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1
 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,

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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,

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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.

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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

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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

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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.

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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

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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

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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

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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,

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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

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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

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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:

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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

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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

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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

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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

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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 Department of
759 Agriculture and Consumer Services, the St. Johns River Water
760 Management District, South Florida Water Management District,
761 local governments, the Indian River Lagoon National Estuary
762 Program, and other stakeholders, shall identify and prioritize
763 strategies and projects necessary to achieve water quality
764 standards within the Indian River Lagoon watershed and meet the
765 total maximum daily loads. Projects identified from this
766 evaluation must be incorporated into the Banana River Lagoon
767 Basin Management Action Plan, Central Indian River Lagoon Basin
768 Management Action Plan, North Indian River Lagoon Basin
769 Management Action Plan, and Mosquito Lagoon Reasonable Assurance
770 Plan, as appropriate.

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

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

786 (d) Onsite sewage treatment and disposal systems.-

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

799 2. By July 1, 2030, any commercial or residential property
800 with an existing onsite sewage treatment and disposal system

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

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

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

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

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

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

825 (1) The department shall transfer ~~may allocate~~ to the

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

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

839 | 373.802 Definitions.—As used in this part, the term:

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

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

849 | 373.807 Protection of water quality in Outstanding Florida
 850 | Springs.—By July 1, 2016, the department shall initiate

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851 assessment, pursuant to s. 403.067(3), of Outstanding Florida
 852 Springs or spring systems for which an impairment determination
 853 has not been made under the numeric nutrient standards in effect
 854 for spring vents. Assessments must be completed by July 1, 2018.

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

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

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876 than the first 5-year milestone required by subparagraph
877 (1)(b)8. The department is the lead agency in coordinating the
878 preparation of and the adoption of the plan. The department
879 shall:

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

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

886

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

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

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

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

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

925 (2) New onsite sewage treatment and disposal systems where

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

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

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

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

949 Section 10. Subsection (3) of section 375.041, Florida
 950 Statutes, is amended to read:

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951 375.041 Land Acquisition Trust Fund.—
 952 (3) Funds distributed into the Land Acquisition Trust Fund
 953 pursuant to s. 201.15 shall be applied:
 954 (a) First, to pay debt service or to fund debt service
 955 reserve funds, rebate obligations, or other amounts payable with
 956 respect to Florida Forever bonds issued under s. 215.618; and
 957 pay debt service, provide reserves, and pay rebate obligations
 958 and other amounts due with respect to Everglades restoration
 959 bonds issued under s. 215.619; and
 960 (b) Of the funds remaining after the payments required
 961 under paragraph (a), but before funds may be appropriated,
 962 pledged, or dedicated for other uses:
 963 1. A minimum of the lesser of 25 percent or \$200 million
 964 shall be appropriated annually for Everglades projects that
 965 implement the Comprehensive Everglades Restoration Plan as set
 966 forth in s. 373.470, including the Central Everglades Planning
 967 Project subject to congressional authorization; the Long-Term
 968 Plan as defined in s. 373.4592(2); and the Northern Everglades
 969 and Estuaries Protection Program as set forth in s. 373.4595.
 970 From these funds, \$32 million shall be distributed each fiscal
 971 year through the 2023-2024 fiscal year to the South Florida
 972 Water Management District for the Long-Term Plan as defined in
 973 s. 373.4592(2). After deducting the \$32 million distributed
 974 under this subparagraph, from the funds remaining, a minimum of
 975 the lesser of 76.5 percent or \$100 million shall be appropriated

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976 | each fiscal year through the 2025-2026 fiscal year for the
 977 | planning, design, engineering, and construction of the
 978 | Comprehensive Everglades Restoration Plan as set forth in s.
 979 | 373.470, including the Central Everglades Planning Project, the
 980 | Everglades Agricultural Area Storage Reservoir Project, the Lake
 981 | Okeechobee Watershed Project, the C-43 West Basin Storage
 982 | Reservoir Project, the Indian River Lagoon-South Project, the
 983 | Western Everglades Restoration Project, and the Picayune Strand
 984 | Restoration Project. The Department of Environmental Protection
 985 | and the South Florida Water Management District shall give
 986 | preference to those Everglades restoration projects that reduce
 987 | harmful discharges of water from Lake Okeechobee to the St.
 988 | Lucie or Caloosahatchee estuaries in a timely manner. For the
 989 | purpose of performing the calculation provided in this
 990 | subparagraph, the amount of debt service paid pursuant to
 991 | paragraph (a) for bonds issued after July 1, 2016, for the
 992 | purposes set forth under this paragraph shall be added to the
 993 | amount remaining after the payments required under paragraph
 994 | (a). The amount of the distribution calculated shall then be
 995 | reduced by an amount equal to the debt service paid pursuant to
 996 | paragraph (a) on bonds issued after July 1, 2016, for the
 997 | purposes set forth under this subparagraph.

998 | 2. A minimum of the lesser of 7.6 percent or \$50 million
 999 | shall be appropriated annually for spring restoration,
 1000 | protection, and management projects. For the purpose of

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1001 performing the calculation provided in this subparagraph, the
 1002 amount of debt service paid pursuant to paragraph (a) for bonds
 1003 issued after July 1, 2016, for the purposes set forth under this
 1004 paragraph shall be added to the amount remaining after the
 1005 payments required under paragraph (a). The amount of the
 1006 distribution calculated shall then be reduced by an amount equal
 1007 to the debt service paid pursuant to paragraph (a) on bonds
 1008 issued after July 1, 2016, for the purposes set forth under this
 1009 subparagraph.

1010 3. The sum of \$5 million shall be appropriated annually
 1011 each fiscal year through the 2025-2026 fiscal year to the St.
 1012 Johns River Water Management District for projects dedicated to
 1013 the restoration of Lake Apopka. This distribution shall be
 1014 reduced by an amount equal to the debt service paid pursuant to
 1015 paragraph (a) on bonds issued after July 1, 2016, for the
 1016 purposes set forth in this subparagraph.

1017 4. The sum of \$64 million is appropriated and shall be
 1018 transferred to the Everglades Trust Fund for the 2018-2019
 1019 fiscal year, and each fiscal year thereafter, for the EAA
 1020 reservoir project pursuant to s. 373.4598. Any funds remaining
 1021 in any fiscal year shall be made available only for Phase II of
 1022 the C-51 reservoir project or projects identified in
 1023 subparagraph 1. and must be used in accordance with laws
 1024 relating to such projects. Any funds made available for such
 1025 purposes in a fiscal year are in addition to the amount

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1026 appropriated under subparagraph 1. This distribution shall be
 1027 reduced by an amount equal to the debt service paid pursuant to
 1028 paragraph (a) on bonds issued after July 1, 2017, for the
 1029 purposes set forth in this subparagraph.

1030 5. The sum of \$50 million shall be appropriated annually
 1031 to the South Florida Water Management District for the Lake
 1032 Okeechobee Watershed Restoration Project in accordance with s.
 1033 373.4599. This distribution must be reduced by an amount equal
 1034 to the debt service paid pursuant to paragraph (a) on bonds
 1035 issued after July 1, 2021, for the purposes set forth in this
 1036 subparagraph.

1037 6. The sum of \$100 million shall be appropriated annually
 1038 to the Department of Environmental Protection for the
 1039 acquisition of land pursuant to s. 259.105 ~~Notwithstanding~~
 1040 ~~subparagraph 3., for the 2022-2023 fiscal year, funds shall be~~
 1041 ~~appropriated as provided in the General Appropriations Act. This~~
 1042 ~~subparagraph expires July 1, 2023.~~

1043 Section 11. Present paragraphs (f) through (r) of
 1044 subsection (2) of section 381.0065, Florida Statutes, are
 1045 redesignated as paragraphs (g) through (s), respectively, a new
 1046 paragraph (f) is added to that subsection, and paragraph (n) of
 1047 subsection (4) of that section is amended, to read:

1048 381.0065 Onsite sewage treatment and disposal systems;
 1049 regulation.—

1050 (2) DEFINITIONS.—As used in ss. 381.0065-381.0067, the

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1051 term:

1052 (f) "Enhanced nutrient-reducing onsite sewage treatment
 1053 and disposal system" means an onsite sewage treatment and
 1054 disposal system approved by the department as capable of meeting
 1055 or exceeding a 50 percent total nitrogen reduction before
 1056 disposal of wastewater in the drainfield, or at least 65 percent
 1057 total nitrogen reduction combined from the onsite sewage tank or
 1058 tanks and drainfield.

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

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1076 compliance with the terms of the operating permit. The operating
1077 permit for a commercial wastewater system is valid for 1 year
1078 after the date of issuance and must be renewed annually. The
1079 operating permit for an aerobic treatment unit is valid for 2
1080 years after the date of issuance and must be renewed every 2
1081 years. If all information pertaining to the siting, location,
1082 and installation conditions or repair of an onsite sewage
1083 treatment and disposal system remains the same, a construction
1084 or repair permit for the onsite sewage treatment and disposal
1085 system may be transferred to another person, if the transferee
1086 files, within 60 days after the transfer of ownership, an
1087 amended application providing all corrected information and
1088 proof of ownership of the property. A fee is not associated with
1089 the processing of this supplemental information. A person may
1090 not contract to construct, modify, alter, repair, service,
1091 abandon, or maintain any portion of an onsite sewage treatment
1092 and disposal system without being registered under part III of
1093 chapter 489. A property owner who personally performs
1094 construction, maintenance, or repairs to a system serving his or
1095 her own owner-occupied single-family residence is exempt from
1096 registration requirements for performing such construction,
1097 maintenance, or repairs on that residence, but is subject to all
1098 permitting requirements. A municipality or political subdivision
1099 of the state may not issue a building or plumbing permit for any
1100 building that requires the use of an onsite sewage treatment and

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1101 disposal system unless the owner or builder has received a
 1102 construction permit for such system from the department. A
 1103 building or structure may not be occupied and a municipality,
 1104 political subdivision, or any state or federal agency may not
 1105 authorize occupancy until the department approves the final
 1106 installation of the onsite sewage treatment and disposal system.
 1107 A municipality or political subdivision of the state may not
 1108 approve any change in occupancy or tenancy of a building that
 1109 uses an onsite sewage treatment and disposal system until the
 1110 department has reviewed the use of the system with the proposed
 1111 change, approved the change, and amended the operating permit.

