

By Senator Brodeur

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1 A bill to be entitled
2 An act relating to environmental protection; amending
3 s. 163.3177, F.S.; revising the required components of
4 a local government comprehensive plan capital
5 improvements element and general sanitary sewer, solid
6 waste, drainage, potable water, and natural
7 groundwater aquifer recharge element; making technical
8 changes; requiring the update of comprehensive plans
9 by a specified date; providing applicability; amending
10 s. 253.025, F.S.; revising the real property purchase
11 agreements that must be submitted to and approved by
12 the Board of Trustees of the Internal Improvement
13 Trust Fund; increasing the estimated threshold that a
14 parcel to be acquired must meet before additional
15 appraisals are required; amending s. 259.032, F.S.;
16 authorizing the board to acquire interests in lands
17 that complete certain linkages within the Florida
18 wildlife corridor; conforming a provision to changes
19 made by the act; making technical changes; creating s.
20 373.469, F.S.; providing legislative findings and
21 intent; defining terms; providing the components of
22 the Indian River Lagoon Protection Program; requiring
23 the department to evaluate and update the basin
24 management action plans within the program at
25 specified intervals; requiring the department, in
26 coordination with specified entities, to identify and
27 prioritize strategies and projects to achieve certain
28 water quality standards and total maximum daily loads;
29 requiring the department, in coordination with

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30 specified entities, to implement the Indian River
31 Lagoon Watershed Research and Water Quality Monitoring
32 Program for specified purposes; prohibiting the
33 installation of new onsite sewage treatment and
34 disposals systems beginning on a specified date under
35 certain circumstances; requiring that commercial or
36 residential properties with existing onsite sewage
37 treatment and disposal systems be connected to central
38 sewer or be upgraded to a certain system by a
39 specified date; providing construction; authorizing
40 the department and the governing boards of the St.
41 Johns River Water Management District and the South
42 Florida Water Management District to adopt rules;
43 amending s. 373.501, F.S.; requiring, rather than
44 authorizing, the department to transfer appropriated
45 funds to the water management districts for specified
46 purposes; requiring the districts to annually report
47 to the department on the use of such funds; amending
48 s. 373.802, F.S.; defining the term "enhanced
49 nutrient-reducing onsite sewage treatment and disposal
50 system"; amending s. 373.807, F.S.; conforming a
51 cross-reference; revising requirements for onsite
52 sewage treatment and disposal system remediation plans
53 for springs; amending s. 373.811, F.S.; prohibiting
54 new onsite sewage treatment and disposal systems
55 within basin management action plans in effect for
56 Outstanding Florida Springs under certain
57 circumstances; authorizing the installation of
58 enhanced or alternative systems for certain lots;

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59 amending s. 381.0065, F.S.; defining the term
60 "enhanced nutrient-reducing onsite sewage treatment
61 and disposal system"; amending s. 381.00655, F.S.;
62 encouraging local governmental agencies that receive
63 funding for connecting onsite sewage treatment and
64 disposal systems to central sewer facilities to
65 provide notice of the funding availability to certain
66 owners of onsite sewage treatment and disposal systems
67 and to maintain a website with certain information
68 regarding the funding; reordering and amending s.
69 403.031, F.S.; defining and revising terms; amending
70 s. 403.067, F.S.; revising requirements for new or
71 revised basin management action plans; requiring that
72 basin management action plans include 5-year
73 milestones for implementation; requiring certain
74 entities to identify projects or strategies to meet
75 such milestones; prohibiting the installation of new
76 onsite sewage treatment and disposal systems within
77 specified areas under certain circumstances; requiring
78 the installation of enhanced or alternative systems
79 for certain lots; revising requirements for a basin
80 management action plan's cooperative agricultural
81 regional water quality improvement element; amending
82 s. 403.0673, F.S.; renaming the wastewater grant
83 program as the water quality improvement grant
84 program; revising the purposes of the grant program;
85 specifying the projects for which the department may
86 provide grants under the program; requiring the
87 department to prioritize certain projects; requiring

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88 the department to coordinate with each water
89 management district to annually identify projects;
90 requiring the department to coordinate with specified
91 entities to identify projects; revising reporting
92 requirements; amending s. 403.086, F.S.; revising the
93 waters that sewage disposal facilities are prohibited
94 from disposing wastes into; amending ss. 201.15,
95 259.105, 373.019, 373.4132, 373.414, 373.4142,
96 373.430, 373.4592, 403.890, 403.892, 403.9301, and
97 403.9302, F.S.; conforming cross-references and
98 provisions to changes made by the act; reenacting s.
99 259.045(6), F.S., relating to the purchase of lands in
100 areas of critical state concern, to incorporate the
101 amendment made to s. 259.032, F.S., in a reference
102 thereto; providing a declaration of important state
103 interest; providing an effective date.

104
105 Be It Enacted by the Legislature of the State of Florida:

106
107 Section 1. Paragraph (a) of subsection (3) and paragraph
108 (c) of subsection (6) of section 163.3177, Florida Statutes, are
109 amended to read:

110 163.3177 Required and optional elements of comprehensive
111 plan; studies and surveys.—

112 (3) (a) The comprehensive plan must ~~shall~~ contain a capital
113 improvements element designed to consider the need for and the
114 location of public facilities in order to encourage the
115 efficient use of such facilities and set forth all of the
116 following:

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117 1. A component that outlines principles for construction,
118 extension, or increase in capacity of public facilities, as well
119 as a component that outlines principles for correcting existing
120 public facility deficiencies, which are necessary to implement
121 the comprehensive plan. The components must ~~shall~~ cover at least
122 a 5-year period.

123 2. Estimated public facility costs, including a delineation
124 of when facilities will be needed, the general location of the
125 facilities, and projected revenue sources to fund the
126 facilities.

127 3. Standards to ensure the availability of public
128 facilities and the adequacy of those facilities to meet
129 established acceptable levels of service.

130 4. A schedule of capital improvements which includes any
131 publicly funded projects of federal, state, or local government,
132 and which may include privately funded projects for which the
133 local government has no fiscal responsibility. Projects
134 necessary to ensure that any adopted level-of-service standards
135 are achieved and maintained for the 5-year period must be
136 identified as either funded or unfunded and given a level of
137 priority for funding.

138 ~~5.~~ The schedule must:

139 a. Include transportation improvements included in the
140 applicable metropolitan planning organization's transportation
141 improvement program adopted pursuant to s. 339.175(8) to the
142 extent that such improvements are relied upon to ensure
143 concurrency and financial feasibility;~~:-~~

144 b. Where applicable, include a list of projects necessary
145 to achieve the pollutant load reductions attributable to the

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146 local government, as established in a basin management action
147 plan pursuant to s. 403.067(7); and

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

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

153 (c) A general sanitary sewer, solid waste, drainage,
154 potable water, and natural groundwater aquifer recharge element
155 correlated to principles and guidelines for future land use,
156 indicating ways to provide for future potable water, drainage,
157 sanitary sewer, solid waste, and aquifer recharge protection
158 requirements for the area. The element may be a detailed
159 engineering plan including a topographic map depicting areas of
160 prime groundwater recharge.

161 1. Each local government shall address in the data and
162 analyses required by this section those facilities that provide
163 service within the local government's jurisdiction. Local
164 governments that provide facilities to serve areas within other
165 local government jurisdictions shall also address those
166 facilities in the data and analyses required by this section,
167 using data from the comprehensive plan for those areas for the
168 purpose of projecting facility needs as required in this
169 subsection. For shared facilities, each local government shall
170 indicate the proportional capacity of the systems allocated to
171 serve its jurisdiction.

172 2. The element must ~~shall~~ describe the problems and needs
173 and the general facilities that will be required for solution of
174 the problems and needs, including correcting existing facility

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175 deficiencies. The element must ~~shall~~ address coordinating the
176 extension of, ~~or~~ increase in the capacity of, or upgrade in
177 treatment of facilities to meet future needs; prioritizing
178 advanced waste treatment while maximizing the use of existing
179 facilities and discouraging urban sprawl; conserving potable
180 water resources; and protecting the functions of natural
181 groundwater recharge areas and natural drainage features.

182 3. Within the local government's jurisdiction, for any
183 development of more than 50 residential lots, built or unbuilt,
184 with more than 1 onsite sewage treatment and disposal system per
185 1 acre, the element must include a plan to provide sanitary
186 sewer services within a 10-year planning horizon. An onsite
187 sewage treatment and disposal system is presumed to exist on a
188 parcel if sanitary sewer services are not available at or
189 adjacent to the parcel boundary. For such developments, the plan
190 must identify the name and location of the intended wastewater
191 facility to receive sanitary sewer flows after connection; the
192 capacity of the facility and any associated transmission
193 facilities; the projected wastewater flow at that facility for
194 the next 20 years, inclusive of expected future new construction
195 and connections of onsite sewage treatment and disposal systems
196 to sanitary sewer; and a timeline for the construction of the
197 sanitary sewer system. Each comprehensive plan must be updated
198 to include this element by July 1, 2024. This subparagraph does
199 not apply to a local government designated as a rural area of
200 opportunity under s. 288.0656.

