procedures in subparagraph (c)4. Revised basin management action  
1606 plans must be adopted pursuant to subparagraph 5.

1607 7. In accordance with procedures adopted by rule under  
1608 paragraph (9)(c), basin management action plans, and other  
1609 pollution control programs under local, state, or federal  
1610 authority as provided in subsection (4), may allow point or  
1611 nonpoint sources that will achieve greater pollutant reductions  
1612 than required by an adopted total maximum daily load or  
1613 wasteload allocation to generate, register, and trade water  
1614 quality credits for the excess reductions to enable other  
1615 sources to achieve their allocation; however, the generation of  
1616 water quality credits does not remove the obligation of a source  
1617 or activity to meet applicable technology requirements or  
1618 adopted best management practices. Such plans must allow trading  
1619 between NPDES permittees, and trading that may or may not  
1620 involve NPDES permittees, where the generation or use of the  
1621 credits involve an entity or activity not subject to department  
1622 water discharge permits whose owner voluntarily elects to obtain  
1623 department authorization for the generation and sale of credits.

1624 8. The department's rule relating to the equitable  
1625 abatement of pollutants into surface waters do not apply to

1626 water bodies or waterbody ~~water-body~~ segments for which a basin  
1627 management plan that takes into account future new or expanded  
1628 activities or discharges has been adopted under this section.

1629 9. In order to promote resilient wastewater utilities, if  
1630 the department identifies domestic wastewater treatment  
1631 facilities or onsite sewage treatment and disposal systems as  
1632 contributors of at least 20 percent of point source or nonpoint  
1633 source nutrient pollution or if the department determines  
1634 remediation is necessary to achieve the total maximum daily  
1635 load, a basin management action plan for a nutrient total  
1636 maximum daily load must include the following:

1637 a. A wastewater treatment plan developed by each local  
1638 government, in cooperation with the department, the water  
1639 management district, and the public and private domestic  
1640 wastewater treatment facilities within the jurisdiction of the  
1641 local government, that addresses domestic wastewater. The  
1642 wastewater treatment plan must:

1643 (I) Provide for construction, expansion, or upgrades  
1644 necessary to achieve the total maximum daily load requirements  
1645 applicable to the domestic wastewater treatment facility.

1646 (II) Include the permitted capacity in average annual  
1647 gallons per day for the domestic wastewater treatment facility;  
1648 the average nutrient concentration and the estimated average  
1649 nutrient load of the domestic wastewater; a projected timeline  
1650 of the dates by which the construction of any facility

1651 improvements will begin and be completed and the date by which  
1652 operations of the improved facility will begin; the estimated  
1653 cost of the improvements; and the identity of responsible  
1654 parties.

1655  
1656 The wastewater treatment plan must be adopted as part of the  
1657 basin management action plan no later than July 1, 2025. A local  
1658 government that does not have a domestic wastewater treatment  
1659 facility in its jurisdiction is not required to develop a  
1660 wastewater treatment plan unless there is a demonstrated need to  
1661 establish a domestic wastewater treatment facility within its  
1662 jurisdiction to improve water quality necessary to achieve a  
1663 total maximum daily load. A local government is not responsible  
1664 for a private domestic wastewater facility's compliance with a  
1665 basin management action plan unless such facility is operated  
1666 through a public-private partnership to which the local  
1667 government is a party.

1668       b. An onsite sewage treatment and disposal system  
1669 remediation plan developed by each local government in  
1670 cooperation with the department, the Department of Health, water  
1671 management districts, and public and private domestic wastewater  
1672 treatment facilities.

1673       (I) The onsite sewage treatment and disposal system  
1674 remediation plan must identify cost-effective and financially  
1675 feasible projects necessary to achieve the nutrient load

1676 reductions required for onsite sewage treatment and disposal  
1677 systems. To identify cost-effective and financially feasible  
1678 projects for remediation of onsite sewage treatment and disposal  
1679 systems, the local government shall:

1680 (A) Include an inventory of onsite sewage treatment and  
1681 disposal systems based on the best information available;

1682 (B) Identify onsite sewage treatment and disposal systems  
1683 that would be eliminated through connection to existing or  
1684 future central domestic wastewater infrastructure in the  
1685 jurisdiction or domestic wastewater service area of the local  
1686 government, that would be replaced with or upgraded to enhanced  
1687 nutrient-reducing onsite sewage treatment and disposal systems,  
1688 or that would remain on conventional onsite sewage treatment and  
1689 disposal systems;

1690 (C) Estimate the costs of potential onsite sewage  
1691 treatment and disposal system connections, upgrades, or  
1692 replacements; and

1693 (D) Identify deadlines and interim milestones for the  
1694 planning, design, and construction of projects.

1695 (II) The department shall adopt the onsite sewage  
1696 treatment and disposal system remediation plan as part of the  
1697 basin management action plan no later than July 1, 2025, or as  
1698 required for Outstanding Florida Springs under s. 373.807.

1699 10. The installation of new onsite sewage treatment and  
1700 disposal systems constructed within a basin management action

1701 plan area adopted under this section, a reasonable assurance  
1702 plan, or a pollution reduction plan is prohibited where  
1703 connection to a publicly owned or investor-owned sewerage system  
1704 is available as defined in s. 381.0065(2)(a). On lots of 1 acre  
1705 or less within a basin management action plan adopted under this  
1706 section, a reasonable assurance plan, or a pollution reduction  
1707 plan where a publicly owned or investor-owned sewerage system is  
1708 not available, the installation of enhanced nutrient-reducing  
1709 onsite sewage treatment and disposal systems or other wastewater  
1710 treatment systems that achieve at least 65 percent nitrogen  
1711 reduction is required.