1112 (n) Evaluations for determining the seasonal high-water
 1113 table elevations or the suitability of soils for the use of a
 1114 new onsite sewage treatment and disposal system shall be
 1115 performed by department personnel, professional engineers
 1116 registered in the state, or such other persons with expertise,
 1117 as defined by rule, in making such evaluations. Evaluations for
 1118 determining mean annual flood lines shall be performed by those
 1119 persons identified in paragraph (2) (1) ~~(2) (k)~~. The department
 1120 shall accept evaluations submitted by professional engineers and
 1121 such other persons as meet the expertise established by this
 1122 section or by rule unless the department has a reasonable
 1123 scientific basis for questioning the accuracy or completeness of
 1124 the evaluation.

1125 Section 12. Subsection (3) is added to section 381.00655,

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1126 Florida Statutes, to read:

1127 381.00655 Connection of existing onsite sewage treatment
1128 and disposal systems to central sewerage system; requirements.—

1129 (3) Local governmental agencies, as defined in s.
1130 403.1835(2), that receive grants or loans from the department to
1131 offset the cost of connecting onsite sewage treatment and
1132 disposal systems to publicly owned or investor-owned sewerage
1133 systems are encouraged to do all of the following while such
1134 funds remain available:

1135 (a) Identify the owners of onsite sewage treatment and
1136 disposal systems within the jurisdiction of the respective local
1137 governmental agency who are eligible to apply for the grant or
1138 loan funds and notify such owners of the funding availability.

1139 (b) Maintain a publicly available website with information
1140 relating to the availability of the grant or loan funds,
1141 including the amount of funds available and information on how
1142 the owner of an onsite sewage treatment and disposal system may
1143 apply for such funds.

1144 Section 13. Section 403.031, Florida Statutes, is
1145 reordered and amended to read:

1146 403.031 Definitions.—In construing this chapter, or rules
1147 and regulations adopted pursuant hereto, the following words,
1148 phrases, or terms, unless the context otherwise indicates, have
1149 the following meanings:

1150 (1) "Contaminant" is any substance which is harmful to

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1151 | plant, animal, or human life.

1152 | (2) "Department" means the Department of Environmental
1153 | Protection.

1154 | (3) "Effluent limitations" means any restriction
1155 | established by the department on quantities, rates, or
1156 | concentrations of chemical, physical, biological, or other
1157 | constituents which are discharged from sources into waters of
1158 | the state.

1159 | (5) "Enhanced nutrient-reducing onsite sewage treatment
1160 | and disposal system" means an onsite sewage treatment and
1161 | disposal system approved by the department as capable of meeting
1162 | or exceeding a 50 percent total nitrogen reduction before
1163 | disposal of wastewater in the drainfield, or at least 65 percent
1164 | total nitrogen reduction combined from the onsite sewage tank or
1165 | tanks and drainfield.

1166 | (6)~~(4)~~ "Installation" means ~~is~~ any structure, equipment,
1167 | or facility, or appurtenances thereto, or operation which may
1168 | emit air or water contaminants in quantities prohibited by rules
1169 | of the department.

1170 | (7) "Nutrient or nutrient-related standards" means water
1171 | quality standards and criteria established for total nitrogen
1172 | and total phosphorous, or their organic or inorganic forms;
1173 | biological variables, such as chlorophyll-a, biomass, or the
1174 | structure of the phytoplankton, periphyton, or vascular plant
1175 | community, that respond to a nutrient load or concentration in a

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1176 predictable and measurable manner; or dissolved oxygen if it is
 1177 demonstrated for the waterbody that dissolved oxygen conditions
 1178 result in a biological imbalance and the dissolved oxygen
 1179 responds to a nutrient load or concentration in a predictable
 1180 and measurable manner.

1181 (8) "Onsite sewage treatment and disposal system" means a
 1182 system that contains a standard subsurface, filled, or mound
 1183 drainfield system; an aerobic treatment unit; a graywater system
 1184 tank; a laundry wastewater system tank; a septic tank; a grease
 1185 interceptor; a pump tank; a solids or effluent pump; a
 1186 waterless, incinerating, or organic waste-composting toilet; or
 1187 a sanitary pit privy that is installed or proposed to be
 1188 installed beyond the building sewer on land of the owner or on
 1189 other land to which the owner has the legal right to install a
 1190 system. The term includes any item placed within, or intended to
 1191 be used as a part of or in conjunction with, the system. The
 1192 term does not include package sewage treatment facilities and
 1193 other treatment works regulated under chapter 403.

1194 (9)~~(5)~~ "Person" means the state or any agency or
 1195 institution thereof, the United States or any agency or
 1196 institution thereof, or any municipality, political subdivision,
 1197 public or private corporation, individual, partnership,
 1198 association, or other entity and includes any officer or
 1199 governing or managing body of the state, the United States, any
 1200 agency, any municipality, political subdivision, or public or

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1201 private corporation.

1202 (10)~~(6)~~ "Plant" is any unit operation, complex, area, or
 1203 multiple of unit operations that produce, process, or cause to
 1204 be processed any materials, the processing of which can, or may,
 1205 cause air or water pollution.

1206 (11)~~(7)~~ "Pollution" is the presence in the outdoor
 1207 atmosphere or waters of the state of any substances,
 1208 contaminants, noise, or manmade or human-induced impairment of
 1209 air or waters or alteration of the chemical, physical,
 1210 biological, or radiological integrity of air or water in
 1211 quantities or at levels which are or may be potentially harmful
 1212 or injurious to human health or welfare, animal or plant life,
 1213 or property or which unreasonably interfere with the enjoyment
 1214 of life or property, including outdoor recreation unless
 1215 authorized by applicable law.

1216 (12)~~(8)~~ "Pollution prevention" means the steps taken by a
 1217 potential generator of contamination or pollution to eliminate
 1218 or reduce the contamination or pollution before it is discharged
 1219 into the environment. The term includes nonmandatory steps taken
 1220 to use alternative forms of energy, conserve or reduce the use
 1221 of energy, substitute nontoxic materials for toxic materials,
 1222 conserve or reduce the use of toxic materials and raw materials,
 1223 reformulate products, modify manufacturing or other processes,
 1224 improve in-plant maintenance and operations, implement
 1225 environmental planning before expanding a facility, and recycle

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1226 toxic or other raw materials.

1227 ~~(14)-(9)~~ "Sewerage system" means pipelines or conduits,
 1228 pumping stations, and force mains and all other structures,
 1229 devices, appurtenances, and facilities used for collecting or
 1230 conducting wastes to an ultimate point for treatment or
 1231 disposal.

1232 ~~(15)-(10)~~ "Source" means ~~is~~ any and all points of origin of
 1233 a contaminant ~~the item defined in subsection (1)~~, whether
 1234 privately or publicly owned or operated.

1235 ~~(21)-(11)~~ "Treatment works" and "disposal systems" mean any
 1236 plant or other works used for the purpose of treating,
 1237 stabilizing, or holding wastes.

1238 ~~(22)-(12)~~ "Wastes" means sewage, industrial wastes, and all
 1239 other liquid, gaseous, solid, radioactive, or other substances
 1240 which may pollute or tend to pollute any waters of the state.

1241 ~~(23)-(13)~~ "Waters" include, but are not limited to, rivers,
 1242 lakes, streams, springs, impoundments, wetlands, and all other
 1243 waters or bodies of water, including fresh, brackish, saline,
 1244 tidal, surface, or underground waters. Waters owned entirely by
 1245 one person other than the state are included only in regard to
 1246 possible discharge on other property or water. Underground
 1247 waters include, but are not limited to, all underground waters
 1248 passing through pores of rock or soils or flowing through in
 1249 channels, whether manmade or natural. Solely for purposes of s.
 1250 403.0885, waters of the state also include navigable waters or

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1251 | waters of the contiguous zone as used in s. 502 of the Clean
 1252 | Water Act, as amended, 33 U.S.C. ss. 1251 et seq., as in
 1253 | existence on January 1, 1993, except for those navigable waters
 1254 | seaward of the boundaries of the state set forth in s. 1, Art.
 1255 | II of the State Constitution. Solely for purposes of this
 1256 | chapter, waters of the state also include the area bounded by
 1257 | the following:

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

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1276 the southwest corner of section 16; thence leaving the
1277 Everglades National Park boundary run northerly along the west
1278 line of section 16 to the northwest corner of section 16; thence
1279 east along the northerly line of section 16 to a point at the
1280 intersection of the east one-half and west one-half of section
1281 9; thence northerly along the line separating the east one-half
1282 and the west one-half of sections 9, 4, 33, and 28; thence run
1283 easterly along the north line of section 28 to the northeast
1284 corner of section 28; thence run northerly along the west line
1285 of section 22 to the northwest corner of section 22; thence
1286 easterly along the north line of section 22 to a point at the
1287 intersection of the east one-half and west one-half of section
1288 15; thence run northerly along said line to the point of
1289 intersection with the north line of section 15; thence easterly
1290 along the north line of section 15 to the northeast corner of
1291 section 15; thence run northerly along the west lines of
1292 sections 11 and 2 to the northwest corner of section 2; thence
1293 run easterly along the north lines of sections 2 and 1 to the
1294 northeast corner of section 1, township 56 south, range 37 east;
1295 thence run north along the east line of section 36, township 55
1296 south, range 37 east to the northeast corner of section 36;
1297 thence run west along the north line of section 36 to the
1298 northwest corner of section 36; thence run north along the west
1299 line of section 25 to the northwest corner of section 25; thence
1300 run west along the north line of section 26 to the northwest