201 4. Within 18 months after the governing board approves an
202 updated regional water supply plan, the element must incorporate
203 the alternative water supply project or projects selected by the

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204 local government from those identified in the regional water
205 supply plan pursuant to s. 373.709(2)(a) or proposed by the
206 local government under s. 373.709(8)(b). If a local government
207 is located within two water management districts, the local
208 government must ~~shall~~ adopt its comprehensive plan amendment
209 within 18 months after the later updated regional water supply
210 plan. The element must identify such alternative water supply
211 projects and traditional water supply projects and conservation
212 and reuse necessary to meet the water needs identified in s.
213 373.709(2)(a) within the local government's jurisdiction and
214 include a work plan, covering at least a 10-year planning
215 period, for building public, private, and regional water supply
216 facilities, including development of alternative water supplies,
217 which are identified in the element as necessary to serve
218 existing and new development. The work plan must ~~shall~~ be
219 updated, at a minimum, every 5 years within 18 months after the
220 governing board of a water management district approves an
221 updated regional water supply plan. Local governments, public
222 and private utilities, regional water supply authorities,
223 special districts, and water management districts are encouraged
224 to cooperatively plan for the development of multijurisdictional
225 water supply facilities that are sufficient to meet projected
226 demands for established planning periods, including the
227 development of alternative water sources to supplement
228 traditional sources of groundwater and surface water supplies.

229 5.4. A local government that does not own, operate, or
230 maintain its own water supply facilities, including, but not
231 limited to, wells, treatment facilities, and distribution
232 infrastructure, and is served by a public water utility with a

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233 permitted allocation of greater than 300 million gallons per day
 234 is not required to amend its comprehensive plan in response to
 235 an updated regional water supply plan or to maintain a work plan
 236 if any such local government's usage of water constitutes less
 237 than 1 percent of the public water utility's total permitted
 238 allocation. However, any such local government shall ~~is required~~
 239 ~~to~~ cooperate with, and provide relevant data to, any local
 240 government or utility provider that provides service within its
 241 jurisdiction, and shall ~~to~~ keep its general sanitary sewer,
 242 solid waste, potable water, and natural groundwater aquifer
 243 recharge element updated in accordance with s. 163.3191.

244 Section 2. Subsection (4) and paragraph (b) of subsection
 245 (8) of section 253.025, Florida Statutes, are amended to read:

246 253.025 Acquisition of state lands.—

247 (4) An agreement to acquire real property for the purposes
 248 described in this chapter, chapter 259, chapter 260, or chapter
 249 375, title to which will vest in the board of trustees, may not
 250 bind the state before the agreement is reviewed and approved by
 251 the Department of Environmental Protection as complying with
 252 this section and any rules adopted pursuant to this section. If
 253 any of the following conditions exist, the agreement must ~~shall~~
 254 be submitted to and approved by the board of trustees:

255 (a) The purchase price agreed to by the seller exceeds the
 256 value as established pursuant to the rules of the board of
 257 trustees.†

258 (b) The contract price agreed to by the seller and the
 259 acquiring agency exceeds \$5 ~~\$1~~ million.†

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

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

267
268 If approval of the board of trustees is required pursuant to
269 this subsection, the acquiring agency must provide a
270 justification as to why it is in the public's interest to
271 acquire the parcel or Florida Forever project. Approval of the
272 board of trustees is also required for Florida Forever projects
273 the department recommends acquiring pursuant to subsections (11)
274 and (22). Review and approval of agreements for acquisitions for
275 Florida Greenways and Trails Program properties pursuant to
276 chapter 260 may be waived by the department in any contract with
277 nonprofit corporations that have agreed to assist the department
278 with this program. If the contribution of the acquiring agency
279 exceeds \$100 million in any one fiscal year, the agreement must
280 ~~shall~~ be submitted to and approved by the Legislative Budget
281 Commission.

282 (8) Before approval by the board of trustees, or, when
283 applicable, the Department of Environmental Protection, of any
284 agreement to purchase land pursuant to this chapter, chapter
285 259, chapter 260, or chapter 375, and before negotiations with
286 the parcel owner to purchase any other land, title to which will
287 vest in the board of trustees, an appraisal of the parcel shall
288 be required as follows:

289 (b) Each parcel to be acquired must ~~shall~~ have at least one
290 appraisal. Two appraisals are required when the estimated value

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291 of the parcel exceeds \$5 ~~\$1~~ million. However, if both appraisals
292 exceed \$5 ~~\$1~~ million and differ significantly, a third appraisal
293 may be obtained. If a parcel is estimated to be worth \$100,000
294 or less and the director of the Division of State Lands finds
295 that the cost of an outside appraisal is not justified, a
296 comparable sales analysis, an appraisal prepared by the
297 division, or other reasonably prudent procedures may be used by
298 the division to estimate the value of the parcel, provided the
299 public's interest is reasonably protected. The state is not
300 required to appraise the value of lands and appurtenances that
301 are being donated to the state.

302
303 Notwithstanding this subsection, on behalf of the board of
304 trustees and before the appraisal of parcels approved for
305 purchase under this chapter or chapter 259, the Secretary of
306 Environmental Protection or the director of the Division of
307 State Lands may enter into option contracts to buy such parcels.
308 Any such option contract shall state that the final purchase
309 price is subject to approval by the board of trustees or, if
310 applicable, the Secretary of Environmental Protection, and that
311 the final purchase price may not exceed the maximum offer
312 allowed by law. Any such option contract presented to the board
313 of trustees for final purchase price approval shall explicitly
314 state that payment of the final purchase price is subject to an
315 appropriation from the Legislature. The consideration for such
316 an option may not exceed \$1,000 or 0.01 percent of the estimate
317 by the department of the value of the parcel, whichever amount
318 is greater.

319 Section 3. Subsections (2) and (7), paragraph (b) of

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320 subsection (8), and paragraph (d) of subsection (9) of section
321 259.032, Florida Statutes, are amended to read:

322 259.032 Conservation and recreation lands.—

323 (2) The Governor and Cabinet, sitting as the Board of
324 Trustees of the Internal Improvement Trust Fund, may expend
325 moneys appropriated by the Legislature to acquire the fee or any
326 lesser interest in lands for any of the following public
327 purposes:

328 (a) To conserve and protect environmentally unique and
329 irreplaceable lands that contain native, relatively unaltered
330 flora and fauna representing a natural area unique to, or scarce
331 within, a region of this state or a larger geographic area.†

332 (b) To conserve and protect lands within designated areas
333 of critical state concern, if the proposed acquisition relates
334 to the natural resource protection purposes of the designation.†

335 (c) To conserve and protect native species habitat or
336 endangered or threatened species, emphasizing long-term
337 protection for endangered or threatened species designated G-1
338 or G-2 by the Florida Natural Areas Inventory, and especially
339 those areas that are special locations for breeding and
340 reproduction.†

341 (d) To conserve, protect, manage, or restore important
342 ecosystems, landscapes, and forests, if the protection and
343 conservation of such lands is necessary to enhance or protect
344 significant surface water, groundwater, coastal, recreational,
345 timber, or fish or wildlife resources which cannot otherwise be
346 accomplished through local and state regulatory programs.†

347 (e) To promote water resource development that benefits
348 natural systems and citizens of the state.†

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349 (f) To facilitate the restoration and subsequent health and
350 vitality of the Florida Everglades.†

351 (g) To provide areas, including recreational trails, for
352 natural resource-based recreation and other outdoor recreation
353 on any part of any site compatible with conservation purposes.†

354 (h) To preserve significant archaeological or historic
355 sites.†

356 (i) To conserve urban open spaces suitable for greenways or
357 outdoor recreation which are compatible with conservation
358 purposes.†~~or~~

359 (j) To preserve agricultural lands under threat of
360 conversion to development through less-than-fee acquisitions.

361 (k) To complete critical linkages that will help preserve
362 and protect this state's green infrastructure and vital habitat
363 for wide-ranging wildlife, such as the Florida panther, within
364 the Florida wildlife corridor.

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

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

369 2.~~(b)~~ Managed for public outdoor recreation which is
370 compatible with the conservation and protection of public lands.
371 Such management may include, but not be limited to, the
372 following public recreational uses: fishing, hunting, camping,
373 bicycling, hiking, nature study, swimming, boating, canoeing,
374 horseback riding, diving, model hobbyist activities, birding,
375 sailing, jogging, and other related outdoor activities.

376 (b)~~(e)~~ Concurrent with its adoption of the annual list of
377 acquisition projects pursuant to s. 259.035, the board shall

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378 adopt a management prospectus for each project. The management
379 prospectus shall delineate:

380 1. The management goals for the property;

381 2. The conditions that will affect the intensity of
382 management;

383 3. An estimate of the revenue-generating potential of the
384 property, if appropriate;

385 4. A timetable for implementing the various stages of
386 management and for providing access to the public, if
387 applicable;

388 5. A description of potential multiple-use activities as
389 described in this section and s. 253.034;

390 6. Provisions for protecting existing infrastructure and
391 for ensuring the security of the project upon acquisition;

392 7. The anticipated costs of management and projected
393 sources of revenue, including legislative appropriations, to
394 fund management needs; and

395 8. Recommendations as to how many employees will be needed
396 to manage the property, and recommendations as to whether local
397 governments, volunteer groups, the former landowner, or other
398 interested parties can be involved in the management.

399 ~~(c)(d) Concurrent with the approval of the acquisition~~
400 ~~contract pursuant to s. 253.025(4)(c)~~ For any interest in lands
401 except those lands acquired pursuant to s. 259.1052, the board
402 shall designate an agency or agencies to manage such lands. The
403 board shall evaluate and amend, as appropriate, the management
404 policy statement for the project as provided by s. 259.035 to
405 ensure that the policy statement is compatible with
406 conservation, recreation, or both. For any fee simple

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407 acquisition of a parcel which is or will be leased back for
408 agricultural purposes, or any acquisition of a less than fee
409 interest in land that is or will be used for agricultural
410 purposes, the board shall first consider having a soil and water
411 conservation district, created pursuant to chapter 582, manage
412 and monitor such interests.