1712 ~~11.10.~~ When identifying wastewater projects in a basin  
1713 management action plan, the department may not require the  
1714 higher cost option if it achieves the same nutrient load  
1715 reduction as a lower cost option. A regulated entity may choose  
1716 a different cost option if it complies with the pollutant  
1717 reduction requirements of an adopted total maximum daily load  
1718 and meets or exceeds the pollution reduction requirement of the  
1719 original project.

1720 12. Annually, local governments subject to a basin  
1721 management action plan or located within the basin of a  
1722 waterbody not attaining nutrient or nutrient-related standards  
1723 must provide to the department an update on the status of  
1724 construction of sanitary sewers to serve such areas, in a manner  
1725 prescribed by the department.

1726 (e) Cooperative agricultural regional water quality  
 1727 improvement element.—  
 1728 1. The department ~~and~~ the Department of Agriculture and  
 1729 Consumer Services, in cooperation with ~~and~~ owners of  
 1730 agricultural operations in the basin, shall develop a  
 1731 cooperative agricultural regional water quality improvement  
 1732 element as part of a basin management action plan where only if:  
 1733 a. ~~Agricultural measures have been adopted by the~~  
 1734 ~~Department of Agriculture and Consumer Services pursuant to~~  
 1735 ~~subparagraph (c)2. and have been implemented and the water body~~  
 1736 ~~remains impaired;~~  
 1737 ~~b.~~ Agricultural nonpoint sources contribute to at least 20  
 1738 percent of nonpoint source nutrient discharges; or ~~and~~  
 1739 ~~b.e.~~ The department determines that additional measures,  
 1740 in combination with state-sponsored regional projects and other  
 1741 management strategies included in the basin management action  
 1742 plan, are necessary to achieve the total maximum daily load.  
 1743 2. The element will be implemented through the use of  
 1744 cost-effective and technically and financially practical  
 1745 regional agricultural nutrient reduction ~~cost-sharing~~ projects  
 1746 and. The element must include a list of such projects submitted  
 1747 to the department by the Department of Agriculture and Consumer  
 1748 Services which, in combination with the best management  
 1749 practices, additional measures, and other management strategies,  
 1750 will achieve the needed pollutant load reductions established

1751 ~~for agricultural nonpoint sources cost-effective and technically~~  
1752 ~~and financially practical cooperative regional agricultural~~  
1753 ~~nutrient reduction projects that can be implemented on private~~  
1754 ~~properties on a site-specific, cooperative basis.~~ Such  
1755 cooperative regional agricultural nutrient reduction projects  
1756 may include, but are not limited to, land acquisition in fee or  
1757 conservation easements on the lands of willing sellers and site-  
1758 specific water quality improvement or dispersed water management  
1759 projects. The list of regional projects included in the  
1760 cooperative agricultural regional water quality improvement  
1761 element must include a planning-level cost estimate of each  
1762 project along with the estimated amount of nutrient reduction  
1763 that such project will achieve ~~on the lands of project~~  
1764 ~~participants.~~

1765 3. To qualify for participation in the cooperative  
1766 agricultural regional water quality improvement element, the  
1767 participant must have already implemented and be in compliance  
1768 with best management practices or other measures adopted by the  
1769 Department of Agriculture and Consumer Services pursuant to  
1770 subparagraph (c)2. The element must ~~may~~ be included in the basin  
1771 management action plan as a part of the next 5-year assessment  
1772 under subparagraph (a)6.

1773 4. The department or the Department of Agriculture and  
1774 Consumer Services may submit a legislative budget request to  
1775 fund projects developed pursuant to this paragraph. In

1776 allocating funds for projects funded pursuant to this paragraph,  
 1777 the department shall provide at least 20 percent of its annual  
 1778 appropriation for projects in subbasins with the highest  
 1779 nutrient concentrations within a basin management action plan.  
 1780 Projects submitted pursuant to this paragraph are eligible for  
 1781 funding in accordance with s. 403.0673.

1782 Section 15. Section 403.0673, Florida Statutes, is amended  
 1783 to read:

1784 403.0673 Water quality improvement ~~Wastewater~~ grant  
 1785 program.—A ~~wastewater~~ grant program is established within the  
 1786 Department of Environmental Protection to address wastewater,  
 1787 stormwater, and agricultural sources of nutrient loading to  
 1788 surface water or groundwater.

1789 (1) The purpose of the grant program is to fund projects  
 1790 that will improve the quality of waterbodies that:

1791 (a) Are not attaining nutrient or nutrient-related  
 1792 standards;

1793 (b) Have an established total maximum daily load; or

1794 (c) Are located ~~Subject to the appropriation of funds by~~  
 1795 ~~the Legislature, the department may provide grants for the~~  
 1796 ~~following projects within a basin management action plan area, a~~  
 1797 reasonable assurance plan area an alternative restoration plan  
 1798 adopted by final order, an accepted alternative restoration plan  
 1799 area, or a rural area of opportunity under s. 288.0656.

1800 (2) The department may provide grants for all of the



1801 following types of projects that reduce the amount of nutrients  
1802 entering those waterbodies identified in subsection (1):

1803 (a) Connecting onsite sewage treatment and disposal  
1804 systems to central sewer facilities.

1805 (b) Upgrading domestic wastewater treatment facilities to  
1806 advanced waste treatment or greater.