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1301 corner of section 26; thence run north along the west line of
1302 section 23 to the northwest corner of section 23; thence run
1303 easterly along the north line of section 23 to the northeast
1304 corner of section 23; thence run north along the west line of
1305 section 13 to the northwest corner of section 13; thence run
1306 east along the north line of section 13 to a point of
1307 intersection with the west line of the southeast one-quarter of
1308 section 12; thence run north along the west line of the
1309 southeast one-quarter of section 12 to the northwest corner of
1310 the southeast one-quarter of section 12; thence run east along
1311 the north line of the southeast one-quarter of section 12 to the
1312 point of intersection with the east line of section 12; thence
1313 run east along the south line of the northwest one-quarter of
1314 section 7 to the southeast corner of the northwest one-quarter
1315 of section 7; thence run north along the east line of the
1316 northwest one-quarter of section 7 to the point of intersection
1317 with the north line of section 7; thence run northerly along the
1318 west line of the southeast one-quarter of section 6 to the
1319 northwest corner of the southeast one-quarter of section 6;
1320 thence run east along the north lines of the southeast one-
1321 quarter of section 6 and the southwest one-quarter of section 5
1322 to the northeast corner of the southwest one-quarter of section
1323 5; thence run northerly along the east line of the northwest
1324 one-quarter of section 5 to the point of intersection with the
1325 north line of section 5; thence run northerly along the line

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1326 | dividing the east one-half and the west one-half of Lot 5 to a
 1327 | point intersecting the north line of Lot 5; thence run east
 1328 | along the north line of Lot 5 to the northeast corner of Lot 5,
 1329 | township 54 1/2 south, range 38 east; thence run north along the
 1330 | west line of section 33, township 54 south, range 38 east to a
 1331 | point intersecting the northwest corner of the southwest one-
 1332 | quarter of section 33; thence run easterly along the north line
 1333 | of the southwest one-quarter of section 33 to the northeast
 1334 | corner of the southwest one-quarter of section 33; thence run
 1335 | north along the west line of the northeast one-quarter of
 1336 | section 33 to a point intersecting the north line of section 33;
 1337 | thence run easterly along the north line of section 33 to the
 1338 | northeast corner of section 33; thence run northerly along the
 1339 | west line of section 27 to a point intersecting the northwest
 1340 | corner of the southwest one-quarter of section 27; thence run
 1341 | easterly to the northeast corner of the southwest one-quarter of
 1342 | section 27; thence run northerly along the west line of the
 1343 | northeast one-quarter of section 27 to a point intersecting the
 1344 | north line of section 27; thence run west along the north line
 1345 | of section 27 to the northwest corner of section 27; thence run
 1346 | north along the west lines of sections 22 and 15 to the
 1347 | northwest corner of section 15; thence run easterly along the
 1348 | north lines of sections 15 and 14 to the point of intersection
 1349 | with the L-31N Levee, said intersection located near the
 1350 | southeast corner of section 11, township 54 south, range 38

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1351 east; thence run northerly along Levee L-31N crossing SRD 90
 1352 (U.S. 41 Tamiami Trail) to an intersection common to Levees L-
 1353 31N, L-29, and L-30, said intersection located near the
 1354 southeast corner of section 2, township 54 south, range 38 east;
 1355 thence run northeasterly, northerly, and northeasterly along
 1356 Levee L-30 to a point of intersection with the Miami-
 1357 Dade/Broward Levee, said intersection located near the northeast
 1358 corner of section 17, township 52 south, range 39 east; thence
 1359 run due east to a point of intersection with SRD 27 (Krome
 1360 Ave.); thence run northeasterly along SRD 27 to an intersection
 1361 with SRD 25 (U.S. 27), said intersection located in section 3,
 1362 township 52 south, range 39 east; thence run northerly along
 1363 said SRD 25, entering into Broward County, to an intersection
 1364 with SRD 84 at Andytown; thence run southeasterly along the
 1365 aforementioned SRD 84 to an intersection with the southwesterly
 1366 prolongation of Levee L-35A, said intersection being located in
 1367 the northeast one-quarter of section 5, township 50 south, range
 1368 40 east; thence run northeasterly along Levee L-35A to an
 1369 intersection of Levee L-36, said intersection located near the
 1370 southeast corner of section 12, township 49 south, range 40
 1371 east; thence run northerly along Levee L-36, entering into Palm
 1372 Beach County, to an intersection common to said Levees L-36, L-
 1373 39, and L-40, said intersection located near the west quarter
 1374 corner of section 19, township 47 south, range 41 east; thence
 1375 run northeasterly, easterly, and northerly along Levee L-40,

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1376 | said Levee L-40 being the easterly boundary of the Loxahatchee
 1377 | National Wildlife Refuge, to an intersection with SRD 80 (U.S.
 1378 | 441), said intersection located near the southeast corner of
 1379 | section 32, township 43 south, range 40 east; thence run
 1380 | westerly along the aforementioned SRD 80 to a point marking the
 1381 | intersection of said road and the northeasterly prolongation of
 1382 | Levee L-7, said Levee L-7 being the westerly boundary of the
 1383 | Loxahatchee National Wildlife Refuge; thence run southwesterly
 1384 | and southerly along said Levee L-7 to an intersection common to
 1385 | Levees L-7, L-15 (Hillsborough Canal), and L-6; thence run
 1386 | southwesterly along Levee L-6 to an intersection common to Levee
 1387 | L-6, SRD 25 (U.S. 27), and Levee L-5, said intersection being
 1388 | located near the northwest corner of section 27, township 47
 1389 | south, range 38 east; thence run westerly along the
 1390 | aforementioned Levee L-5 to a point intersecting the east line
 1391 | of range 36 east; thence run northerly along said range line to
 1392 | a point marking the northeast corner of section 1, township 47
 1393 | south, range 36 east; thence run westerly along the north line
 1394 | of township 47 south, to an intersection with Levee L-23/24
 1395 | (Miami Canal); thence run northwesterly along the Miami Canal
 1396 | Levee to a point intersecting the north line of section 22,
 1397 | township 46 south, range 35 east; thence run westerly to a point
 1398 | marking the northwest corner of section 21, township 46 south,
 1399 | range 35 east; thence run southerly to the southwest corner of
 1400 | said section 21; thence run westerly to a point marking the

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1401 northwest corner of section 30, township 46 south, range 35
 1402 east, said point also being on the line dividing Palm Beach and
 1403 Hendry Counties; from said point, thence run southerly along
 1404 said county line to a point marking the intersection of Broward,
 1405 Hendry, and Collier Counties, said point also being the
 1406 northeast corner of section 1, township 49 south, range 34 east;
 1407 thence run westerly along the line dividing Hendry and Collier
 1408 Counties and continuing along the prolongation thereof to a
 1409 point marking the southwest corner of section 36, township 48
 1410 south, range 29 east; thence run southerly to a point marking
 1411 the southwest corner of section 12, township 49 south, range 29
 1412 east; thence run westerly to a point marking the southwest
 1413 corner of section 10, township 49 south, range 29 east; thence
 1414 run southerly to a point marking the southwest corner of section
 1415 15, township 49 south, range 29 east; thence run westerly to a
 1416 point marking the northwest corner of section 24, township 49
 1417 south, range 28 east, said point lying on the west boundary of
 1418 the Big Cypress Area of Critical State Concern as described in
 1419 rule 28-25.001, Florida Administrative Code; thence run
 1420 southerly along said boundary crossing SRD 84 (Alligator Alley)
 1421 to a point marking the southwest corner of section 24, township
 1422 50 south, range 28 east; thence leaving the aforementioned west
 1423 boundary of the Big Cypress Area of Critical State Concern run
 1424 easterly to a point marking the northeast corner of section 25,
 1425 township 50 south, range 28 east; thence run southerly along the

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1426 east line of range 28 east to a point lying approximately 0.15
 1427 miles south of the northeast corner of section 1, township 52
 1428 south, range 28 east; thence run southwesterly 2.4 miles more or
 1429 less to an intersection with SRD 90 (U.S. 41 Tamiami Trail),
 1430 said intersection lying 1.1 miles more or less west of the east
 1431 line of range 28 east; thence run northwesterly and westerly
 1432 along SRD 90 to an intersection with the west line of section
 1433 10, township 52 south, range 28 east; thence leaving SRD 90 run
 1434 southerly to a point marking the southwest corner of section 15,
 1435 township 52 south, range 28 east; thence run westerly crossing
 1436 the Faka Union Canal 0.6 miles more or less to a point; thence
 1437 run southerly and parallel to the Faka Union Canal to a point
 1438 located on the mean high-water line of Faka Union Bay; thence
 1439 run southeasterly along the mean high-water line of the various
 1440 bays, rivers, inlets, and streams to the point of beginning.

1441 (b) The area bounded by the line described in paragraph
 1442 (a) generally includes those waters to be known as waters of the
 1443 state. The landward extent of these waters shall be determined
 1444 by the delineation methodology ratified in s. 373.4211. Any
 1445 waters which are outside the general boundary line described in
 1446 paragraph (a) but which are contiguous thereto by virtue of the
 1447 presence of a wetland, watercourse, or other surface water, as
 1448 determined by the delineation methodology ratified in s.
 1449 373.4211, shall be a part of this waterbody ~~water body~~. Any
 1450 areas within the line described in paragraph (a) which are

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1451 neither a wetland nor surface water, as determined by the
 1452 delineation methodology ratified in s. 373.4211, shall be
 1453 excluded therefrom. If the Florida Environmental Regulation
 1454 Commission designates the waters within the boundaries an
 1455 Outstanding Florida Water, waters outside the boundaries may
 1456 ~~shall~~ not be included as part of such designation unless a
 1457 hearing is held pursuant to notice in each appropriate county
 1458 and the boundaries of such lands are specifically considered and
 1459 described for such designation.

1460 (16) ~~(14)~~ "State water resource implementation rule" means
 1461 the rule authorized by s. 373.036, which sets forth goals,
 1462 objectives, and guidance for the development and review of
 1463 programs, rules, and plans relating to water resources, based on
 1464 statutory policies and directives. The waters of the state are
 1465 among its most basic resources. Such waters should be managed to
 1466 conserve and protect water resources and to realize the full
 1467 beneficial use of these resources.