413 (d)~~(e)~~ State agencies designated to manage lands acquired
414 under this chapter or with funds deposited into the Land
415 Acquisition Trust Fund, except those lands acquired under s.
416 259.1052, may contract with local governments and soil and water
417 conservation districts to assist in management activities,
418 including the responsibility of being the lead land manager.
419 Such land management contracts may include a provision for the
420 transfer of management funding to the local government or soil
421 and water conservation district from the land acquisition trust
422 fund of the lead land managing agency in an amount adequate for
423 the local government or soil and water conservation district to
424 perform its contractual land management responsibilities and
425 proportionate to its responsibilities, and which otherwise would
426 have been expended by the state agency to manage the property.

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

432 (8)

433 (b) Individual management plans required by s. 253.034(5),
434 for parcels over 160 acres, shall be developed with input from
435 an advisory group. Members of this advisory group shall include,

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436 at a minimum, representatives of the lead land managing agency,
437 comanaging entities, local private property owners, the
438 appropriate soil and water conservation district, a local
439 conservation organization, and a local elected official. If
440 habitat or potentially restorable habitat for imperiled species
441 is located on state lands, the Fish and Wildlife Conservation
442 Commission and the Department of Agriculture and Consumer
443 Services shall be included on any advisory group required under
444 chapter 253, and the short-term and long-term management goals
445 required under chapter 253 must advance the goals and objectives
446 of imperiled species management without restricting other uses
447 identified in the management plan. The advisory group shall
448 conduct at least one public hearing within the county in which
449 the parcel or project is located. For those parcels or projects
450 that are within more than one county, at least one areawide
451 public hearing shall be acceptable and the lead managing agency
452 shall invite a local elected official from each county. The
453 areawide public hearing shall be held in the county in which the
454 core parcels are located. Notice of such public hearing shall be
455 posted on the parcel or project designated for management,
456 advertised in a paper of general circulation, and announced at a
457 scheduled meeting of the local governing body before the actual
458 public hearing. The management prospectus required pursuant to
459 paragraph (7) (b) ~~(7) (e)~~ shall be available to the public for a
460 period of 30 days before the public hearing.

461
462 By July 1 of each year, each governmental agency and each
463 private entity designated to manage lands shall report to the
464 Secretary of Environmental Protection on the progress of

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465 funding, staffing, and resource management of every project for
466 which the agency or entity is responsible.

467 (9)

468 (d) Up to one-fifth of the funds appropriated for the
469 purposes identified in paragraph (b) shall be reserved by the
470 board for interim management of acquisitions and for associated
471 contractual services, to ensure the conservation and protection
472 of natural resources on project sites and to allow limited
473 public recreational use of lands. Interim management activities
474 may include, but not be limited to, resource assessments,
475 control of invasive, nonnative species, habitat restoration,
476 fencing, law enforcement, controlled burning, and public access
477 consistent with preliminary determinations made pursuant to
478 paragraph (7) (e) ~~(7) (f)~~. The board shall make these interim
479 funds available immediately upon purchase.

480 Section 4. Section 373.469, Florida Statutes, is created to
481 read:

482 373.469 Indian River Lagoon Protection Program.—

483 (1) FINDINGS AND INTENT.—

484 (a) The Legislature finds that:

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

490 2. Among other causes, land use changes, onsite sewage
491 treatment and disposal systems, aging infrastructure, stormwater
492 runoff, agriculture, and residential fertilizer have resulted in
493 excess nutrients entering the Indian River Lagoon and adversely

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494 impacting the lagoon's water quality.

495 3. Improvement to the hydrology, water quality, and
496 associated aquatic habitats within the Indian River Lagoon is
497 essential to the protection of the resource.

498 4. It is imperative for the state, local governments, and
499 agricultural and environmental communities to commit to
500 restoring and protecting the surface water resources of the
501 Indian River Lagoon, and a holistic approach to address these
502 issues must be developed and implemented immediately.

503 5. The expeditious implementation of the Banana River
504 Lagoon Basin Management Action Plan, Central Indian River Lagoon
505 Basin Management Action Plan, North Indian River Lagoon Basin
506 Management Action Plan, and Mosquito Lagoon Reasonable Assurance
507 Plan are necessary to improve the quality of water in the Indian
508 River Lagoon ecosystem and to provide a reasonable means of
509 achieving the total maximum daily load requirements and
510 achieving and maintaining compliance with state water quality
511 standards.

512 6. The implementation of the programs contained in this
513 section will benefit the public health, safety, and welfare and
514 is in the public interest.

515 (b) The Legislature intends for this state to protect and
516 restore surface water resources and achieve and maintain
517 compliance with water quality standards in the Indian River
518 Lagoon through the phased, comprehensive, and innovative
519 protection program set forth in this section, including long-
520 term solutions based upon the total maximum daily loads
521 established in accordance with s. 403.067. This program is
522 watershed-based, provides for the consideration of all water

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523 quality issues needed to meet the total maximum daily load, and
524 includes research and monitoring, development and implementation
525 of best management practices, refinement of existing
526 regulations, and structural and nonstructural projects,
527 including public works. Best management practices for
528 agricultural discharges must reflect a balance between water
529 quality improvements and agricultural productivity.

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

531 (a) "Best management practice" means a practice or
532 combination of practices determined by the coordinating
533 agencies, based on research, field-testing, and expert review,
534 to be the most effective and practicable on-location means,
535 including economic and technological considerations, for
536 improving water quality in agricultural and urban discharges.

537 (b) "Enhanced nutrient-reducing onsite sewage treatment and
538 disposal system" means an onsite sewage treatment and disposal
539 system approved by the department as capable of meeting or
540 exceeding a 50 percent total nitrogen reduction before disposal
541 of wastewater in the drainfield, or at least 65 percent total
542 nitrogen reduction combined from onsite sewage tank or tanks and
543 drainfield.

544 (c) "Total maximum daily load" means the sum of the
545 individual wasteload allocations for point sources and the load
546 allocations for nonpoint sources and natural background adopted
547 pursuant to s. 403.067. Before determining individual wasteload
548 allocations and load allocations, the maximum amount of a
549 pollutant that a water body or water segment can assimilate from
550 all sources without exceeding water quality standards must first
551 be calculated.

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552 (3) THE INDIAN RIVER LAGOON PROTECTION PROGRAM.—The Indian
553 River Lagoon Protection Program consists of the Banana River
554 Lagoon Basin Management Action Plan, Central Indian River Lagoon
555 Basin Management Action Plan, North Indian River Lagoon Basin
556 Management Action Plan, and Mosquito Lagoon Reasonable Assurance
557 Plan, and such plans are the components of the Indian River
558 Lagoon Protection Program which achieve phosphorous and nitrogen
559 load reductions for the Indian River Lagoon.

560 (a) Evaluation.—Every 5 years, the department shall
561 evaluate and update the Banana River Lagoon Basin Management
562 Action Plan, Central Indian River Lagoon Basin Management Action
563 Plan, and North Indian River Lagoon Basin Management Action Plan
564 and identify any further load reductions necessary to achieve
565 compliance with the relevant total maximum daily loads
566 established pursuant to s. 403.067. As provided in s.
567 403.067(7)(a)6., such plans must include 5-year milestones for
568 implementation and water quality improvement and a water quality
569 monitoring component sufficient to evaluate whether reasonable
570 progress in pollutant load reductions is being achieved over
571 time.

572 (b) Water quality standards and total maximum daily loads.—
573 The department, in coordination with the St. Johns River Water
574 Management District, South Florida Water Management District,
575 local governments, the Indian River Lagoon National Estuary
576 Program, and other stakeholders, shall identify and prioritize
577 strategies and projects necessary to achieve water quality
578 standards within the Indian River Lagoon watershed and meet the
579 total maximum daily loads. Projects identified from this
580 evaluation must be incorporated into the Banana River Lagoon

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581 Basin Management Action Plan, Central Indian River Lagoon Basin
582 Management Action Plan, North Indian River Lagoon Basin
583 Management Action Plan, and Mosquito Lagoon Reasonable Assurance
584 Plan, as appropriate.

585 (c) Indian River Lagoon Watershed Research and Water
586 Quality Monitoring Program.—The department, in coordination with
587 the St. Johns River Water Management District, the South Florida
588 Water Management District, and the Indian River Lagoon National
589 Estuary Program, shall implement the Indian River Lagoon
590 Watershed Research and Water Quality Monitoring Program to
591 establish a comprehensive water quality monitoring network
592 throughout the Indian River Lagoon and fund research pertaining
593 to water quality, ecosystem restoration, and seagrass impacts
594 and restoration. The department shall use the results from the
595 program to prioritize projects and to make modifications to the
596 Banana River Lagoon Basin Management Action Plan, Central Indian
597 River Lagoon Basin Management Action Plan, North Indian River
598 Lagoon Basin Management Action Plan, and Mosquito Lagoon
599 Reasonable Assurance Plan, as appropriate.