1807 (c) Repairing, upgrading, expanding, or constructing  
1808 stormwater treatment facilities that result in improvements to  
1809 surface water or groundwater quality.

1810 (d) Repairing, upgrading, expanding, or constructing  
1811 domestic wastewater treatment facilities that result in  
1812 improvements to surface water or groundwater quality, including  
1813 domestic wastewater reuse and collection systems.

1814 (e) Projects identified pursuant to s. 403.067(7)(a) or  
1815 (7)(e).

1816 (f) Projects identified in a wastewater treatment plan or  
1817 an onsite sewage treatment and disposal system remediation plan  
1818 developed pursuant to s. 403.067(7)(a) 9.a. and b.

1819 (g) Projects listed in a city or county capital  
1820 improvement element pursuant to s. 163.3177(3)(a)4.b.

1821 (h) Retrofitting onsite sewage treatment and disposal  
1822 systems to upgrade such systems to enhanced nutrient-reducing  
1823 onsite sewage treatment and disposal systems where central  
1824 sewerage is unavailable ~~which will individually or collectively~~  
1825 ~~reduce excess nutrient pollution.~~

1826 ~~(a) Projects to retrofit onsite sewage treatment and~~  
1827 ~~disposal systems to upgrade such systems to enhanced nutrient-~~  
1828 ~~reducing onsite sewage treatment and disposal systems.~~

1829 ~~(b) Projects to construct, upgrade, or expand facilities~~  
1830 ~~to provide advanced waste treatment, as defined in s.~~  
1831 ~~403.086(4).~~

1832 ~~(c) Projects to connect onsite sewage treatment and~~  
1833 ~~disposal systems to central sewer facilities.~~

1834 ~~(3)(2) In allocating such funds, priority must be given to~~  
1835 ~~projects that subsidize the connection of onsite sewage~~  
1836 ~~treatment and disposal systems to wastewater treatment~~  
1837 ~~facilities. First priority must be given to subsidize the~~  
1838 ~~connection of onsite sewage treatment and disposal systems to~~  
1839 ~~existing infrastructure. Second priority must be given to any~~  
1840 ~~expansion of a collection or transmission system that promotes~~  
1841 ~~efficiency by planning the installation of wastewater~~  
1842 ~~transmission facilities to be constructed concurrently with~~  
1843 ~~other construction projects occurring within or along a~~  
1844 ~~transportation facility right-of-way. Third priority must be~~  
1845 ~~given to all other connections of onsite sewage treatment and~~  
1846 ~~disposal systems to wastewater treatment facilities. The~~  
1847 ~~department shall consider and prioritize those projects that:~~

1848 ~~(a) Have the maximum estimated reduction in nutrient load~~  
1849 ~~per project;~~

1850 ~~(b) Demonstrate project readiness;~~

1851           (c) Are cost-effective;  
 1852           (d) Have a cost share identified by the applicant, except  
 1853 for rural areas of opportunity;  
 1854           (e) Have previous state commitment and involvement in the  
 1855 project, considering previously funded phases, the total amount  
 1856 of previous state funding, and previous partial appropriations  
 1857 for the proposed project; or  
 1858           (f) Are in a the cost-effectiveness of the project; the  
 1859 overall environmental benefit of a project; the location where  
 1860 reductions are needed most to attain the water quality standards  
 1861 of a waterbody not attaining nutrient or nutrient-related  
 1862 standards.  
 1863  
 1864 Any project that does not result in reducing nutrient loading to  
 1865 a waterbody identified in subsection (1) is not eligible for  
 1866 funding under this section of a project; the availability of  
 1867 local matching funds; and projected water savings or quantity  
 1868 improvements associated with a project.  
 1869           ~~(3) Each grant for a project described in subsection (1)~~  
 1870 ~~must require a minimum of a 50-percent local match of funds.~~  
 1871 ~~However, the department may, at its discretion, waive, in whole~~  
 1872 ~~or in part, this consideration of the local contribution for~~  
 1873 ~~proposed projects within an area designated as a rural area of~~  
 1874 ~~opportunity under s. 288.0656.~~  
 1875           (4) The department shall coordinate annually with each

1876 water management district, ~~as necessary,~~ to identify potential  
 1877 projects ~~grant recipients~~ in each district.

1878 (5) The department shall coordinate with local governments  
 1879 and stakeholders to identify the most effective and beneficial  
 1880 water quality improvement projects.

1881 (6) Beginning January 15, 2024 ~~1, 2021,~~ and each January  
 1882 15 ~~±~~ thereafter, the department shall submit a report regarding  
 1883 the projects funded pursuant to this section to the Governor,  
 1884 the President of the Senate, and the Speaker of the House of  
 1885 Representatives. The report must include a list of those  
 1886 projects receiving funding and the following information for  
 1887 each project:

- 1888 (a) A description of the project;
- 1889 (b) The cost of the project;
- 1890 (c) The estimated nutrient load reduction of the project;
- 1891 (d) The location of the project;
- 1892 (e) The waterbody or waterbodies where the project will  
 1893 reduce nutrients; and
- 1894 (f) The total cost share being provided for the project.