1468 (17) ~~(15)~~ "Stormwater management program" means the
 1469 institutional strategy for stormwater management, including
 1470 urban, agricultural, and other stormwater.

1471 (18) ~~(16)~~ "Stormwater management system" means a system
 1472 ~~which is~~ designed and constructed or implemented to control
 1473 discharges that ~~which~~ are necessitated by rainfall events,
 1474 incorporating methods to collect, convey, store, absorb,
 1475 inhibit, treat, use, or reuse water to prevent or reduce

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1476 flooding, overdrainage, environmental degradation and water
 1477 pollution or otherwise affect the quantity and quality of
 1478 discharges from the system.

1479 (19)~~(17)~~ "Stormwater utility" means the funding of a
 1480 stormwater management program by assessing the cost of the
 1481 program to the beneficiaries based on their relative
 1482 contribution to its need. It is operated as a typical utility
 1483 which bills services regularly, similar to water and wastewater
 1484 services.

1485 (24)~~(18)~~ "Watershed" means the land area that ~~which~~
 1486 contributes to the flow of water into a receiving body of water.

1487 (13)~~(19)~~ "Regulated air pollutant" means any pollutant
 1488 regulated under the federal Clean Air Act.

1489 (4)~~(20)~~ "Electrical power plant" means, for purposes of
 1490 this part of this chapter, any electrical generating facility
 1491 that uses any process or fuel and that is owned or operated by
 1492 an electric utility, as defined in s. 403.503(14), and includes
 1493 any associated facility that directly supports the operation of
 1494 the electrical power plant.

1495 (20)~~(21)~~ "Total maximum daily load" is defined as the sum
 1496 of the individual wasteload allocations for point sources and
 1497 the load allocations for nonpoint sources and natural
 1498 background. Prior to determining individual wasteload
 1499 allocations and load allocations, the maximum amount of a
 1500 pollutant that a waterbody ~~water body~~ or water segment can

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1501 assimilate from all sources without exceeding water quality
 1502 standards must first be calculated.

1503 Section 14. Paragraphs (a) and (e) of subsection (7) of
 1504 section 403.067, Florida Statutes, are amended to read:

1505 403.067 Establishment and implementation of total maximum
 1506 daily loads.—

1507 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND
 1508 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

1509 (a) *Basin management action plans.*—

1510 1. In developing and implementing the total maximum daily
 1511 load for a waterbody ~~water body~~, the department, or the
 1512 department in conjunction with a water management district, may
 1513 develop a basin management action plan that addresses some or
 1514 all of the watersheds and basins tributary to the waterbody
 1515 ~~water body~~. Such plan must integrate the appropriate management
 1516 strategies available to the state through existing water quality
 1517 protection programs to achieve the total maximum daily loads and
 1518 may provide for phased implementation of these management
 1519 strategies to promote timely, cost-effective actions as provided
 1520 for in s. 403.151. The plan must establish a schedule
 1521 implementing the management strategies, establish a basis for
 1522 evaluating the plan's effectiveness, and identify feasible
 1523 funding strategies for implementing the plan's management
 1524 strategies. The management strategies may include regional
 1525 treatment systems or other public works, when appropriate, and

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1526 | voluntary trading of water quality credits to achieve the needed
1527 | pollutant load reductions.

1528 | 2. A basin management action plan must equitably allocate,
1529 | pursuant to paragraph (6) (b), pollutant reductions to individual
1530 | basins, as a whole to all basins, or to each identified point
1531 | source or category of nonpoint sources, as appropriate. For
1532 | nonpoint sources for which best management practices have been
1533 | adopted, the initial requirement specified by the plan must be
1534 | those practices developed pursuant to paragraph (c). When
1535 | appropriate, the plan may take into account the benefits of
1536 | pollutant load reduction achieved by point or nonpoint sources
1537 | that have implemented management strategies to reduce pollutant
1538 | loads, including best management practices, before the
1539 | development of the basin management action plan. The plan must
1540 | also identify the mechanisms that will address potential future
1541 | increases in pollutant loading.

1542 | 3. The basin management action planning process is
1543 | intended to involve the broadest possible range of interested
1544 | parties, with the objective of encouraging the greatest amount
1545 | of cooperation and consensus possible. In developing a basin
1546 | management action plan, the department shall assure that key
1547 | stakeholders, including, but not limited to, applicable local
1548 | governments, water management districts, the Department of
1549 | Agriculture and Consumer Services, other appropriate state
1550 | agencies, local soil and water conservation districts,

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1551 environmental groups, regulated interests, and affected
 1552 pollution sources, are invited to participate in the process.
 1553 The department shall hold at least one public meeting in the
 1554 vicinity of the watershed or basin to discuss and receive
 1555 comments during the planning process and shall otherwise
 1556 encourage public participation to the greatest practicable
 1557 extent. Notice of the public meeting must be published in a
 1558 newspaper of general circulation in each county in which the
 1559 watershed or basin lies at least 5 days, but not more than 15
 1560 days, before the public meeting. A basin management action plan
 1561 does not supplant or otherwise alter any assessment made under
 1562 subsection (3) or subsection (4) or any calculation or initial
 1563 allocation.

1564 4. Each new or revised basin management action plan must
 1565 ~~shall~~ include all of the following:

1566 a. The appropriate management strategies available through
 1567 existing water quality protection programs to achieve total
 1568 maximum daily loads, which may provide for phased implementation
 1569 to promote timely, cost-effective actions as provided for in s.
 1570 403.151~~.~~

1571 b. A description of best management practices adopted by
 1572 rule~~.~~

1573 c. For the applicable 5-year implementation milestone, a
 1574 list of projects that will achieve the pollutant load reductions
 1575 needed to meet the total maximum daily load or the load

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1576 allocations established pursuant to subsection (6). Each project
1577 must include a planning-level cost estimate and an estimated
1578 date of completion. A list of projects in priority ranking with
1579 a planning-level cost estimate and estimated date of completion
1580 for each listed project;

1581 d. A list of projects developed pursuant to paragraph (e),
1582 if applicable.

1583 e.d. The source and amount of financial assistance to be
1584 made available by the department, a water management district,
1585 or other entity for each listed project, if applicable. ~~;~~ and

1586 f.e. A planning-level estimate of each listed project's
1587 expected load reduction, if applicable.

1588 5. The department shall adopt all or any part of a basin
1589 management action plan and any amendment to such plan by
1590 secretarial order pursuant to chapter 120 to implement this
1591 section.

1592 6. The basin management action plan must include 5-year
1593 milestones for implementation and water quality improvement, and
1594 an associated water quality monitoring component sufficient to
1595 evaluate whether reasonable progress in pollutant load
1596 reductions is being achieved over time. An assessment of
1597 progress toward these milestones shall be conducted every 5
1598 years, and revisions to the plan shall be made as appropriate.
1599 Any entity with a specific pollutant load reduction requirement
1600 established in a basin management action plan shall identify the

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1601 projects or strategies that such entity will undertake to meet
 1602 current 5-year pollution reduction milestones, beginning with
 1603 the first 5-year milestone for new basin management action
 1604 plans, and submit such projects to the department for inclusion
 1605 in the appropriate basin management action plan. Each project
 1606 identified must include an estimated amount of nutrient
 1607 reduction that is reasonably expected to be achieved based on
 1608 the best scientific information available. Revisions to the
 1609 basin management action plan shall be made by the department in
 1610 cooperation with basin stakeholders. Revisions to the management
 1611 strategies required for nonpoint sources must follow the
 1612 procedures in subparagraph (c)4. Revised basin management action
 1613 plans must be adopted pursuant to subparagraph 5.

1614 7. In accordance with procedures adopted by rule under
 1615 paragraph (9)(c), basin management action plans, and other
 1616 pollution control programs under local, state, or federal
 1617 authority as provided in subsection (4), may allow point or
 1618 nonpoint sources that will achieve greater pollutant reductions
 1619 than required by an adopted total maximum daily load or
 1620 wasteload allocation to generate, register, and trade water
 1621 quality credits for the excess reductions to enable other
 1622 sources to achieve their allocation; however, the generation of
 1623 water quality credits does not remove the obligation of a source
 1624 or activity to meet applicable technology requirements or
 1625 adopted best management practices. Such plans must allow trading

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1626 | between NPDES permittees, and trading that may or may not
 1627 | involve NPDES permittees, where the generation or use of the
 1628 | credits involve an entity or activity not subject to department
 1629 | water discharge permits whose owner voluntarily elects to obtain
 1630 | department authorization for the generation and sale of credits.

1631 | 8. The department's rule relating to the equitable
 1632 | abatement of pollutants into surface waters do not apply to
 1633 | water bodies or waterbody ~~water body~~ segments for which a basin
 1634 | management plan that takes into account future new or expanded
 1635 | activities or discharges has been adopted under this section.

1636 | 9. In order to promote resilient wastewater utilities, if
 1637 | the department identifies domestic wastewater treatment
 1638 | facilities or onsite sewage treatment and disposal systems as
 1639 | contributors of at least 20 percent of point source or nonpoint
 1640 | source nutrient pollution or if the department determines
 1641 | remediation is necessary to achieve the total maximum daily
 1642 | load, a basin management action plan for a nutrient total
 1643 | maximum daily load must include the following:

1644 | a. A wastewater treatment plan developed by each local
 1645 | government, in cooperation with the department, the water
 1646 | management district, and the public and private domestic
 1647 | wastewater treatment facilities within the jurisdiction of the
 1648 | local government, that addresses domestic wastewater. The
 1649 | wastewater treatment plan must:

1650 | (I) Provide for construction, expansion, or upgrades

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1651 necessary to achieve the total maximum daily load requirements
 1652 applicable to the domestic wastewater treatment facility.