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

601 1. Beginning on January 1, 2024, unless previously
602 permitted, the installation of new onsite sewage treatment and
603 disposal systems is prohibited within the Banana River Lagoon
604 Basin Management Action Plan, Central Indian River Lagoon Basin
605 Management Action Plan, North Indian River Lagoon Basin
606 Management Action Plan, and Mosquito Lagoon Reasonable Assurance
607 Plan areas where a publicly owned or investor-owned sewerage
608 system is available as defined in s. 381.0065(2) (a). For a new
609 development where central sewerage is not available, only

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610 enhanced nutrient-reducing onsite sewage treatment and disposal
611 systems or other wastewater treatment systems that achieve at
612 least 50 percent nutrient reduction compared to a standard
613 onsite sewage treatment and disposal system are authorized.

614 2. By July 1, 2030, any commercial or residential property
615 with an existing onsite sewage treatment and disposal system
616 located within the Banana River Lagoon Basin Management Action
617 Plan, Central Indian River Lagoon Basin Management Action Plan,
618 North Indian River Lagoon Basin Management Action Plan, and
619 Mosquito Lagoon Reasonable Assurance Plan areas must connect to
620 central sewer if available or upgrade to an enhanced nutrient-
621 reducing onsite sewage treatment and disposal system or other
622 wastewater treatment system that achieves at least 50 percent
623 nutrient reduction compared to a standard onsite sewage
624 treatment and disposal system.

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

628 (5) PRESERVATION OF AUTHORITY.—This section may not be
629 construed to restrict the authority otherwise granted to
630 agencies pursuant to this chapter and chapter 403, and this
631 section is supplemental to the authority granted to agencies
632 pursuant to this chapter and chapter 403.

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

637 Section 5. Subsection (1) of section 373.501, Florida
638 Statutes, is amended to read:

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639 373.501 Appropriation of funds to water management
640 districts.—

641 (1) The department shall transfer ~~may allocate~~ to the water
642 management districts, ~~from~~ funds appropriated to the districts
643 through the department in, such sums as ~~may be~~ deemed necessary
644 to defray the costs of the administrative, regulatory, and other
645 operational activities of the districts. The governing boards
646 shall submit annual budget requests for such purposes to the
647 department, and the department shall consider such budgets in
648 preparing its budget request for the Legislature. The districts
649 shall annually report to the department on the use of the funds.

650 Section 6. Present subsections (2) through (8) of section
651 373.802, Florida Statutes, are redesignated as subsections (3)
652 through (9), respectively, and a new subsection (2) is added to
653 that section, to read:

654 373.802 Definitions.—As used in this part, the term:

655 (2) “Enhanced nutrient-reducing onsite sewage treatment and
656 disposal system” means an onsite sewage treatment and disposal
657 system approved by the department as capable of meeting or
658 exceeding a 50 percent total nitrogen reduction before disposal
659 of wastewater in the drainfield, or at least 65 percent total
660 nitrogen reduction combined from onsite sewage tank or tanks and
661 drainfield.

662 Section 7. Subsections (2) and (3) of section 373.807,
663 Florida Statutes, are amended to read:

664 373.807 Protection of water quality in Outstanding Florida
665 Springs.—By July 1, 2016, the department shall initiate
666 assessment, pursuant to s. 403.067(3), of Outstanding Florida
667 Springs or spring systems for which an impairment determination

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668 has not been made under the numeric nutrient standards in effect
669 for spring vents. Assessments must be completed by July 1, 2018.

670 (2) By July 1, 2017, each local government, as defined in
671 s. 373.802(3) ~~s. 373.802(2)~~, that has not adopted an ordinance
672 pursuant to s. 403.9337, shall develop, enact, and implement an
673 ordinance pursuant to that section. It is the intent of the
674 Legislature that ordinances required to be adopted under this
675 subsection reflect the latest scientific information,
676 advancements, and technological improvements in the industry.

677 (3) As part of a basin management action plan that includes
678 an Outstanding Florida Spring, the department, relevant local
679 governments, and relevant local public and private wastewater
680 utilities shall develop an onsite sewage treatment and disposal
681 system remediation plan for a spring if the department
682 determines onsite sewage treatment and disposal systems within a
683 basin management action plan ~~priority focus area~~ contribute at
684 least 20 percent of nonpoint source nitrogen pollution or if the
685 department determines remediation is necessary to achieve the
686 total maximum daily load. The plan must ~~shall~~ identify cost-
687 effective and financially feasible projects necessary to reduce
688 the nutrient impacts from onsite sewage treatment and disposal
689 systems and shall be completed and adopted as part of the basin
690 management action plan no later than the first 5-year milestone
691 required by subparagraph (1)(b)8. The department is the lead
692 agency in coordinating the preparation of and the adoption of
693 the plan. The department shall:

694 (a) Collect and evaluate credible scientific information on
695 the effect of nutrients, particularly forms of nitrogen, on
696 springs and springs systems; and

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

700

701 In addition to the requirements in s. 403.067, the plan must
702 ~~shall~~ include options for repair, upgrade, replacement,
703 drainfield modification, addition of effective nitrogen reducing
704 features, connection to a central sewerage system, or other
705 action for an onsite sewage treatment and disposal system or
706 group of systems within a basin management action plan ~~priority~~
707 ~~focus area~~ that contribute at least 20 percent of nonpoint
708 source nitrogen pollution or if the department determines
709 remediation is necessary to achieve a total maximum daily load.
710 For these systems, the department shall include in the plan a
711 priority ranking for each system or group of systems that
712 requires remediation and shall award funds to implement the
713 remediation projects contingent on an appropriation in the
714 General Appropriations Act, which may include all or part of the
715 costs necessary for repair, upgrade, replacement, drainfield
716 modification, addition of effective nitrogen reducing features,
717 initial connection to a central sewerage system, or other
718 action. In awarding funds, the department may consider expected
719 nutrient reduction benefit per unit cost, size and scope of
720 project, relative local financial contribution to the project,
721 and the financial impact on property owners and the community.
722 The department may waive matching funding requirements for
723 proposed projects within an area designated as a rural area of
724 opportunity under s. 288.0656.

725 Section 8. Section 373.811, Florida Statutes, is amended to

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726 read:

727 373.811 Prohibited activities within a basin management
728 action plan ~~priority focus area~~.—The following activities are
729 prohibited within a basin management action plan ~~priority focus~~
730 ~~area~~ in effect for an Outstanding Florida Spring:

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

739 (2) New onsite sewage treatment and disposal systems where
740 connection to a publicly owned or investor-owned sewerage system
741 is available as defined in s. 381.0065(2)(a). On lots of 1 acre
742 or less, if a publicly owned or investor-owned sewerage system
743 is not available, only the installation of enhanced nutrient-
744 reducing onsite sewage treatment and disposal systems or other
745 wastewater treatment systems that achieve at least 50 percent
746 nutrient reduction compared to a standard onsite sewage
747 treatment and disposal system are authorized ~~on lots of less~~
748 ~~than 1 acre, if the addition of the specific systems conflicts~~
749 ~~with an onsite treatment and disposal system remediation plan~~
750 ~~incorporated into a basin management action plan in accordance~~
751 ~~with s. 373.807(3)~~.

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

753 (4) The land application of Class A or Class B domestic
754 wastewater biosolids not in accordance with a department

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755 approved nutrient management plan establishing the rate at which
756 all biosolids, soil amendments, and sources of nutrients at the
757 land application site can be applied to the land for crop
758 production while minimizing the amount of pollutants and
759 nutrients discharged to groundwater or waters of the state.

760 (5) New agriculture operations that do not implement best
761 management practices, measures necessary to achieve pollution
762 reduction levels established by the department, or groundwater
763 monitoring plans approved by a water management district or the
764 department.

765 Section 9. Present paragraphs (f) through (r) of subsection
766 (2) of section 381.0065, Florida Statutes, are redesignated as
767 paragraphs (g) through (s), respectively, a new paragraph (f) is
768 added to that subsection, and paragraph (n) of subsection (4) of
769 that section is amended, to read:

770 381.0065 Onsite sewage treatment and disposal systems;
771 regulation.—

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

774 (f) "Enhanced nutrient-reducing onsite sewage treatment and
775 disposal system" means an onsite sewage treatment and disposal
776 system approved by the department as capable of meeting or
777 exceeding a 50 percent total nitrogen reduction before disposal
778 of wastewater in the drainfield, or at least 65 percent total
779 nitrogen reduction combined from onsite sewage tank or tanks and
780 drainfield.