1895 Section 16. Paragraph (c) of subsection (1) of section  
 1896 403.086, Florida Statutes, is amended to read:

1897 403.086 Sewage disposal facilities; advanced and secondary  
 1898 waste treatment.—

- 1899 (1)
- 1900 (c) 1. Notwithstanding this chapter or chapter 373, sewage

1901 disposal facilities may not dispose ~~of~~ any wastes into the  
 1902 following waters without providing advanced waste treatment, as  
 1903 defined in subsection (4), as approved by the department or a  
 1904 more stringent treatment standard if the department determines  
 1905 the more stringent standard is necessary to achieve the total  
 1906 maximum daily load or applicable water quality criteria:

1907 a. Old Tampa Bay, Tampa Bay, Hillsborough Bay, Boca Ciega  
 1908 Bay, St. Joseph Sound, Clearwater Bay, Sarasota Bay, Little  
 1909 Sarasota Bay, Roberts Bay, Lemon Bay, Charlotte Harbor Bay,  
 1910 Biscayne Bay, or any river, stream, channel, canal, bay, bayou,  
 1911 sound, or other water tributary thereto.

1912 b. Beginning July 1, 2025, Indian River Lagoon, or ~~into~~  
 1913 any river, stream, channel, canal, bay, bayou, sound, or other  
 1914 water tributary thereto.

1915 c. By January 1, 2033, waterbodies that are currently not  
 1916 attaining nutrient or nutrient-related standards or that are  
 1917 subject to a nutrient or nutrient-related basin management  
 1918 action plan adopted pursuant to s. 403.067 or adopted reasonable  
 1919 assurance plan.

1920 2. For any waterbody determined not to be attaining  
 1921 nutrient or nutrient-related standards after July 1, 2023, or  
 1922 subject to a nutrient or nutrient-related basin management  
 1923 action plan adopted pursuant to s. 403.067 or adopted reasonable  
 1924 assurance plan after July 1, 2023, sewage disposal facilities  
 1925 are prohibited from disposing any wastes into such waters

1926 without providing advanced waste treatment, as defined in  
 1927 subsection (4), as approved by the department within 10 years  
 1928 after such determination or adoption, ~~without providing advanced~~  
 1929 ~~waste treatment, as defined in subsection (4), approved by the~~  
 1930 ~~department. This paragraph does not apply to facilities which~~  
 1931 ~~were permitted by February 1, 1987, and which discharge~~  
 1932 ~~secondary treated effluent, followed by water hyacinth~~  
 1933 ~~treatment, to tributaries of tributaries of the named waters; or~~  
 1934 ~~to facilities permitted to discharge to the nontidally~~  
 1935 ~~influenced portions of the Peace River.~~

1936 Section 17. Subsection (10) of section 570.71, Florida  
 1937 Statutes, is amended, and subsection (14) is added to that  
 1938 section, to read:

1939 570.71 Conservation easements and agreements.—

1940 (10) The department, in consultation with the Department  
 1941 of Environmental Protection, the water management districts, the  
 1942 Department of Economic Opportunity, and the Florida Fish and  
 1943 Wildlife Conservation Commission, shall adopt rules that  
 1944 establish an application process; and a process and criteria for  
 1945 setting priorities for use of funds consistent with the purposes  
 1946 specified in subsection (1) and giving preference to ranch and  
 1947 timber lands managed using sustainable practices, lands in  
 1948 imminent danger of development or degradation, or lands within  
 1949 the Florida wildlife corridor as defined in s. 259.1055(4); an  
 1950 appraisal process; and a process for title review and

1951 compliance and approval of the rules by the Board of Trustees of  
 1952 the Internal Improvement Trust Fund.

1953 (14) Notwithstanding any other law or rule, the department  
 1954 shall submit a purchase agreement authorized by this section to  
 1955 the Board of Trustees of the Internal Improvement Trust Fund for  
 1956 approval only if the purchase price exceeds \$5 million.

1957 Section 18. Paragraph (b) of subsection (1) and subsection  
 1958 (5) of section 570.715, Florida Statutes, are amended to read:

1959 570.715 Conservation easement acquisition procedures.—

1960 (1) For less than fee simple acquisitions pursuant to s.  
 1961 570.71, the Department of Agriculture and Consumer Services  
 1962 shall comply with the following acquisition procedures:

1963 (b) Before approval by the board of trustees of an  
 1964 agreement to purchase less than fee simple title to land  
 1965 pursuant to s. 570.71, an appraisal of the parcel shall be  
 1966 required as follows:

1967 1. Each parcel to be acquired shall have at least one  
 1968 appraisal. Two appraisals are required when the estimated value  
 1969 of the parcel exceeds \$5 ~~\$1~~ million. However, when both  
 1970 appraisals exceed \$5 ~~\$1~~ million and differ significantly, a  
 1971 third appraisal may be obtained.

1972 2. Appraisal fees and associated costs shall be paid by  
 1973 the department. All appraisals used for the acquisition of less  
 1974 than fee simple interest in lands pursuant to this section shall  
 1975 be prepared by a state-certified appraiser who meets the

1976 standards and criteria established by rule of the board of  
 1977 trustees. Each appraiser selected to appraise a particular  
 1978 parcel shall, before contracting with the department or a  
 1979 participant in a multiparty agreement, submit to the department  
 1980 or participant an affidavit substantiating that he or she has no  
 1981 vested or fiduciary interest in such parcel.