1653 (II) Include the permitted capacity in average annual
 1654 gallons per day for the domestic wastewater treatment facility;
 1655 the average nutrient concentration and the estimated average
 1656 nutrient load of the domestic wastewater; a projected timeline
 1657 of the dates by which the construction of any facility
 1658 improvements will begin and be completed and the date by which
 1659 operations of the improved facility will begin; the estimated
 1660 cost of the improvements; and the identity of responsible
 1661 parties.

1662
 1663 The wastewater treatment plan must be adopted as part of the
 1664 basin management action plan no later than July 1, 2025. A local
 1665 government that does not have a domestic wastewater treatment
 1666 facility in its jurisdiction is not required to develop a
 1667 wastewater treatment plan unless there is a demonstrated need to
 1668 establish a domestic wastewater treatment facility within its
 1669 jurisdiction to improve water quality necessary to achieve a
 1670 total maximum daily load. A local government is not responsible
 1671 for a private domestic wastewater facility's compliance with a
 1672 basin management action plan unless such facility is operated
 1673 through a public-private partnership to which the local
 1674 government is a party.

1675 b. An onsite sewage treatment and disposal system

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1676 remediation plan developed by each local government in
 1677 cooperation with the department, the Department of Health, water
 1678 management districts, and public and private domestic wastewater
 1679 treatment facilities.

1680 (I) The onsite sewage treatment and disposal system
 1681 remediation plan must identify cost-effective and financially
 1682 feasible projects necessary to achieve the nutrient load
 1683 reductions required for onsite sewage treatment and disposal
 1684 systems. To identify cost-effective and financially feasible
 1685 projects for remediation of onsite sewage treatment and disposal
 1686 systems, the local government shall:

1687 (A) Include an inventory of onsite sewage treatment and
 1688 disposal systems based on the best information available;

1689 (B) Identify onsite sewage treatment and disposal systems
 1690 that would be eliminated through connection to existing or
 1691 future central domestic wastewater infrastructure in the
 1692 jurisdiction or domestic wastewater service area of the local
 1693 government, that would be replaced with or upgraded to enhanced
 1694 nutrient-reducing onsite sewage treatment and disposal systems,
 1695 or that would remain on conventional onsite sewage treatment and
 1696 disposal systems;

1697 (C) Estimate the costs of potential onsite sewage
 1698 treatment and disposal system connections, upgrades, or
 1699 replacements; and

1700 (D) Identify deadlines and interim milestones for the

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1701 planning, design, and construction of projects.

1702 (II) The department shall adopt the onsite sewage
 1703 treatment and disposal system remediation plan as part of the
 1704 basin management action plan no later than July 1, 2025, or as
 1705 required for Outstanding Florida Springs under s. 373.807.

1706 10. The installation of new onsite sewage treatment and
 1707 disposal systems constructed within a basin management action
 1708 plan area adopted under this section, a reasonable assurance
 1709 plan, or a pollution reduction plan is prohibited where
 1710 connection to a publicly owned or investor-owned sewerage system
 1711 is available as defined in s. 381.0065(2)(a). On lots of 1 acre
 1712 or less within a basin management action plan adopted under this
 1713 section, a reasonable assurance plan, or a pollution reduction
 1714 plan where a publicly owned or investor-owned sewerage system is
 1715 not available, the installation of enhanced nutrient-reducing
 1716 onsite sewage treatment and disposal systems or other wastewater
 1717 treatment systems that achieve at least 65 percent nitrogen
 1718 reduction is required.

1719 ~~11.10.~~ When identifying wastewater projects in a basin
 1720 management action plan, the department may not require the
 1721 higher cost option if it achieves the same nutrient load
 1722 reduction as a lower cost option. A regulated entity may choose
 1723 a different cost option if it complies with the pollutant
 1724 reduction requirements of an adopted total maximum daily load
 1725 and meets or exceeds the pollution reduction requirement of the

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1726 original project.

1727 12. Annually, local governments subject to a basin
 1728 management action plan or located within the basin of a
 1729 waterbody not attaining nutrient or nutrient-related standards
 1730 must provide to the department an update on the status of
 1731 construction of sanitary sewers to serve such areas, in a manner
 1732 prescribed by the department.

1733 (e) *Cooperative agricultural regional water quality*
 1734 *improvement element.*—

1735 1. The department and~~7~~ the Department of Agriculture and
 1736 Consumer Services, in cooperation with ~~and~~ owners of
 1737 agricultural operations in the basin, shall develop a
 1738 cooperative agricultural regional water quality improvement
 1739 element as part of a basin management action plan where ~~only if:~~

1740 a. ~~Agricultural measures have been adopted by the~~
 1741 ~~Department of Agriculture and Consumer Services pursuant to~~
 1742 ~~subparagraph (c)2. and have been implemented and the water body~~
 1743 ~~remains impaired;~~

1744 ~~b.~~ Agricultural nonpoint sources contribute to at least 20
 1745 percent of nonpoint source nutrient discharges; or ~~and~~

1746 b.e. The department determines that additional measures,
 1747 in combination with state-sponsored regional projects and other
 1748 management strategies included in the basin management action
 1749 plan, are necessary to achieve the total maximum daily load.

1750 2. The element will be implemented through the use of

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1751 cost-effective and technically and financially practical
 1752 regional agricultural nutrient reduction ~~cost-sharing~~ projects
 1753 ~~and.~~ The element must include a list of such projects submitted
 1754 to the department by the Department of Agriculture and Consumer
 1755 Services which, in combination with the best management
 1756 practices, additional measures, and other management strategies,
 1757 will achieve the needed pollutant load reductions established
 1758 for agricultural nonpoint sources ~~cost-effective and technically~~
 1759 ~~and financially practical cooperative regional agricultural~~
 1760 ~~nutrient reduction projects that can be implemented on private~~
 1761 ~~properties on a site-specific, cooperative basis.~~ Such
 1762 cooperative regional agricultural nutrient reduction projects
 1763 may include, but are not limited to, land acquisition in fee or
 1764 conservation easements on the lands of willing sellers and site-
 1765 specific water quality improvement or dispersed water management
 1766 projects. The list of regional projects included in the
 1767 cooperative agricultural regional water quality improvement
 1768 element must include a planning-level cost estimate of each
 1769 project along with the estimated amount of nutrient reduction
 1770 that such project will achieve ~~on the lands of project~~
 1771 ~~participants.~~

1772 3. To qualify for participation in the cooperative
 1773 agricultural regional water quality improvement element, the
 1774 participant must have already implemented and be in compliance
 1775 with best management practices or other measures adopted by the

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1776 Department of Agriculture and Consumer Services pursuant to
 1777 subparagraph (c)2. The element must ~~may~~ be included in the basin
 1778 management action plan as a part of the next 5-year assessment
 1779 under subparagraph (a)6.

1780 4. The department or the Department of Agriculture and
 1781 Consumer Services may submit a legislative budget request to
 1782 fund projects developed pursuant to this paragraph. In
 1783 allocating funds for projects funded pursuant to this paragraph,
 1784 the department shall provide at least 20 percent of its annual
 1785 appropriation for projects in subbasins with the highest
 1786 nutrient concentrations within a basin management action plan.
 1787 Projects submitted pursuant to this paragraph are eligible for
 1788 funding in accordance with s. 403.0673.

1789 Section 15. Section 403.0673, Florida Statutes, is amended
 1790 to read:

1791 403.0673 Water quality improvement ~~Wastewater~~ grant
 1792 program.—A ~~wastewater~~ grant program is established within the
 1793 Department of Environmental Protection to address wastewater,
 1794 stormwater, and agricultural sources of nutrient loading to
 1795 surface water or groundwater.

1796 (1) The purpose of the grant program is to fund projects
 1797 that will improve the quality of waterbodies that:

1798 (a) Are not attaining nutrient or nutrient-related
 1799 standards;

1800 (b) Have an established total maximum daily load; or

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1801 (c) Are located ~~Subject to the appropriation of funds by~~
 1802 ~~the Legislature, the department may provide grants for the~~
 1803 ~~following projects~~ within a basin management action plan area, a
 1804 reasonable assurance plan area ~~an alternative restoration plan~~
 1805 ~~adopted by final order, an accepted alternative restoration plan~~
 1806 area, or a rural area of opportunity under s. 288.0656.

1807 (2) The department may provide grants for all of the
 1808 following types of projects that reduce the amount of nutrients
 1809 entering those waterbodies identified in subsection (1):

1810 (a) Connecting onsite sewage treatment and disposal
 1811 systems to central sewer facilities.

1812 (b) Upgrading domestic wastewater treatment facilities to
 1813 advanced waste treatment or greater.

1814 (c) Repairing, upgrading, expanding, or constructing
 1815 stormwater treatment facilities that result in improvements to
 1816 surface water or groundwater quality.

1817 (d) Repairing, upgrading, expanding, or constructing
 1818 domestic wastewater treatment facilities that result in
 1819 improvements to surface water or groundwater quality, including
 1820 domestic wastewater reuse and collection systems.

1821 (e) Projects identified pursuant to s. 403.067(7)(a) or
 1822 (7)(e).

1823 (f) Projects identified in a wastewater treatment plan or
 1824 an onsite sewage treatment and disposal system remediation plan
 1825 developed pursuant to s. 403.067(7)(a) 9.a. and b.