781 (4) PERMITS; INSTALLATION; CONDITIONS.—A person may not
782 construct, repair, modify, abandon, or operate an onsite sewage
783 treatment and disposal system without first obtaining a permit

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784 approved by the department. The department may issue permits to
785 carry out this section, except that the issuance of a permit for
786 work seaward of the coastal construction control line
787 established under s. 161.053 is ~~shall be~~ contingent upon receipt
788 of any required coastal construction control line permit from
789 the department. A construction permit is valid for 18 months
790 after the date of issuance and may be extended by the department
791 for one 90-day period under rules adopted by the department. A
792 repair permit is valid for 90 days after the date of issuance.
793 An operating permit must be obtained before the use of any
794 aerobic treatment unit or if the establishment generates
795 commercial waste. Buildings or establishments that use an
796 aerobic treatment unit or generate commercial waste shall be
797 inspected by the department at least annually to assure
798 compliance with the terms of the operating permit. The operating
799 permit for a commercial wastewater system is valid for 1 year
800 after the date of issuance and must be renewed annually. The
801 operating permit for an aerobic treatment unit is valid for 2
802 years after the date of issuance and must be renewed every 2
803 years. If all information pertaining to the siting, location,
804 and installation conditions or repair of an onsite sewage
805 treatment and disposal system remains the same, a construction
806 or repair permit for the onsite sewage treatment and disposal
807 system may be transferred to another person, if the transferee
808 files, within 60 days after the transfer of ownership, an
809 amended application providing all corrected information and
810 proof of ownership of the property. A fee is not associated with
811 the processing of this supplemental information. A person may
812 not contract to construct, modify, alter, repair, service,

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813 abandon, or maintain any portion of an onsite sewage treatment
814 and disposal system without being registered under part III of
815 chapter 489. A property owner who personally performs
816 construction, maintenance, or repairs to a system serving his or
817 her own owner-occupied single-family residence is exempt from
818 registration requirements for performing such construction,
819 maintenance, or repairs on that residence, but is subject to all
820 permitting requirements. A municipality or political subdivision
821 of the state may not issue a building or plumbing permit for any
822 building that requires the use of an onsite sewage treatment and
823 disposal system unless the owner or builder has received a
824 construction permit for such system from the department. A
825 building or structure may not be occupied and a municipality,
826 political subdivision, or any state or federal agency may not
827 authorize occupancy until the department approves the final
828 installation of the onsite sewage treatment and disposal system.
829 A municipality or political subdivision of the state may not
830 approve any change in occupancy or tenancy of a building that
831 uses an onsite sewage treatment and disposal system until the
832 department has reviewed the use of the system with the proposed
833 change, approved the change, and amended the operating permit.

834 (n) Evaluations for determining the seasonal high-water
835 table elevations or the suitability of soils for the use of a
836 new onsite sewage treatment and disposal system shall be
837 performed by department personnel, professional engineers
838 registered in the state, or such other persons with expertise,
839 as defined by rule, in making such evaluations. Evaluations for
840 determining mean annual flood lines shall be performed by those
841 persons identified in paragraph (2) (1) ~~(2) (k)~~. The department

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842 shall accept evaluations submitted by professional engineers and
843 such other persons as meet the expertise established by this
844 section or by rule unless the department has a reasonable
845 scientific basis for questioning the accuracy or completeness of
846 the evaluation.

847 Section 10. Subsection (3) is added to section 381.00655,
848 Florida Statutes, to read:

849 381.00655 Connection of existing onsite sewage treatment
850 and disposal systems to central sewerage system; requirements.—

851 (3) Local governmental agencies, as defined in s.
852 403.1835(2), that receive grants or loans from the department to
853 offset the cost of connecting onsite sewage treatment and
854 disposal systems to publicly owned or investor-owned sewerage
855 systems are encouraged to do all of the following while such
856 funds remain available:

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

861 (b) Maintain a publicly available website with information
862 relating to the availability of the grant or loan funds,
863 including the amount of funds available and information on how
864 the owner of an onsite sewage treatment and disposal system may
865 apply for such funds.

866 Section 11. Section 403.031, Florida Statutes, is reordered
867 and amended to read:

868 403.031 Definitions.—In construing this chapter, or rules
869 and regulations adopted pursuant hereto, the following words,
870 phrases, or terms, unless the context otherwise indicates, have

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871 the following meanings:

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

874 (2) "Department" means the Department of Environmental
875 Protection.

876 (3) "Effluent limitations" means any restriction
877 established by the department on quantities, rates, or
878 concentrations of chemical, physical, biological, or other
879 constituents which are discharged from sources into waters of
880 this ~~the~~ state.

881 (5) "Enhanced nutrient-reducing onsite sewage treatment and
882 disposal system" means an onsite sewage treatment and disposal
883 system approved by the department as capable of meeting or
884 exceeding a 50 percent total nitrogen reduction before disposal
885 of wastewater in the drainfield, or at least 65 percent total
886 nitrogen reduction combined from onsite sewage tank or tanks and
887 drainfield.

888 (6) ~~(4)~~ "Installation" means ~~is~~ any structure, equipment, or
889 facility, or appurtenances thereto, or operation which may emit
890 air or water contaminants in quantities prohibited by rules of
891 the department.

892 (7) "Nutrient or nutrient-related standards" means water
893 quality standards and criteria established for nitrogen,
894 phosphorous, chlorophyll-a, or dissolved oxygen when the
895 causative pollutant has been identified as nitrogen or
896 phosphorous.

897 (8) "Onsite sewage treatment and disposal system" means a
898 system that contains a standard subsurface, filled, or mound
899 drainfield system; an aerobic treatment unit; a graywater system

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900 tank; a laundry wastewater system tank; a septic tank; a grease
901 interceptor; a pump tank; a solids or effluent pump; a
902 waterless, incinerating, or organic waste-composting toilet; or
903 a sanitary pit privy that is installed or proposed to be
904 installed beyond the building sewer on land of the owner or on
905 other land to which the owner has the legal right to install a
906 system. The term includes any item placed within, or intended to
907 be used as a part of or in conjunction with, the system. The
908 term does not include package sewage treatment facilities and
909 other treatment works regulated under chapter 403.

910 (9)-(5) "Person" means the state or any agency or
911 institution thereof, the United States or any agency or
912 institution thereof, or any municipality, political subdivision,
913 public or private corporation, individual, partnership,
914 association, or other entity and includes any officer or
915 governing or managing body of the state, the United States, any
916 agency, any municipality, political subdivision, or public or
917 private corporation.

918 (10)-(6) "Plant" is any unit operation, complex, area, or
919 multiple of unit operations that produce, process, or cause to
920 be processed any materials, the processing of which can, or may,
921 cause air or water pollution.

922 (11)-(7) "Pollution" is the presence in the outdoor
923 atmosphere or waters of this ~~the~~ state of any substances,
924 contaminants, noise, or manmade or human-induced impairment of
925 air or waters or alteration of the chemical, physical,
926 biological, or radiological integrity of air or water in
927 quantities or at levels which are or may be potentially harmful
928 or injurious to human health or welfare, animal or plant life,

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929 or property or which unreasonably interfere with the enjoyment
930 of life or property, including outdoor recreation unless
931 authorized by applicable law.

932 (12)~~(8)~~ "Pollution prevention" means the steps taken by a
933 potential generator of contamination or pollution to eliminate
934 or reduce the contamination or pollution before it is discharged
935 into the environment. The term includes nonmandatory steps taken
936 to use alternative forms of energy, conserve or reduce the use
937 of energy, substitute nontoxic materials for toxic materials,
938 conserve or reduce the use of toxic materials and raw materials,
939 reformulate products, modify manufacturing or other processes,
940 improve in-plant maintenance and operations, implement
941 environmental planning before expanding a facility, and recycle
942 toxic or other raw materials.

943 (14)~~(9)~~ "Sewerage system" means pipelines or conduits,
944 pumping stations, and force mains and all other structures,
945 devices, appurtenances, and facilities used for collecting or
946 conducting wastes to an ultimate point for treatment or
947 disposal.

948 (15)~~(10)~~ "Source" means ~~is~~ any and all points of origin of
949 a contaminant ~~the item defined in subsection (1)~~, whether
950 privately or publicly owned or operated.

951 (21)~~(11)~~ "Treatment works" and "disposal systems" mean any
952 plant or other works used for the purpose of treating,
953 stabilizing, or holding wastes.

954 (22)~~(12)~~ "Wastes" means sewage, industrial wastes, and all
955 other liquid, gaseous, solid, radioactive, or other substances
956 which may pollute or tend to pollute any waters of this ~~the~~
957 state.

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958 (23)~~(13)~~ "Waters" include, but are not limited to, rivers,
959 lakes, streams, springs, impoundments, wetlands, and all other
960 waters or bodies of water, including fresh, brackish, saline,
961 tidal, surface, or underground waters. Waters owned entirely by
962 one person other than the state are included only in regard to
963 possible discharge on other property or water. Underground
964 waters include, but are not limited to, all underground waters
965 passing through pores of rock or soils or flowing through in
966 channels, whether manmade or natural. Solely for purposes of s.
967 403.0885, waters of the state also include navigable waters or
968 waters of the contiguous zone as used in s. 502 of the Clean
969 Water Act, as amended, 33 U.S.C. ss. 1251 et seq., as in
970 existence on January 1, 1993, except for those navigable waters
971 seaward of the boundaries of the state set forth in s. 1, Art.
972 II of the State Constitution. Solely for purposes of this
973 chapter, waters of this ~~the~~ state also include the area bounded
974 by the following:

975 (a) Commence at the intersection of State Road (SRD) 5
976 (U.S. 1) and the county line dividing Miami-Dade and Monroe
977 Counties, said point also being the mean high-water line of
978 Florida Bay, located in section 4, township 60 south, range 39
979 east of the Tallahassee Meridian for the point of beginning.
980 From said point of beginning, thence run northwesterly along
981 said SRD 5 to an intersection with the north line of section 18,
982 township 58 south, range 39 east; thence run westerly to a point
983 marking the southeast corner of section 12, township 58 south,
984 range 37 east, said point also lying on the east boundary of the
985 Everglades National Park; thence run north along the east
986 boundary of the aforementioned Everglades National Park to a