1982 (5) Appraisal reports are confidential and exempt from s.  
 1983 119.07(1), for use by the department and the board of trustees,  
 1984 until an option contract is executed or, if an option contract  
 1985 is not executed, until 2 weeks before a contract or agreement  
 1986 for purchase is considered for approval by the board of  
 1987 trustees. However, the department shall ~~has the authority, at~~  
 1988 ~~its discretion, to~~ disclose appraisal reports to private  
 1989 landowners or their representatives during negotiations for  
 1990 acquisitions ~~using alternatives to fee simple techniques, if the~~  
 1991 ~~department determines that disclosure of such reports will bring~~  
 1992 ~~the proposed acquisition to closure.~~ The department may also  
 1993 disclose appraisal information to public agencies or nonprofit  
 1994 organizations that agree to maintain the confidentiality of the  
 1995 reports or information when joint acquisition of property is  
 1996 contemplated, or when a public agency or nonprofit organization  
 1997 enters into a written multiparty agreement with the department.  
 1998 For purposes of this subsection, the term "nonprofit  
 1999 organization" means an organization whose purposes include the  
 2000 preservation of natural resources, and which is exempt from



2001 federal income tax under s. 501(c)(3) of the Internal Revenue  
 2002 Code. The department may release an appraisal report when the  
 2003 passage of time has rendered the conclusions of value in the  
 2004 report invalid or when the department has terminated  
 2005 negotiations.

2006 Section 19. Paragraph (h) of subsection (4) of section  
 2007 201.15, Florida Statutes, is amended to read:

2008 201.15 Distribution of taxes collected.—All taxes  
 2009 collected under this chapter are hereby pledged and shall be  
 2010 first made available to make payments when due on bonds issued  
 2011 pursuant to s. 215.618 or s. 215.619, or any other bonds  
 2012 authorized to be issued on a parity basis with such bonds. Such  
 2013 pledge and availability for the payment of these bonds shall  
 2014 have priority over any requirement for the payment of service  
 2015 charges or costs of collection and enforcement under this  
 2016 section. All taxes collected under this chapter, except taxes  
 2017 distributed to the Land Acquisition Trust Fund pursuant to  
 2018 subsections (1) and (2), are subject to the service charge  
 2019 imposed in s. 215.20(1). Before distribution pursuant to this  
 2020 section, the Department of Revenue shall deduct amounts  
 2021 necessary to pay the costs of the collection and enforcement of  
 2022 the tax levied by this chapter. The costs and service charge may  
 2023 not be levied against any portion of taxes pledged to debt  
 2024 service on bonds to the extent that the costs and service charge  
 2025 are required to pay any amounts relating to the bonds. All of

2026 | the costs of the collection and enforcement of the tax levied by  
 2027 | this chapter and the service charge shall be available and  
 2028 | transferred to the extent necessary to pay debt service and any  
 2029 | other amounts payable with respect to bonds authorized before  
 2030 | January 1, 2017, secured by revenues distributed pursuant to  
 2031 | this section. All taxes remaining after deduction of costs shall  
 2032 | be distributed as follows:

2033 |         (4) After the required distributions to the Land  
 2034 | Acquisition Trust Fund pursuant to subsections (1) and (2) and  
 2035 | deduction of the service charge imposed pursuant to s.  
 2036 | 215.20(1), the remainder shall be distributed as follows:

2037 |         (h) An amount equaling 5.4175 percent of the remainder  
 2038 | shall be paid into the Water Protection and Sustainability  
 2039 | Program Trust Fund to be used to fund water quality improvement  
 2040 | ~~wastewater~~ grants as specified in s. 403.0673.

2041 |         Section 20. Paragraph (1) of subsection (3), paragraph (a)  
 2042 | of subsection (5), and paragraph (i) of subsection (15) of  
 2043 | section 259.105, Florida Statutes, are amended to read:

2044 |         259.105 The Florida Forever Act.—

2045 |         (3) Less the costs of issuing and the costs of funding  
 2046 | reserve accounts and other costs associated with bonds, the  
 2047 | proceeds of cash payments or bonds issued pursuant to this  
 2048 | section shall be deposited into the Florida Forever Trust Fund  
 2049 | created by s. 259.1051. The proceeds shall be distributed by the  
 2050 | Department of Environmental Protection in the following manner:

2051 (1) For the purposes of paragraphs (e), (f), (g), and (h),  
 2052 the agencies that receive the funds shall develop their  
 2053 individual acquisition or restoration lists in accordance with  
 2054 specific criteria and numeric performance measures developed  
 2055 pursuant to s. 259.035(4). Proposed additions may be acquired if  
 2056 they are identified within the original project boundary, the  
 2057 management plan required pursuant to s. 253.034(5), or the  
 2058 management prospectus required pursuant to s. 259.032(7)(b) ~~s.~~  
 2059 ~~259.032(7)(c)~~. Proposed additions not meeting the requirements  
 2060 of this paragraph shall be submitted to the council for  
 2061 approval. The council may only approve the proposed addition if  
 2062 it meets two or more of the following criteria: serves as a link  
 2063 or corridor to other publicly owned property; enhances the  
 2064 protection or management of the property; would add a desirable  
 2065 resource to the property; would create a more manageable  
 2066 boundary configuration; has a high resource value that otherwise  
 2067 would be unprotected; or can be acquired at less than fair  
 2068 market value.

2069 (5)(a) All lands acquired pursuant to this section shall  
 2070 be managed for multiple-use purposes, where compatible with the  
 2071 resource values of and management objectives for such lands. As  
 2072 used in this section, "multiple-use" includes, but is not  
 2073 limited to, outdoor recreational activities as described in ss.  
 2074 253.034 and 259.032(7)(a)2. ~~ss. 253.034 and 259.032(7)(b)~~, water  
 2075 resource development projects, sustainable forestry management,

2076 carbon sequestration, carbon mitigation, or carbon offsets.