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1826 (g) Projects listed in a city or county capital
 1827 improvement element pursuant to s. 163.3177(3)(a)4.b.
 1828 (h) Retrofitting onsite sewage treatment and disposal
 1829 systems to upgrade such systems to enhanced nutrient-reducing
 1830 onsite sewage treatment and disposal systems where central
 1831 sewerage is unavailable which will individually or collectively
 1832 reduce excess nutrient pollution:
 1833 ~~(a) Projects to retrofit onsite sewage treatment and~~
 1834 ~~disposal systems to upgrade such systems to enhanced nutrient-~~
 1835 ~~reducing onsite sewage treatment and disposal systems.~~
 1836 ~~(b) Projects to construct, upgrade, or expand facilities~~
 1837 ~~to provide advanced waste treatment, as defined in s.~~
 1838 ~~403.086(4).~~
 1839 ~~(c) Projects to connect onsite sewage treatment and~~
 1840 ~~disposal systems to central sewer facilities.~~
 1841 (3)(2) In allocating such funds, priority must be given to
 1842 projects that subsidize the connection of onsite sewage
 1843 treatment and disposal systems to wastewater treatment
 1844 facilities. First priority must be given to subsidize the
 1845 connection of onsite sewage treatment and disposal systems to
 1846 existing infrastructure. Second priority must be given to any
 1847 expansion of a collection or transmission system that promotes
 1848 efficiency by planning the installation of wastewater
 1849 transmission facilities to be constructed concurrently with
 1850 other construction projects occurring within or along a

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1851 ~~transportation facility right-of-way. Third priority must be~~
1852 ~~given to all other connections of onsite sewage treatment and~~
1853 ~~disposal systems to wastewater treatment facilities. The~~
1854 department shall consider and prioritize those projects that:
1855 (a) Have the maximum estimated reduction in nutrient load
1856 per project;
1857 (b) Demonstrate project readiness;
1858 (c) Are cost-effective;
1859 (d) Have a cost share identified by the applicant, except
1860 for rural areas of opportunity;
1861 (e) Have previous state commitment and involvement in the
1862 project, considering previously funded phases, the total amount
1863 of previous state funding, and previous partial appropriations
1864 for the proposed project; or
1865 ~~(f) Are in a the cost-effectiveness of the project; the~~
1866 ~~overall environmental benefit of a project; the location where~~
1867 ~~reductions are needed most to attain the water quality standards~~
1868 ~~of a waterbody not attaining nutrient or nutrient-related~~
1869 ~~standards.~~
1870
1871 Any project that does not result in reducing nutrient loading to
1872 a waterbody identified in subsection (1) is not eligible for
1873 funding under this section ~~of a project; the availability of~~
1874 ~~local matching funds; and projected water savings or quantity~~
1875 ~~improvements associated with a project.~~

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1876 ~~(3) Each grant for a project described in subsection (1)~~
 1877 ~~must require a minimum of a 50-percent local match of funds.~~
 1878 ~~However, the department may, at its discretion, waive, in whole~~
 1879 ~~or in part, this consideration of the local contribution for~~
 1880 ~~proposed projects within an area designated as a rural area of~~
 1881 ~~opportunity under s. 288.0656.~~

1882 (4) The department shall coordinate annually with each
 1883 water management district, ~~as necessary,~~ to identify potential
 1884 projects grant recipients in each district.

1885 (5) The department shall coordinate with local governments
 1886 and stakeholders to identify the most effective and beneficial
 1887 water quality improvement projects.

1888 (6) The department shall coordinate with the Department of
 1889 Agriculture and Consumer Services to prioritize the most
 1890 effective and beneficial agricultural nonpoint source projects
 1891 identified pursuant to s. 403.067(7)(e).

1892 (7) Beginning January 15, 2024 ~~1, 2021,~~ and each January
 1893 15 ~~1~~ thereafter, the department shall submit a report regarding
 1894 the projects funded pursuant to this section to the Governor,
 1895 the President of the Senate, and the Speaker of the House of
 1896 Representatives. The report must include a list of those
 1897 projects receiving funding and the following information for
 1898 each project:

1899 (a) A description of the project;

1900 (b) The cost of the project;

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- 1901 (c) The estimated nutrient load reduction of the project;
- 1902 (d) The location of the project;
- 1903 (e) The waterbody or waterbodies where the project will
- 1904 reduce nutrients; and
- 1905 (f) The total cost share being provided for the project.

1906 Section 16. Paragraph (c) of subsection (1) of section
 1907 403.086, Florida Statutes, is amended to read:
 1908 403.086 Sewage disposal facilities; advanced and secondary
 1909 waste treatment.—

1910 (1)
 1911 (c)1. Notwithstanding this chapter or chapter 373, sewage
 1912 disposal facilities may not dispose ~~of~~ any wastes into the
 1913 following waters without providing advanced waste treatment, as
 1914 defined in subsection (4), as approved by the department or a
 1915 more stringent treatment standard if the department determines
 1916 the more stringent standard is necessary to achieve the total
 1917 maximum daily load or applicable water quality criteria:

1918 a. Old Tampa Bay, Tampa Bay, Hillsborough Bay, Boca Ciega
 1919 Bay, St. Joseph Sound, Clearwater Bay, Sarasota Bay, Little
 1920 Sarasota Bay, Roberts Bay, Lemon Bay, Charlotte Harbor Bay,
 1921 Biscayne Bay, or any river, stream, channel, canal, bay, bayou,
 1922 sound, or other water tributary thereto.

1923 b. Beginning July 1, 2025, Indian River Lagoon, or ~~into~~
 1924 any river, stream, channel, canal, bay, bayou, sound, or other
 1925 water tributary thereto.

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1926 c. By January 1, 2033, waterbodies that are currently not
1927 attaining nutrient or nutrient-related standards or that are
1928 subject to a nutrient or nutrient-related basin management
1929 action plan adopted pursuant to s. 403.067 or adopted reasonable
1930 assurance plan.

1931 2. For any waterbody determined not to be attaining
1932 nutrient or nutrient-related standards after July 1, 2023, or
1933 subject to a nutrient or nutrient-related basin management
1934 action plan adopted pursuant to s. 403.067 or adopted reasonable
1935 assurance plan after July 1, 2023, sewage disposal facilities
1936 are prohibited from disposing any wastes into such waters
1937 without providing advanced waste treatment, as defined in
1938 subsection (4), as approved by the department within 10 years
1939 after such determination or adoption, without providing advanced
1940 waste treatment, as defined in subsection (4), approved by the
1941 department. This paragraph does not apply to facilities which
1942 were permitted by February 1, 1987, and which discharge
1943 secondary treated effluent, followed by water hyacinth
1944 treatment, to tributaries of tributaries of the named waters; or
1945 to facilities permitted to discharge to the nontidally
1946 influenced portions of the Peace River.

1947 Section 17. Subsection (10) of section 570.71, Florida
1948 Statutes, is amended, and subsection (14) is added to that
1949 section, to read:

1950 570.71 Conservation easements and agreements.—

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1951 (10) The department, in consultation with the Department
 1952 of Environmental Protection, the water management districts, the
 1953 Department of Economic Opportunity, and the Florida Fish and
 1954 Wildlife Conservation Commission, shall adopt rules that
 1955 establish an application process; ~~a process and criteria for~~
 1956 setting priorities for use of funds consistent with the purposes
 1957 specified in subsection (1) and giving preference to ranch and
 1958 timber lands managed using sustainable practices, lands in
 1959 imminent danger of development or degradation, or lands within
 1960 the Florida wildlife corridor as defined in s. 259.1055(4); an
 1961 appraisal process; ~~and a process for title review and~~
 1962 compliance and approval of the rules by the Board of Trustees of
 1963 the Internal Improvement Trust Fund.

1964 (14) Notwithstanding any other law or rule, the department
 1965 shall submit a purchase agreement authorized by this section to
 1966 the Board of Trustees of the Internal Improvement Trust Fund for
 1967 approval only if the purchase price exceeds \$5 million.

1968 Section 18. Paragraph (b) of subsection (1) and subsection
 1969 (5) of section 570.715, Florida Statutes, are amended to read:

1970 570.715 Conservation easement acquisition procedures.—

1971 (1) For less than fee simple acquisitions pursuant to s.
 1972 570.71, the Department of Agriculture and Consumer Services
 1973 shall comply with the following acquisition procedures:

1974 (b) Before approval by the board of trustees of an
 1975 agreement to purchase less than fee simple title to land

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1976 | pursuant to s. 570.71, an appraisal of the parcel shall be
 1977 | required as follows:

1978 | 1. Each parcel to be acquired shall have at least one
 1979 | appraisal. Two appraisals are required when the estimated value
 1980 | of the parcel exceeds \$5 ~~\$1~~ million. However, when both
 1981 | appraisals exceed \$5 ~~\$1~~ million and differ significantly, a
 1982 | third appraisal may be obtained.

1983 | 2. Appraisal fees and associated costs shall be paid by
 1984 | the department. All appraisals used for the acquisition of less
 1985 | than fee simple interest in lands pursuant to this section shall
 1986 | be prepared by a state-certified appraiser who meets the
 1987 | standards and criteria established by rule of the board of
 1988 | trustees. Each appraiser selected to appraise a particular
 1989 | parcel shall, before contracting with the department or a
 1990 | participant in a multiparty agreement, submit to the department
 1991 | or participant an affidavit substantiating that he or she has no
 1992 | vested or fiduciary interest in such parcel.

1993 | (5) Appraisal reports are confidential and exempt from s.
 1994 | 119.07(1), for use by the department and the board of trustees,
 1995 | until an option contract is executed or, if an option contract
 1996 | is not executed, until 2 weeks before a contract or agreement
 1997 | for purchase is considered for approval by the board of
 1998 | trustees. However, the department shall ~~has the authority, at~~
 1999 | ~~its discretion, to~~ disclose appraisal reports to private
 2000 | landowners or their representatives during negotiations for

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2001 ~~acquisitions using alternatives to fee simple techniques, if the~~
 2002 ~~department determines that disclosure of such reports will bring~~
 2003 ~~the proposed acquisition to closure.~~ The department may also
 2004 disclose appraisal information to public agencies or nonprofit
 2005 organizations that agree to maintain the confidentiality of the
 2006 reports or information when joint acquisition of property is
 2007 contemplated, or when a public agency or nonprofit organization
 2008 enters into a written multiparty agreement with the department.
 2009 For purposes of this subsection, the term "nonprofit
 2010 organization" means an organization whose purposes include the
 2011 preservation of natural resources, and which is exempt from
 2012 federal income tax under s. 501(c)(3) of the Internal Revenue
 2013 Code. The department may release an appraisal report when the
 2014 passage of time has rendered the conclusions of value in the
 2015 report invalid or when the department has terminated
 2016 negotiations.