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987 point marking the northeast corner of section 1, township 58
988 south, range 37 east; thence run west along said park to a point
989 marking the northwest corner of said section 1; thence run
990 northerly along said park to a point marking the northwest
991 corner of section 24, township 57 south, range 37 east; thence
992 run westerly along the south lines of sections 14, 15, and 16 to
993 the southwest corner of section 16; thence leaving the
994 Everglades National Park boundary run northerly along the west
995 line of section 16 to the northwest corner of section 16; thence
996 east along the northerly line of section 16 to a point at the
997 intersection of the east one-half and west one-half of section
998 9; thence northerly along the line separating the east one-half
999 and the west one-half of sections 9, 4, 33, and 28; thence run
1000 easterly along the north line of section 28 to the northeast
1001 corner of section 28; thence run northerly along the west line
1002 of section 22 to the northwest corner of section 22; thence
1003 easterly along the north line of section 22 to a point at the
1004 intersection of the east one-half and west one-half of section
1005 15; thence run northerly along said line to the point of
1006 intersection with the north line of section 15; thence easterly
1007 along the north line of section 15 to the northeast corner of
1008 section 15; thence run northerly along the west lines of
1009 sections 11 and 2 to the northwest corner of section 2; thence
1010 run easterly along the north lines of sections 2 and 1 to the
1011 northeast corner of section 1, township 56 south, range 37 east;
1012 thence run north along the east line of section 36, township 55
1013 south, range 37 east to the northeast corner of section 36;
1014 thence run west along the north line of section 36 to the
1015 northwest corner of section 36; thence run north along the west

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1016 line of section 25 to the northwest corner of section 25; thence
 1017 run west along the north line of section 26 to the northwest
 1018 corner of section 26; thence run north along the west line of
 1019 section 23 to the northwest corner of section 23; thence run
 1020 easterly along the north line of section 23 to the northeast
 1021 corner of section 23; thence run north along the west line of
 1022 section 13 to the northwest corner of section 13; thence run
 1023 east along the north line of section 13 to a point of
 1024 intersection with the west line of the southeast one-quarter of
 1025 section 12; thence run north along the west line of the
 1026 southeast one-quarter of section 12 to the northwest corner of
 1027 the southeast one-quarter of section 12; thence run east along
 1028 the north line of the southeast one-quarter of section 12 to the
 1029 point of intersection with the east line of section 12; thence
 1030 run east along the south line of the northwest one-quarter of
 1031 section 7 to the southeast corner of the northwest one-quarter
 1032 of section 7; thence run north along the east line of the
 1033 northwest one-quarter of section 7 to the point of intersection
 1034 with the north line of section 7; thence run northerly along the
 1035 west line of the southeast one-quarter of section 6 to the
 1036 northwest corner of the southeast one-quarter of section 6;
 1037 thence run east along the north lines of the southeast one-
 1038 quarter of section 6 and the southwest one-quarter of section 5
 1039 to the northeast corner of the southwest one-quarter of section
 1040 5; thence run northerly along the east line of the northwest
 1041 one-quarter of section 5 to the point of intersection with the
 1042 north line of section 5; thence run northerly along the line
 1043 dividing the east one-half and the west one-half of Lot 5 to a
 1044 point intersecting the north line of Lot 5; thence run east

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1045 along the north line of Lot 5 to the northeast corner of Lot 5,
1046 township 54 1/2 south, range 38 east; thence run north along the
1047 west line of section 33, township 54 south, range 38 east to a
1048 point intersecting the northwest corner of the southwest one-
1049 quarter of section 33; thence run easterly along the north line
1050 of the southwest one-quarter of section 33 to the northeast
1051 corner of the southwest one-quarter of section 33; thence run
1052 north along the west line of the northeast one-quarter of
1053 section 33 to a point intersecting the north line of section 33;
1054 thence run easterly along the north line of section 33 to the
1055 northeast corner of section 33; thence run northerly along the
1056 west line of section 27 to a point intersecting the northwest
1057 corner of the southwest one-quarter of section 27; thence run
1058 easterly to the northeast corner of the southwest one-quarter of
1059 section 27; thence run northerly along the west line of the
1060 northeast one-quarter of section 27 to a point intersecting the
1061 north line of section 27; thence run west along the north line
1062 of section 27 to the northwest corner of section 27; thence run
1063 north along the west lines of sections 22 and 15 to the
1064 northwest corner of section 15; thence run easterly along the
1065 north lines of sections 15 and 14 to the point of intersection
1066 with the L-31N Levee, said intersection located near the
1067 southeast corner of section 11, township 54 south, range 38
1068 east; thence run northerly along Levee L-31N crossing SRD 90
1069 (U.S. 41 Tamiami Trail) to an intersection common to Levees L-
1070 31N, L-29, and L-30, said intersection located near the
1071 southeast corner of section 2, township 54 south, range 38 east;
1072 thence run northeasterly, northerly, and northeasterly along
1073 Levee L-30 to a point of intersection with the Miami-

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1074 Dade/Broward Levee, said intersection located near the northeast
1075 corner of section 17, township 52 south, range 39 east; thence
1076 run due east to a point of intersection with SRD 27 (Krome
1077 Ave.); thence run northeasterly along SRD 27 to an intersection
1078 with SRD 25 (U.S. 27), said intersection located in section 3,
1079 township 52 south, range 39 east; thence run northerly along
1080 said SRD 25, entering into Broward County, to an intersection
1081 with SRD 84 at Andytown; thence run southeasterly along the
1082 aforementioned SRD 84 to an intersection with the southwesterly
1083 prolongation of Levee L-35A, said intersection being located in
1084 the northeast one-quarter of section 5, township 50 south, range
1085 40 east; thence run northeasterly along Levee L-35A to an
1086 intersection of Levee L-36, said intersection located near the
1087 southeast corner of section 12, township 49 south, range 40
1088 east; thence run northerly along Levee L-36, entering into Palm
1089 Beach County, to an intersection common to said Levees L-36, L-
1090 39, and L-40, said intersection located near the west quarter
1091 corner of section 19, township 47 south, range 41 east; thence
1092 run northeasterly, easterly, and northerly along Levee L-40,
1093 said Levee L-40 being the easterly boundary of the Loxahatchee
1094 National Wildlife Refuge, to an intersection with SRD 80 (U.S.
1095 441), said intersection located near the southeast corner of
1096 section 32, township 43 south, range 40 east; thence run
1097 westerly along the aforementioned SRD 80 to a point marking the
1098 intersection of said road and the northeasterly prolongation of
1099 Levee L-7, said Levee L-7 being the westerly boundary of the
1100 Loxahatchee National Wildlife Refuge; thence run southwesterly
1101 and southerly along said Levee L-7 to an intersection common to
1102 Levees L-7, L-15 (Hillsborough Canal), and L-6; thence run

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1103 southwesterly along Levee L-6 to an intersection common to Levee
1104 L-6, SRD 25 (U.S. 27), and Levee L-5, said intersection being
1105 located near the northwest corner of section 27, township 47
1106 south, range 38 east; thence run westerly along the
1107 aforementioned Levee L-5 to a point intersecting the east line
1108 of range 36 east; thence run northerly along said range line to
1109 a point marking the northeast corner of section 1, township 47
1110 south, range 36 east; thence run westerly along the north line
1111 of township 47 south, to an intersection with Levee L-23/24
1112 (Miami Canal); thence run northwesterly along the Miami Canal
1113 Levee to a point intersecting the north line of section 22,
1114 township 46 south, range 35 east; thence run westerly to a point
1115 marking the northwest corner of section 21, township 46 south,
1116 range 35 east; thence run southerly to the southwest corner of
1117 said section 21; thence run westerly to a point marking the
1118 northwest corner of section 30, township 46 south, range 35
1119 east, said point also being on the line dividing Palm Beach and
1120 Hendry Counties; from said point, thence run southerly along
1121 said county line to a point marking the intersection of Broward,
1122 Hendry, and Collier Counties, said point also being the
1123 northeast corner of section 1, township 49 south, range 34 east;
1124 thence run westerly along the line dividing Hendry and Collier
1125 Counties and continuing along the prolongation thereof to a
1126 point marking the southwest corner of section 36, township 48
1127 south, range 29 east; thence run southerly to a point marking
1128 the southwest corner of section 12, township 49 south, range 29
1129 east; thence run westerly to a point marking the southwest
1130 corner of section 10, township 49 south, range 29 east; thence
1131 run southerly to a point marking the southwest corner of section

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1132 15, township 49 south, range 29 east; thence run westerly to a
1133 point marking the northwest corner of section 24, township 49
1134 south, range 28 east, said point lying on the west boundary of
1135 the Big Cypress Area of Critical State Concern as described in
1136 rule 28-25.001, Florida Administrative Code; thence run
1137 southerly along said boundary crossing SRD 84 (Alligator Alley)
1138 to a point marking the southwest corner of section 24, township
1139 50 south, range 28 east; thence leaving the aforementioned west
1140 boundary of the Big Cypress Area of Critical State Concern run
1141 easterly to a point marking the northeast corner of section 25,
1142 township 50 south, range 28 east; thence run southerly along the
1143 east line of range 28 east to a point lying approximately 0.15
1144 miles south of the northeast corner of section 1, township 52
1145 south, range 28 east; thence run southwesterly 2.4 miles more or
1146 less to an intersection with SRD 90 (U.S. 41 Tamiami Trail),
1147 said intersection lying 1.1 miles more or less west of the east
1148 line of range 28 east; thence run northwesterly and westerly
1149 along SRD 90 to an intersection with the west line of section
1150 10, township 52 south, range 28 east; thence leaving SRD 90 run
1151 southerly to a point marking the southwest corner of section 15,
1152 township 52 south, range 28 east; thence run westerly crossing
1153 the Faka Union Canal 0.6 miles more or less to a point; thence
1154 run southerly and parallel to the Faka Union Canal to a point
1155 located on the mean high-water line of Faka Union Bay; thence
1156 run southeasterly along the mean high-water line of the various
1157 bays, rivers, inlets, and streams to the point of beginning.