2077 (15) The council shall submit to the board, with its list  
 2078 of projects, a report that includes, but need not be limited to,  
 2079 the following information for each project listed:

2080 (i) A management policy statement for the project and a  
 2081 management prospectus pursuant to s. 259.032(7) (b) ~~s.~~  
 2082 ~~259.032(7) (c)~~.

2083 Section 21. Subsection (17) of section 373.019, Florida  
 2084 Statutes, is amended to read:

2085 373.019 Definitions.—When appearing in this chapter or in  
 2086 any rule, regulation, or order adopted pursuant thereto, the  
 2087 term:

2088 (17) "Reclaimed water" means water that has received at  
 2089 least secondary treatment and basic disinfection and is reused  
 2090 after flowing out of a domestic wastewater treatment facility.  
 2091 Reclaimed water is not subject to regulation pursuant to s.  
 2092 373.175 or part II of this chapter until it has been discharged  
 2093 into waters as defined in s. 403.031 ~~s. 403.031(13)~~.

2094 Section 22. Section 373.4132, Florida Statutes, is amended  
 2095 to read:

2096 373.4132 Dry storage facility permitting.—The governing  
 2097 board or the department shall require a permit under this part,  
 2098 including s. 373.4145, for the construction, alteration,  
 2099 operation, maintenance, abandonment, or removal of a dry storage  
 2100 facility for 10 or more vessels that is functionally associated

2101 with a boat launching area. As part of an applicant's  
 2102 demonstration that such a facility will not be harmful to the  
 2103 water resources and will not be inconsistent with the overall  
 2104 objectives of the district, the governing board or department  
 2105 shall require the applicant to provide reasonable assurance that  
 2106 the secondary impacts from the facility will not cause adverse  
 2107 impacts to the functions of wetlands and surface waters,  
 2108 including violations of state water quality standards applicable  
 2109 to waters as defined in s. 403.031 ~~s. 403.031(13)~~, and will meet  
 2110 the public interest test of s. 373.414(1)(a), including the  
 2111 potential adverse impacts to manatees. Nothing in this section  
 2112 shall affect the authority of the governing board or the  
 2113 department to regulate such secondary impacts under this part  
 2114 for other regulated activities.

2115 Section 23. Subsection (1) of section 373.414, Florida  
 2116 Statutes, is amended to read:

2117 373.414 Additional criteria for activities in surface  
 2118 waters and wetlands.—

2119 (1) As part of an applicant's demonstration that an  
 2120 activity regulated under this part will not be harmful to the  
 2121 water resources or will not be inconsistent with the overall  
 2122 objectives of the district, the governing board or the  
 2123 department shall require the applicant to provide reasonable  
 2124 assurance that state water quality standards applicable to  
 2125 waters as defined in s. 403.031 ~~s. 403.031(13)~~ will not be

2126 | violated and reasonable assurance that such activity in, on, or  
 2127 | over surface waters or wetlands, as delineated in s. 373.421(1),  
 2128 | is not contrary to the public interest. However, if such an  
 2129 | activity significantly degrades or is within an Outstanding  
 2130 | Florida Water, as provided by department rule, the applicant  
 2131 | must provide reasonable assurance that the proposed activity  
 2132 | will be clearly in the public interest.

2133 |         (a) In determining whether an activity, which is in, on,  
 2134 | or over surface waters or wetlands, as delineated in s.  
 2135 | 373.421(1), and is regulated under this part, is not contrary to  
 2136 | the public interest or is clearly in the public interest, the  
 2137 | governing board or the department shall consider and balance the  
 2138 | following criteria:

2139 |             1. Whether the activity will adversely affect the public  
 2140 | health, safety, or welfare or the property of others;

2141 |             2. Whether the activity will adversely affect the  
 2142 | conservation of fish and wildlife, including endangered or  
 2143 | threatened species, or their habitats;

2144 |             3. Whether the activity will adversely affect navigation  
 2145 | or the flow of water or cause harmful erosion or shoaling;

2146 |             4. Whether the activity will adversely affect the fishing  
 2147 | or recreational values or marine productivity in the vicinity of  
 2148 | the activity;

2149 |             5. Whether the activity will be of a temporary or  
 2150 | permanent nature;

2151           6. Whether the activity will adversely affect or will  
 2152 enhance significant historical and archaeological resources  
 2153 under the provisions of s. 267.061; and

2154           7. The current condition and relative value of functions  
 2155 being performed by areas affected by the proposed activity.

2156           (b) If the applicant is unable to otherwise meet the  
 2157 criteria set forth in this subsection, the governing board or  
 2158 the department, in deciding to grant or deny a permit, must  
 2159 ~~shall~~ consider measures proposed by or acceptable to the  
 2160 applicant to mitigate adverse effects that may be caused by the  
 2161 regulated activity. Such measures may include, but are not  
 2162 limited to, onsite mitigation, offsite mitigation, offsite  
 2163 regional mitigation, and the purchase of mitigation credits from  
 2164 mitigation banks permitted under s. 373.4136. It is ~~shall be~~ the  
 2165 responsibility of the applicant to choose the form of  
 2166 mitigation. The mitigation must offset the adverse effects  
 2167 caused by the regulated activity.