2017 Section 19. Paragraph (h) of subsection (4) of section
 2018 201.15, Florida Statutes, is amended to read:

2019 201.15 Distribution of taxes collected.—All taxes
 2020 collected under this chapter are hereby pledged and shall be
 2021 first made available to make payments when due on bonds issued
 2022 pursuant to s. 215.618 or s. 215.619, or any other bonds
 2023 authorized to be issued on a parity basis with such bonds. Such
 2024 pledge and availability for the payment of these bonds shall
 2025 have priority over any requirement for the payment of service

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2026 | charges or costs of collection and enforcement under this
 2027 | section. All taxes collected under this chapter, except taxes
 2028 | distributed to the Land Acquisition Trust Fund pursuant to
 2029 | subsections (1) and (2), are subject to the service charge
 2030 | imposed in s. 215.20(1). Before distribution pursuant to this
 2031 | section, the Department of Revenue shall deduct amounts
 2032 | necessary to pay the costs of the collection and enforcement of
 2033 | the tax levied by this chapter. The costs and service charge may
 2034 | not be levied against any portion of taxes pledged to debt
 2035 | service on bonds to the extent that the costs and service charge
 2036 | are required to pay any amounts relating to the bonds. All of
 2037 | the costs of the collection and enforcement of the tax levied by
 2038 | this chapter and the service charge shall be available and
 2039 | transferred to the extent necessary to pay debt service and any
 2040 | other amounts payable with respect to bonds authorized before
 2041 | January 1, 2017, secured by revenues distributed pursuant to
 2042 | this section. All taxes remaining after deduction of costs shall
 2043 | be distributed as follows:

2044 | (4) After the required distributions to the Land
 2045 | Acquisition Trust Fund pursuant to subsections (1) and (2) and
 2046 | deduction of the service charge imposed pursuant to s.
 2047 | 215.20(1), the remainder shall be distributed as follows:

2048 | (h) An amount equaling 5.4175 percent of the remainder
 2049 | shall be paid into the Water Protection and Sustainability
 2050 | Program Trust Fund to be used to fund water quality improvement

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2051 ~~wastewater~~ grants as specified in s. 403.0673.

2052 Section 20. Paragraph (1) of subsection (3), paragraph (a)
 2053 of subsection (5), and paragraph (i) of subsection (15) of
 2054 section 259.105, Florida Statutes, are amended to read:

2055 259.105 The Florida Forever Act.—

2056 (3) Less the costs of issuing and the costs of funding
 2057 reserve accounts and other costs associated with bonds, the
 2058 proceeds of cash payments or bonds issued pursuant to this
 2059 section shall be deposited into the Florida Forever Trust Fund
 2060 created by s. 259.1051. The proceeds shall be distributed by the
 2061 Department of Environmental Protection in the following manner:

2062 (1) For the purposes of paragraphs (e), (f), (g), and (h),
 2063 the agencies that receive the funds shall develop their
 2064 individual acquisition or restoration lists in accordance with
 2065 specific criteria and numeric performance measures developed
 2066 pursuant to s. 259.035(4). Proposed additions may be acquired if
 2067 they are identified within the original project boundary, the
 2068 management plan required pursuant to s. 253.034(5), or the
 2069 management prospectus required pursuant to s. 259.032(7)(b) ~~s.~~
 2070 ~~259.032(7)(c)~~. Proposed additions not meeting the requirements
 2071 of this paragraph shall be submitted to the council for
 2072 approval. The council may only approve the proposed addition if
 2073 it meets two or more of the following criteria: serves as a link
 2074 or corridor to other publicly owned property; enhances the
 2075 protection or management of the property; would add a desirable

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2076 resource to the property; would create a more manageable
 2077 boundary configuration; has a high resource value that otherwise
 2078 would be unprotected; or can be acquired at less than fair
 2079 market value.

2080 (5) (a) All lands acquired pursuant to this section shall
 2081 be managed for multiple-use purposes, where compatible with the
 2082 resource values of and management objectives for such lands. As
 2083 used in this section, "multiple-use" includes, but is not
 2084 limited to, outdoor recreational activities as described in ss.
 2085 253.034 and 259.032(7) (a) 2. ~~ss. 253.034 and 259.032(7) (b)~~, water
 2086 resource development projects, sustainable forestry management,
 2087 carbon sequestration, carbon mitigation, or carbon offsets.

2088 (15) The council shall submit to the board, with its list
 2089 of projects, a report that includes, but need not be limited to,
 2090 the following information for each project listed:

2091 (i) A management policy statement for the project and a
 2092 management prospectus pursuant to s. 259.032(7) (b) ~~s.~~
 2093 ~~259.032(7) (c)~~.

2094 Section 21. Subsection (17) of section 373.019, Florida
 2095 Statutes, is amended to read:

2096 373.019 Definitions.—When appearing in this chapter or in
 2097 any rule, regulation, or order adopted pursuant thereto, the
 2098 term:

2099 (17) "Reclaimed water" means water that has received at
 2100 least secondary treatment and basic disinfection and is reused

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2101 after flowing out of a domestic wastewater treatment facility.
 2102 Reclaimed water is not subject to regulation pursuant to s.
 2103 373.175 or part II of this chapter until it has been discharged
 2104 into waters as defined in s. 403.031 ~~s. 403.031(13)~~.

2105 Section 22. Section 373.4132, Florida Statutes, is amended
 2106 to read:

2107 373.4132 Dry storage facility permitting.—The governing
 2108 board or the department shall require a permit under this part,
 2109 including s. 373.4145, for the construction, alteration,
 2110 operation, maintenance, abandonment, or removal of a dry storage
 2111 facility for 10 or more vessels that is functionally associated
 2112 with a boat launching area. As part of an applicant's
 2113 demonstration that such a facility will not be harmful to the
 2114 water resources and will not be inconsistent with the overall
 2115 objectives of the district, the governing board or department
 2116 shall require the applicant to provide reasonable assurance that
 2117 the secondary impacts from the facility will not cause adverse
 2118 impacts to the functions of wetlands and surface waters,
 2119 including violations of state water quality standards applicable
 2120 to waters as defined in s. 403.031 ~~s. 403.031(13)~~, and will meet
 2121 the public interest test of s. 373.414(1)(a), including the
 2122 potential adverse impacts to manatees. Nothing in this section
 2123 shall affect the authority of the governing board or the
 2124 department to regulate such secondary impacts under this part
 2125 for other regulated activities.

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2126 Section 23. Subsection (1) of section 373.414, Florida
 2127 Statutes, is amended to read:

2128 373.414 Additional criteria for activities in surface
 2129 waters and wetlands.—

2130 (1) As part of an applicant's demonstration that an
 2131 activity regulated under this part will not be harmful to the
 2132 water resources or will not be inconsistent with the overall
 2133 objectives of the district, the governing board or the
 2134 department shall require the applicant to provide reasonable
 2135 assurance that state water quality standards applicable to
 2136 waters as defined in s. 403.031 ~~s. 403.031(13)~~ will not be
 2137 violated and reasonable assurance that such activity in, on, or
 2138 over surface waters or wetlands, as delineated in s. 373.421(1),
 2139 is not contrary to the public interest. However, if such an
 2140 activity significantly degrades or is within an Outstanding
 2141 Florida Water, as provided by department rule, the applicant
 2142 must provide reasonable assurance that the proposed activity
 2143 will be clearly in the public interest.

2144 (a) In determining whether an activity, which is in, on,
 2145 or over surface waters or wetlands, as delineated in s.
 2146 373.421(1), and is regulated under this part, is not contrary to
 2147 the public interest or is clearly in the public interest, the
 2148 governing board or the department shall consider and balance the
 2149 following criteria:

2150 1. Whether the activity will adversely affect the public

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2151 health, safety, or welfare or the property of others;
 2152 2. Whether the activity will adversely affect the
 2153 conservation of fish and wildlife, including endangered or
 2154 threatened species, or their habitats;
 2155 3. Whether the activity will adversely affect navigation
 2156 or the flow of water or cause harmful erosion or shoaling;
 2157 4. Whether the activity will adversely affect the fishing
 2158 or recreational values or marine productivity in the vicinity of
 2159 the activity;
 2160 5. Whether the activity will be of a temporary or
 2161 permanent nature;
 2162 6. Whether the activity will adversely affect or will
 2163 enhance significant historical and archaeological resources
 2164 under the provisions of s. 267.061; and
 2165 7. The current condition and relative value of functions
 2166 being performed by areas affected by the proposed activity.
 2167 (b) If the applicant is unable to otherwise meet the
 2168 criteria set forth in this subsection, the governing board or
 2169 the department, in deciding to grant or deny a permit, must
 2170 ~~shall~~ consider measures proposed by or acceptable to the
 2171 applicant to mitigate adverse effects that may be caused by the
 2172 regulated activity. Such measures may include, but are not
 2173 limited to, onsite mitigation, offsite mitigation, offsite
 2174 regional mitigation, and the purchase of mitigation credits from
 2175 mitigation banks permitted under s. 373.4136. It is ~~shall be~~ the

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2176 responsibility of the applicant to choose the form of
 2177 mitigation. The mitigation must offset the adverse effects
 2178 caused by the regulated activity.