1158 (b) The area bounded by the line described in paragraph (a)
1159 generally includes those waters to be known as waters of the
1160 state. The landward extent of these waters shall be determined

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1161 by the delineation methodology ratified in s. 373.4211. Any
1162 waters which are outside the general boundary line described in
1163 paragraph (a) but which are contiguous thereto by virtue of the
1164 presence of a wetland, watercourse, or other surface water, as
1165 determined by the delineation methodology ratified in s.
1166 373.4211, shall be a part of this water body. Any areas within
1167 the line described in paragraph (a) which are neither a wetland
1168 nor surface water, as determined by the delineation methodology
1169 ratified in s. 373.4211, shall be excluded therefrom. If the
1170 Florida Environmental Regulation Commission designates the
1171 waters within the boundaries an Outstanding Florida Water,
1172 waters outside the boundaries may ~~shall~~ not be included as part
1173 of such designation unless a hearing is held pursuant to notice
1174 in each appropriate county and the boundaries of such lands are
1175 specifically considered and described for such designation.

1176 (16) ~~(14)~~ "State water resource implementation rule" means
1177 the rule authorized by s. 373.036, which sets forth goals,
1178 objectives, and guidance for the development and review of
1179 programs, rules, and plans relating to water resources, based on
1180 statutory policies and directives. The waters of this ~~the~~ state
1181 are among its most basic resources. Such waters should be
1182 managed to conserve and protect water resources and to realize
1183 the full beneficial use of these resources.

1184 (17) ~~(15)~~ "Stormwater management program" means the
1185 institutional strategy for stormwater management, including
1186 urban, agricultural, and other stormwater.

1187 (18) ~~(16)~~ "Stormwater management system" means a system
1188 ~~which is~~ designed and constructed or implemented to control
1189 discharges that ~~which~~ are necessitated by rainfall events,

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1190 incorporating methods to collect, convey, store, absorb,
1191 inhibit, treat, use, or reuse water to prevent or reduce
1192 flooding, overdrainage, environmental degradation and water
1193 pollution or otherwise affect the quantity and quality of
1194 discharges from the system.

1195 (19)~~(17)~~ "Stormwater utility" means the funding of a
1196 stormwater management program by assessing the cost of the
1197 program to the beneficiaries based on their relative
1198 contribution to its need. It is operated as a typical utility
1199 which bills services regularly, similar to water and wastewater
1200 services.

1201 (24)~~(18)~~ "Watershed" means the land area that ~~which~~
1202 contributes to the flow of water into a receiving body of water.

1203 (13)~~(19)~~ "Regulated air pollutant" means any pollutant
1204 regulated under the federal Clean Air Act.

1205 (4)~~(20)~~ "Electrical power plant" means, for purposes of
1206 this part of this chapter, any electrical generating facility
1207 that uses any process or fuel and that is owned or operated by
1208 an electric utility, as defined in s. 403.503(14), and includes
1209 any associated facility that directly supports the operation of
1210 the electrical power plant.

1211 (20)~~(21)~~ "Total maximum daily load" is defined as the sum
1212 of the individual wasteload allocations for point sources and
1213 the load allocations for nonpoint sources and natural
1214 background. Prior to determining individual wasteload
1215 allocations and load allocations, the maximum amount of a
1216 pollutant that a water body or water segment can assimilate from
1217 all sources without exceeding water quality standards must first
1218 be calculated.

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1219 Section 12. Paragraphs (a) and (e) of subsection (7) of
1220 section 403.067, Florida Statutes, are amended to read:

1221 403.067 Establishment and implementation of total maximum
1222 daily loads.—

1223 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND
1224 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

1225 (a) *Basin management action plans.*—

1226 1. In developing and implementing the total maximum daily
1227 load for a water body, the department, or the department in
1228 conjunction with a water management district, may develop a
1229 basin management action plan that addresses some or all of the
1230 watersheds and basins tributary to the water body. Such plan
1231 must integrate the appropriate management strategies available
1232 to the state through existing water quality protection programs
1233 to achieve the total maximum daily loads and may provide for
1234 phased implementation of these management strategies to promote
1235 timely, cost-effective actions as provided for in s. 403.151.
1236 The plan must establish a schedule implementing the management
1237 strategies, establish a basis for evaluating the plan's
1238 effectiveness, and identify feasible funding strategies for
1239 implementing the plan's management strategies. The management
1240 strategies may include regional treatment systems or other
1241 public works, when appropriate, and voluntary trading of water
1242 quality credits to achieve the needed pollutant load reductions.

1243 2. A basin management action plan must equitably allocate,
1244 pursuant to paragraph (6) (b), pollutant reductions to individual
1245 basins, as a whole to all basins, or to each identified point
1246 source or category of nonpoint sources, as appropriate. For
1247 nonpoint sources for which best management practices have been

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1248 adopted, the initial requirement specified by the plan must be
1249 those practices developed pursuant to paragraph (c). When
1250 appropriate, the plan may take into account the benefits of
1251 pollutant load reduction achieved by point or nonpoint sources
1252 that have implemented management strategies to reduce pollutant
1253 loads, including best management practices, before the
1254 development of the basin management action plan. The plan must
1255 also identify the mechanisms that will address potential future
1256 increases in pollutant loading.

1257 3. The basin management action planning process is intended
1258 to involve the broadest possible range of interested parties,
1259 with the objective of encouraging the greatest amount of
1260 cooperation and consensus possible. In developing a basin
1261 management action plan, the department shall assure that key
1262 stakeholders, including, but not limited to, applicable local
1263 governments, water management districts, the Department of
1264 Agriculture and Consumer Services, other appropriate state
1265 agencies, local soil and water conservation districts,
1266 environmental groups, regulated interests, and affected
1267 pollution sources, are invited to participate in the process.
1268 The department shall hold at least one public meeting in the
1269 vicinity of the watershed or basin to discuss and receive
1270 comments during the planning process and shall otherwise
1271 encourage public participation to the greatest practicable
1272 extent. Notice of the public meeting must be published in a
1273 newspaper of general circulation in each county in which the
1274 watershed or basin lies at least 5 days, but not more than 15
1275 days, before the public meeting. A basin management action plan
1276 does not supplant or otherwise alter any assessment made under

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1277 subsection (3) or subsection (4) or any calculation or initial
1278 allocation.

1279 4. Each new or revised basin management action plan must
1280 ~~shall~~ include all of the following:

1281 a. The appropriate management strategies available through
1282 existing water quality protection programs to achieve total
1283 maximum daily loads, which may provide for phased implementation
1284 to promote timely, cost-effective actions as provided for in s.
1285 403.151.~~;~~

1286 b. A description of best management practices adopted by
1287 rule.~~;~~

1288 c. For the applicable 5-year implementation milestone, a
1289 list of projects that will achieve the pollutant load reductions
1290 needed to meet the total maximum daily load or the load
1291 allocations established pursuant to subsection (6). Each project
1292 must include a planning-level cost estimate and an estimated
1293 date of completion. ~~A list of projects in priority ranking with~~
1294 ~~a planning-level cost estimate and estimated date of completion~~
1295 ~~for each listed project;~~

1296 d. A list of projects developed pursuant to paragraph (e),
1297 if applicable.

1298 ~~e.d.~~ The source and amount of financial assistance to be
1299 made available by the department, a water management district,
1300 or other entity for each listed project, if applicable.~~;~~ ~~and~~

1301 ~~f.e.~~ A planning-level estimate of each listed project's
1302 expected load reduction, if applicable.

1303 5. The department shall adopt all or any part of a basin
1304 management action plan and any amendment to such plan by
1305 secretarial order pursuant to chapter 120 to implement this

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1306 section.

1307 6. The basin management action plan must include 5-year
1308 milestones for implementation and water quality improvement, and
1309 an associated water quality monitoring component sufficient to
1310 evaluate whether reasonable progress in pollutant load
1311 reductions is being achieved over time. An assessment of
1312 progress toward these milestones shall be conducted every 5
1313 years, and revisions to the plan shall be made as appropriate.
1314 Any entity with a specific pollutant load reduction requirement
1315 established in a basin management action plan shall identify the
1316 projects or strategies that such entity will undertake to meet
1317 current 5-year pollution reduction milestones, beginning with
1318 the first 5-year milestone for new basin management action
1319 plans, and submit such projects to the department for inclusion
1320 in the appropriate basin management action plan. Each project
1321 identified must include an estimated amount of nutrient
1322 reduction that is reasonably expected to be achieved based on
1323 the best scientific information available. Revisions to the
1324 basin management action plan shall be made by the department in
1325 cooperation with basin stakeholders. Revisions to the management
1326 strategies required for nonpoint sources must follow the
1327 procedures in subparagraph (c)4. Revised basin management action
1328 plans must be adopted pursuant to subparagraph 5.

1329 7. In accordance with procedures adopted by rule under
1330 paragraph (9)(c), basin management action plans, and other
1331 pollution control programs under local, state, or federal
1332 authority as provided in subsection (4), may allow point or
1333 nonpoint sources that will achieve greater pollutant reductions
1334 than required by an adopted total maximum daily load or

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1335 wasteload allocation to generate, register, and trade water
1336 quality credits for the excess reductions to enable other
1337 sources to achieve their allocation; however, the generation of
1338 water quality credits does not remove the obligation of a source
1339 or activity to meet applicable technology requirements or
1340 adopted best management practices. Such plans must allow trading
1341 between NPDES permittees, and trading that may or may not
1342 involve NPDES permittees, where the generation or use of the
1343 credits involve an entity or activity not subject to department
1344 water discharge permits whose owner voluntarily elects to obtain
1345 department authorization for the generation and sale of credits.