2168           1. The department or water management districts may accept  
 2169 the donation of money as mitigation only where the donation is  
 2170 specified for use in a duly noticed environmental creation,  
 2171 preservation, enhancement, or restoration project, endorsed by  
 2172 the department or the governing board of the water management  
 2173 district, which offsets the impacts of the activity permitted  
 2174 under this part. However, ~~the provisions of~~ this subsection does  
 2175 ~~shall~~ not apply to projects undertaken pursuant to s. 373.4137

2176 or chapter 378. Where a permit is required under this part to  
2177 implement any project endorsed by the department or a water  
2178 management district, all necessary permits must have been issued  
2179 prior to the acceptance of any cash donation. After the  
2180 effective date of this act, when money is donated to either the  
2181 department or a water management district to offset impacts  
2182 authorized by a permit under this part, the department or the  
2183 water management district shall accept only a donation that  
2184 represents the full cost to the department or water management  
2185 district of undertaking the project that is intended to mitigate  
2186 the adverse impacts. The full cost shall include all direct and  
2187 indirect costs, as applicable, such as those for land  
2188 acquisition, land restoration or enhancement, perpetual land  
2189 management, and general overhead consisting of costs such as  
2190 staff time, building, and vehicles. The department or the water  
2191 management district may use a multiplier or percentage to add to  
2192 other direct or indirect costs to estimate general overhead.  
2193 Mitigation credit for such a donation may ~~shall~~ be given only to  
2194 the extent that the donation covers the full cost to the agency  
2195 of undertaking the project ~~that is~~ intended to mitigate the  
2196 adverse impacts. However, nothing herein may ~~shall~~ be construed  
2197 to prevent the department or a water management district from  
2198 accepting a donation representing a portion of a larger project,  
2199 provided that the donation covers the full cost of that portion  
2200 and mitigation credit is given only for that portion. The



2201 department or water management district may deviate from the  
 2202 full cost requirements of this subparagraph to resolve a  
 2203 proceeding brought pursuant to chapter 70 or a claim for inverse  
 2204 condemnation. Nothing in this section may ~~shall~~ be construed to  
 2205 require the owner of a private mitigation bank, permitted under  
 2206 s. 373.4136, to include the full cost of a mitigation credit in  
 2207 the price of the credit to a purchaser of said credit.

2208 2. The department and each water management district shall  
 2209 report by March 1 of each year, as part of the consolidated  
 2210 annual report required by s. 373.036(7), all cash donations  
 2211 accepted under subparagraph 1. during the preceding water  
 2212 management district fiscal year for wetland mitigation purposes.  
 2213 The report must ~~shall~~ exclude those contributions pursuant to s.  
 2214 373.4137. The report must ~~shall~~ include a description of the  
 2215 endorsed mitigation projects and, except for projects governed  
 2216 by s. 373.4135(6), must ~~shall~~ address, as applicable, success  
 2217 criteria, project implementation status and timeframe,  
 2218 monitoring, long-term management, provisions for preservation,  
 2219 and full cost accounting.

2220 3. If the applicant is unable to meet water quality  
 2221 standards because existing ambient water quality does not meet  
 2222 standards, the governing board or the department must ~~shall~~  
 2223 consider mitigation measures proposed by or acceptable to the  
 2224 applicant that cause net improvement of the water quality in the  
 2225 receiving body of water for those parameters which do not meet

2226 standards.

2227 4. If mitigation requirements imposed by a local  
 2228 government for surface water and wetland impacts of an activity  
 2229 regulated under this part cannot be reconciled with mitigation  
 2230 requirements approved under a permit for the same activity  
 2231 issued under this part, including application of the uniform  
 2232 wetland mitigation assessment method adopted pursuant to  
 2233 subsection (18), the mitigation requirements for surface water  
 2234 and wetland impacts are ~~shall be~~ controlled by the permit issued  
 2235 under this part.

2236 (c) Where activities for a single project regulated under  
 2237 this part occur in more than one local government jurisdiction,  
 2238 and where permit conditions or regulatory requirements are  
 2239 imposed by a local government for these activities which cannot  
 2240 be reconciled with those imposed by a permit under this part for  
 2241 the same activities, the permit conditions or regulatory  
 2242 requirements are ~~shall be~~ controlled by the permit issued under  
 2243 this part.

2244 Section 24. Section 373.4142, Florida Statutes, is amended  
 2245 to read:

2246 373.4142 Water quality within stormwater treatment  
 2247 systems.—State surface water quality standards applicable to  
 2248 waters of the state, as defined in s. 403.031 ~~s. 403.031(13)~~, do  
 2249 ~~shall~~ not apply within a stormwater management system which is  
 2250 designed, constructed, operated, and maintained for stormwater

2251 treatment in accordance with a valid permit or noticed exemption  
 2252 issued pursuant to chapter 62-25, Florida Administrative Code; a  
 2253 valid permit or exemption under s. 373.4145 within the Northwest  
 2254 Florida Water Management District; a valid permit issued on or  
 2255 subsequent to April 1, 1986, within the Suwannee River Water  
 2256 Management District or the St. Johns River Water Management  
 2257 District pursuant to this part; a valid permit issued on or  
 2258 subsequent to March 1, 1988, within the Southwest Florida Water  
 2259 Management District pursuant to this part; or a valid permit  
 2260 issued on or subsequent to January 6, 1982, within the South  
 2261 Florida Water Management District pursuant to this part. Such  
 2262 inapplicability of state water quality standards shall be  
 2263 limited to that part of the stormwater management system located  
 2264 upstream of a manmade water control structure permitted, or  
 2265 approved under a noticed exemption, to retain or detain  
 2266 stormwater runoff in order to provide treatment of the  
 2267 stormwater. The additional use of such a stormwater management  
 2268 system for flood attenuation or irrigation does ~~shall~~ not divest  
 2269 the system of the benefits of this exemption. This section does  
 2270 ~~shall~~ not affect the authority of the department and water  
 2271 management districts to require reasonable assurance that the  
 2272 water quality within such stormwater management systems will not  
 2273 adversely impact public health, fish and wildlife, or adjacent  
 2274 waters.