2179 1. The department or water management districts may accept
 2180 the donation of money as mitigation only where the donation is
 2181 specified for use in a duly noticed environmental creation,
 2182 preservation, enhancement, or restoration project, endorsed by
 2183 the department or the governing board of the water management
 2184 district, which offsets the impacts of the activity permitted
 2185 under this part. However, ~~the provisions of~~ this subsection does
 2186 ~~shall~~ not apply to projects undertaken pursuant to s. 373.4137
 2187 or chapter 378. Where a permit is required under this part to
 2188 implement any project endorsed by the department or a water
 2189 management district, all necessary permits must have been issued
 2190 prior to the acceptance of any cash donation. After the
 2191 effective date of this act, when money is donated to either the
 2192 department or a water management district to offset impacts
 2193 authorized by a permit under this part, the department or the
 2194 water management district shall accept only a donation that
 2195 represents the full cost to the department or water management
 2196 district of undertaking the project that is intended to mitigate
 2197 the adverse impacts. The full cost shall include all direct and
 2198 indirect costs, as applicable, such as those for land
 2199 acquisition, land restoration or enhancement, perpetual land
 2200 management, and general overhead consisting of costs such as

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2201 staff time, building, and vehicles. The department or the water
 2202 management district may use a multiplier or percentage to add to
 2203 other direct or indirect costs to estimate general overhead.
 2204 Mitigation credit for such a donation may ~~shall~~ be given only to
 2205 the extent that the donation covers the full cost to the agency
 2206 of undertaking the project ~~that is~~ intended to mitigate the
 2207 adverse impacts. However, nothing herein may ~~shall~~ be construed
 2208 to prevent the department or a water management district from
 2209 accepting a donation representing a portion of a larger project,
 2210 provided that the donation covers the full cost of that portion
 2211 and mitigation credit is given only for that portion. The
 2212 department or water management district may deviate from the
 2213 full cost requirements of this subparagraph to resolve a
 2214 proceeding brought pursuant to chapter 70 or a claim for inverse
 2215 condemnation. Nothing in this section may ~~shall~~ be construed to
 2216 require the owner of a private mitigation bank, permitted under
 2217 s. 373.4136, to include the full cost of a mitigation credit in
 2218 the price of the credit to a purchaser of said credit.

2219 2. The department and each water management district shall
 2220 report by March 1 of each year, as part of the consolidated
 2221 annual report required by s. 373.036(7), all cash donations
 2222 accepted under subparagraph 1. during the preceding water
 2223 management district fiscal year for wetland mitigation purposes.
 2224 The report must ~~shall~~ exclude those contributions pursuant to s.
 2225 373.4137. The report must ~~shall~~ include a description of the

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2226 endorsed mitigation projects and, except for projects governed
 2227 by s. 373.4135(6), must ~~shall~~ address, as applicable, success
 2228 criteria, project implementation status and timeframe,
 2229 monitoring, long-term management, provisions for preservation,
 2230 and full cost accounting.

2231 3. If the applicant is unable to meet water quality
 2232 standards because existing ambient water quality does not meet
 2233 standards, the governing board or the department must ~~shall~~
 2234 consider mitigation measures proposed by or acceptable to the
 2235 applicant that cause net improvement of the water quality in the
 2236 receiving body of water for those parameters which do not meet
 2237 standards.

2238 4. If mitigation requirements imposed by a local
 2239 government for surface water and wetland impacts of an activity
 2240 regulated under this part cannot be reconciled with mitigation
 2241 requirements approved under a permit for the same activity
 2242 issued under this part, including application of the uniform
 2243 wetland mitigation assessment method adopted pursuant to
 2244 subsection (18), the mitigation requirements for surface water
 2245 and wetland impacts are ~~shall be~~ controlled by the permit issued
 2246 under this part.

2247 (c) Where activities for a single project regulated under
 2248 this part occur in more than one local government jurisdiction,
 2249 and where permit conditions or regulatory requirements are
 2250 imposed by a local government for these activities which cannot

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2251 | be reconciled with those imposed by a permit under this part for
 2252 | the same activities, the permit conditions or regulatory
 2253 | requirements are ~~shall be~~ controlled by the permit issued under
 2254 | this part.

2255 | Section 24. Section 373.4142, Florida Statutes, is amended
 2256 | to read:

2257 | 373.4142 Water quality within stormwater treatment
 2258 | systems.—State surface water quality standards applicable to
 2259 | waters of the state, as defined in s. 403.031 ~~s. 403.031(13)~~, do
 2260 | ~~shall~~ not apply within a stormwater management system which is
 2261 | designed, constructed, operated, and maintained for stormwater
 2262 | treatment in accordance with a valid permit or noticed exemption
 2263 | issued pursuant to chapter 62-25, Florida Administrative Code; a
 2264 | valid permit or exemption under s. 373.4145 within the Northwest
 2265 | Florida Water Management District; a valid permit issued on or
 2266 | subsequent to April 1, 1986, within the Suwannee River Water
 2267 | Management District or the St. Johns River Water Management
 2268 | District pursuant to this part; a valid permit issued on or
 2269 | subsequent to March 1, 1988, within the Southwest Florida Water
 2270 | Management District pursuant to this part; or a valid permit
 2271 | issued on or subsequent to January 6, 1982, within the South
 2272 | Florida Water Management District pursuant to this part. Such
 2273 | inapplicability of state water quality standards shall be
 2274 | limited to that part of the stormwater management system located
 2275 | upstream of a manmade water control structure permitted, or

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2276 approved under a noticed exemption, to retain or detain
 2277 stormwater runoff in order to provide treatment of the
 2278 stormwater. The additional use of such a stormwater management
 2279 system for flood attenuation or irrigation does ~~shall~~ not divest
 2280 the system of the benefits of this exemption. This section does
 2281 ~~shall~~ not affect the authority of the department and water
 2282 management districts to require reasonable assurance that the
 2283 water quality within such stormwater management systems will not
 2284 adversely impact public health, fish and wildlife, or adjacent
 2285 waters.

2286 Section 25. Paragraph (a) of subsection (1) of section
 2287 373.430, Florida Statutes, is amended to read:

2288 373.430 Prohibitions, violation, penalty, intent.—

2289 (1) It shall be a violation of this part, and it shall be
 2290 prohibited for any person:

2291 (a) To cause pollution, as defined in s. 403.031 ~~s.~~
 2292 ~~403.031(7)~~, except as otherwise provided in this part, so as to
 2293 harm or injure human health or welfare, animal, plant, or
 2294 aquatic life or property.

2295 Section 26. Paragraph (n) of subsection (2) of section
 2296 373.4592, Florida Statutes, is amended to read:

2297 373.4592 Everglades improvement and management.—

2298 (2) DEFINITIONS.—As used in this section:

2299 (n) "Stormwater management program" shall have the meaning
 2300 set forth in s. 403.031 ~~s. 403.031(15)~~.

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2301 Section 27. Paragraph (c) of subsection (1) of section
 2302 403.890, Florida Statutes, is amended to read:

2303 403.890 Water Protection and Sustainability Program.—

2304 (1) Revenues deposited into or appropriated to the Water
 2305 Protection and Sustainability Program Trust Fund shall be
 2306 distributed by the Department of Environmental Protection for
 2307 the following purposes:

2308 (c) The water quality improvement ~~wastewater~~ grant program
 2309 as provided in s. 403.0673.

2310 Section 28. Paragraph (b) of subsection (1) of section
 2311 403.892, Florida Statutes, is amended to read:

2312 403.892 Incentives for the use of graywater technologies.—

2313 (1) As used in this section, the term:

2314 (b) "Graywater" has the same meaning as in s. 381.0065(2)
 2315 ~~s. 381.0065(2)(f)~~.

2316 Section 29. Paragraphs (c) and (d) of subsection (2) of
 2317 section 403.9301, Florida Statutes, are amended to read:

2318 403.9301 Wastewater services projections.—

2319 (2) As used in this section, the term:

2320 (c) "Treatment works" has the same meaning as provided in
 2321 s. 403.031 ~~s. 403.031(11)~~.

2322 (d) "Wastewater services" means service to a sewerage
 2323 system, as defined in s. 403.031 ~~s. 403.031(9)~~, or service to
 2324 domestic wastewater treatment works.

2325 Section 30. Paragraphs (b) and (c) of subsection (2) of

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2326 | section 403.9302, Florida Statutes, are amended to read:
 2327 | 403.9302 Stormwater management projections.—
 2328 | (2) As used in this section, the term:
 2329 | (b) "Stormwater management program" has the same meaning
 2330 | as provided in s. 403.031 ~~s. 403.031(15)~~.
 2331 | (c) "Stormwater management system" has the same meaning as
 2332 | provided in s. 403.031 ~~s. 403.031(16)~~.
 2333 | Section 31. For the purpose of incorporating the amendment
 2334 | made by this act to section 259.032, Florida Statutes, in a
 2335 | reference thereto, subsection (6) of section 259.045, Florida
 2336 | Statutes, is reenacted to read:
 2337 | 259.045 Purchase of lands in areas of critical state
 2338 | concern; recommendations by department and land authorities.—
 2339 | Within 45 days after the Administration Commission designates an
 2340 | area as an area of critical state concern under s. 380.05, and
 2341 | annually thereafter, the Department of Environmental Protection
 2342 | shall consider the recommendations of the state land planning
 2343 | agency pursuant to s. 380.05(1)(a) relating to purchase of lands
 2344 | within an area of critical state concern or lands outside an
 2345 | area of critical state concern that directly impact an area of
 2346 | critical state concern, which may include lands used to preserve
 2347 | and protect water supply, and shall make recommendations to the
 2348 | board with respect to the purchase of the fee or any lesser
 2349 | interest in any such lands that are:
 2350 | (6) Lands used to prevent or satisfy private property

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2351 | rights claims resulting from limitations imposed by the
 2352 | designation of an area of critical state concern if the
 2353 | acquisition of such lands fulfills a public purpose listed in s.
 2354 | 259.032(2) or if the parcel is wholly or partially, at the time
 2355 | of acquisition, on one of the board's approved acquisition lists
 2356 | established pursuant to this chapter. For the purposes of this
 2357 | subsection, if a parcel is estimated to be worth \$500,000 or
 2358 | less and the director of the Division of State Lands finds that
 2359 | the cost of an outside appraisal is not justified, a comparable
 2360 | sales analysis, an appraisal prepared by the Division of State
 2361 | Lands, or other reasonably prudent procedures may be used by the
 2362 | Division of State Lands to estimate the value of the parcel,
 2363 | provided the public's interest is reasonably protected.

2364 |
 2365 | The department, a local government, a special district, or a
 2366 | land authority within an area of critical state concern may make
 2367 | recommendations with respect to additional purchases which were
 2368 | not included in the state land planning agency recommendations.

2369 |
 2370 | Section 32. The Legislature determines and declares that
 2371 | this act fulfills an important state interest.

2372 | Section 33. This act shall take effect July 1, 2023.