2275 Section 25. Paragraph (a) of subsection (1) of section

2276 | 373.430, Florida Statutes, is amended to read:

2277 |       373.430 Prohibitions, violation, penalty, intent.—

2278 |       (1) It shall be a violation of this part, and it shall be  
2279 | prohibited for any person:

2280 |       (a) To cause pollution, as defined in s. 403.031 ~~s.~~  
2281 | ~~403.031(7)~~, except as otherwise provided in this part, so as to  
2282 | harm or injure human health or welfare, animal, plant, or  
2283 | aquatic life or property.

2284 |       Section 26. Paragraph (n) of subsection (2) of section  
2285 | 373.4592, Florida Statutes, is amended to read:

2286 |       373.4592 Everglades improvement and management.—

2287 |       (2) DEFINITIONS.—As used in this section:

2288 |       (n) "Stormwater management program" shall have the meaning  
2289 | set forth in s. 403.031 ~~s. 403.031(15)~~.

2290 |       Section 27. Paragraph (c) of subsection (1) of section  
2291 | 403.890, Florida Statutes, is amended to read:

2292 |       403.890 Water Protection and Sustainability Program.—

2293 |       (1) Revenues deposited into or appropriated to the Water  
2294 | Protection and Sustainability Program Trust Fund shall be  
2295 | distributed by the Department of Environmental Protection for  
2296 | the following purposes:

2297 |       (c) The water quality improvement ~~wastewater~~ grant program  
2298 | as provided in s. 403.0673.

2299 |       Section 28. Paragraph (b) of subsection (1) of section  
2300 | 403.892, Florida Statutes, is amended to read:

2301 403.892 Incentives for the use of graywater technologies.—

2302 (1) As used in this section, the term:

2303 (b) "Graywater" has the same meaning as in s. 381.0065(2)

2304 ~~s. 381.0065(2)(f)~~.

2305 Section 29. Paragraphs (c) and (d) of subsection (2) of  
2306 section 403.9301, Florida Statutes, are amended to read:

2307 403.9301 Wastewater services projections.—

2308 (2) As used in this section, the term:

2309 (c) "Treatment works" has the same meaning as provided in

2310 s. 403.031 ~~s. 403.031(11)~~.

2311 (d) "Wastewater services" means service to a sewerage  
2312 system, as defined in s. 403.031 ~~s. 403.031(9)~~, or service to  
2313 domestic wastewater treatment works.

2314 Section 30. Paragraphs (b) and (c) of subsection (2) of  
2315 section 403.9302, Florida Statutes, are amended to read:

2316 403.9302 Stormwater management projections.—

2317 (2) As used in this section, the term:

2318 (b) "Stormwater management program" has the same meaning

2319 as provided in s. 403.031 ~~s. 403.031(15)~~.

2320 (c) "Stormwater management system" has the same meaning as  
2321 provided in s. 403.031 ~~s. 403.031(16)~~.

2322 Section 31. For the purpose of incorporating the amendment  
2323 made by this act to section 259.032, Florida Statutes, in a  
2324 reference thereto, subsection (6) of section 259.045, Florida  
2325 Statutes, is reenacted to read:

2326           259.045 Purchase of lands in areas of critical state  
 2327 concern; recommendations by department and land authorities.—  
 2328 Within 45 days after the Administration Commission designates an  
 2329 area as an area of critical state concern under s. 380.05, and  
 2330 annually thereafter, the Department of Environmental Protection  
 2331 shall consider the recommendations of the state land planning  
 2332 agency pursuant to s. 380.05(1)(a) relating to purchase of lands  
 2333 within an area of critical state concern or lands outside an  
 2334 area of critical state concern that directly impact an area of  
 2335 critical state concern, which may include lands used to preserve  
 2336 and protect water supply, and shall make recommendations to the  
 2337 board with respect to the purchase of the fee or any lesser  
 2338 interest in any such lands that are:

2339           (6) Lands used to prevent or satisfy private property  
 2340 rights claims resulting from limitations imposed by the  
 2341 designation of an area of critical state concern if the  
 2342 acquisition of such lands fulfills a public purpose listed in s.  
 2343 259.032(2) or if the parcel is wholly or partially, at the time  
 2344 of acquisition, on one of the board's approved acquisition lists  
 2345 established pursuant to this chapter. For the purposes of this  
 2346 subsection, if a parcel is estimated to be worth \$500,000 or  
 2347 less and the director of the Division of State Lands finds that  
 2348 the cost of an outside appraisal is not justified, a comparable  
 2349 sales analysis, an appraisal prepared by the Division of State  
 2350 Lands, or other reasonably prudent procedures may be used by the

CS/CS/HB 1379

2023

2351 | Division of State Lands to estimate the value of the parcel,  
2352 | provided the public's interest is reasonably protected.

2353

2354 | The department, a local government, a special district, or a  
2355 | land authority within an area of critical state concern may make  
2356 | recommendations with respect to additional purchases which were  
2357 | not included in the state land planning agency recommendations.

2358

2359 |       Section 32. The Legislature determines and declares that  
2360 | this act fulfills an important state interest.

2361 |       Section 33. This act shall take effect July 1, 2023.