1346 8. The department's rule relating to the equitable
1347 abatement of pollutants into surface waters do not apply to
1348 water bodies or water body segments for which a basin management
1349 plan that takes into account future new or expanded activities
1350 or discharges has been adopted under this section.

1351 9. In order to promote resilient wastewater utilities, if
1352 the department identifies domestic wastewater treatment
1353 facilities or onsite sewage treatment and disposal systems as
1354 contributors of at least 20 percent of point source or nonpoint
1355 source nutrient pollution or if the department determines
1356 remediation is necessary to achieve the total maximum daily
1357 load, a basin management action plan for a nutrient total
1358 maximum daily load must include the following:

1359 a. A wastewater treatment plan developed by each local
1360 government, in cooperation with the department, the water
1361 management district, and the public and private domestic
1362 wastewater treatment facilities within the jurisdiction of the
1363 local government, that addresses domestic wastewater. The

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1364 wastewater treatment plan must:

1365 (I) Provide for construction, expansion, or upgrades
1366 necessary to achieve the total maximum daily load requirements
1367 applicable to the domestic wastewater treatment facility.

1368 (II) Include the permitted capacity in average annual
1369 gallons per day for the domestic wastewater treatment facility;
1370 the average nutrient concentration and the estimated average
1371 nutrient load of the domestic wastewater; a projected timeline
1372 of the dates by which the construction of any facility
1373 improvements will begin and be completed and the date by which
1374 operations of the improved facility will begin; the estimated
1375 cost of the improvements; and the identity of responsible
1376 parties.

1377
1378 The wastewater treatment plan must be adopted as part of the
1379 basin management action plan no later than July 1, 2025. A local
1380 government that does not have a domestic wastewater treatment
1381 facility in its jurisdiction is not required to develop a
1382 wastewater treatment plan unless there is a demonstrated need to
1383 establish a domestic wastewater treatment facility within its
1384 jurisdiction to improve water quality necessary to achieve a
1385 total maximum daily load. A local government is not responsible
1386 for a private domestic wastewater facility's compliance with a
1387 basin management action plan unless such facility is operated
1388 through a public-private partnership to which the local
1389 government is a party.

1390 b. An onsite sewage treatment and disposal system
1391 remediation plan developed by each local government in
1392 cooperation with the department, the Department of Health, water

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1393 management districts, and public and private domestic wastewater
1394 treatment facilities.

1395 (I) The onsite sewage treatment and disposal system
1396 remediation plan must identify cost-effective and financially
1397 feasible projects necessary to achieve the nutrient load
1398 reductions required for onsite sewage treatment and disposal
1399 systems. To identify cost-effective and financially feasible
1400 projects for remediation of onsite sewage treatment and disposal
1401 systems, the local government shall:

1402 (A) Include an inventory of onsite sewage treatment and
1403 disposal systems based on the best information available;

1404 (B) Identify onsite sewage treatment and disposal systems
1405 that would be eliminated through connection to existing or
1406 future central domestic wastewater infrastructure in the
1407 jurisdiction or domestic wastewater service area of the local
1408 government, that would be replaced with or upgraded to enhanced
1409 nutrient-reducing onsite sewage treatment and disposal systems,
1410 or that would remain on conventional onsite sewage treatment and
1411 disposal systems;

1412 (C) Estimate the costs of potential onsite sewage treatment
1413 and disposal system connections, upgrades, or replacements; and

1414 (D) Identify deadlines and interim milestones for the
1415 planning, design, and construction of projects.

1416 (II) The department shall adopt the onsite sewage treatment
1417 and disposal system remediation plan as part of the basin
1418 management action plan no later than July 1, 2025, or as
1419 required for Outstanding Florida Springs under s. 373.807.

1420 10. The installation of new onsite sewage treatment and
1421 disposal systems constructed within a basin management action

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1422 plan area adopted under this section, a reasonable assurance
1423 plan, or a pollution reduction plan is prohibited where
1424 connection to a publicly owned or investor-owned sewerage system
1425 is available as defined in s. 381.0065(2)(a). On lots of 1 acre
1426 or less within a basin management action plan adopted under this
1427 section, a reasonable assurance plan, or a pollution reduction
1428 plan where a publicly owned or investor-owned sewerage system is
1429 not available, the installation of enhanced nutrient-reducing
1430 onsite sewage treatment and disposal systems or other wastewater
1431 treatment systems that achieve at least 50 percent nutrient
1432 reduction compared to a standard onsite sewage treatment and
1433 disposal system is required.

1434 ~~11.10.~~ When identifying wastewater projects in a basin
1435 management action plan, the department may not require the
1436 higher cost option if it achieves the same nutrient load
1437 reduction as a lower cost option. A regulated entity may choose
1438 a different cost option if it complies with the pollutant
1439 reduction requirements of an adopted total maximum daily load
1440 and meets or exceeds the pollution reduction requirement of the
1441 original project.

1442 12. Annually, local governments subject to a basin
1443 management action plan or located within the basin of a water
1444 body not attaining nutrient or nutrient-related standards must
1445 provide to the department an update on the status of
1446 construction of sanitary sewers to serve such areas, in a manner
1447 prescribed by the department.

1448 (e) *Cooperative agricultural regional water quality*
1449 *improvement element.*—

1450 1. The department ~~and~~⁷ the Department of Agriculture and

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1451 Consumer Services, in cooperation with ~~and~~ owners of
1452 agricultural operations in the basin, shall develop a
1453 cooperative agricultural regional water quality improvement
1454 element as part of a basin management action plan where ~~only if:~~

1455 a. ~~Agricultural measures have been adopted by the~~
1456 ~~Department of Agriculture and Consumer Services pursuant to~~
1457 ~~subparagraph (c)2. and have been implemented and the water body~~
1458 ~~remains impaired;~~

1459 b. ~~Agricultural nonpoint sources contribute to at least 20~~
1460 ~~percent of nonpoint source nutrient discharges; or ~~and~~~~

1461 ~~b.e.~~ The department determines that additional measures, in
1462 combination with state-sponsored regional projects and other
1463 management strategies included in the basin management action
1464 plan, are necessary to achieve the total maximum daily load.

1465 2. The element will be implemented through the use of cost-
1466 sharing projects and. ~~The element must include a list of~~
1467 regional nutrient reduction projects submitted to the department
1468 by the Department of Agriculture and Consumer Services which
1469 will achieve the needed pollutant load reductions established
1470 for agricultural nonpoint sources ~~cost-effective and technically~~
1471 ~~and financially practical cooperative regional agricultural~~
1472 ~~nutrient reduction projects that can be implemented on private~~
1473 ~~properties on a site-specific, cooperative basis. Such~~
1474 cooperative regional agricultural nutrient reduction projects
1475 may include land acquisition in fee or conservation easements on
1476 the lands of willing sellers and site-specific water quality
1477 improvement or dispersed water management projects. The list of
1478 regional projects included in the cooperative agricultural
1479 regional water quality improvement element must include a cost

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1480 estimate of each project along with the estimated amount of
1481 nutrient reduction that such project will achieve ~~on the lands~~
1482 ~~of project participants.~~

1483 3. To qualify for participation in the cooperative
1484 agricultural regional water quality improvement element, the
1485 participant must have already implemented and be in compliance
1486 with best management practices or other measures adopted by the
1487 Department of Agriculture and Consumer Services pursuant to
1488 subparagraph (c)2. The element must ~~may~~ be included in the basin
1489 management action plan as a part of the next 5-year assessment
1490 under subparagraph (a)6.

1491 4. The department or the Department of Agriculture and
1492 Consumer Services may submit a legislative budget request to
1493 fund projects developed pursuant to this paragraph. In
1494 allocating funds for projects funded pursuant to this paragraph,
1495 the department shall provide at least 20 percent of its annual
1496 appropriation for projects in subbasins with the highest
1497 nutrient concentrations within a basin management action plan.
1498 Projects submitted pursuant to this paragraph are eligible for
1499 funding in accordance with s. 403.0673.

1500 Section 13. Section 403.0673, Florida Statutes, is amended
1501 to read:

1502 403.0673 Water quality improvement ~~Wastewater~~ grant
1503 program.—A ~~wastewater~~ grant program is established within the
1504 Department of Environmental Protection to address wastewater,
1505 stormwater, and agricultural sources of nutrient loading to
1506 surface water or groundwater.

1507 (1) The purpose of the grant program is to fund projects
1508 that will improve the quality of those waters located ~~Subject to~~

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1509 ~~the appropriation of funds by the Legislature, the department~~
1510 ~~may provide grants for the following projects~~ within a basin
1511 management action plan, a reasonable assurance plan ~~an~~
1512 ~~alternative restoration plan~~ adopted by final order, an accepted
1513 alternative restoration plan, ~~or~~ a rural area of opportunity
1514 under s. 288.0656, an area with an established total maximum
1515 daily load, or an area with a water body impaired for nutrient
1516 or nutrient-related standards.

1517 (2) The department may provide grants for all of the
1518 following types of projects:

1519 (a) Connecting onsite sewage treatment and disposal systems
1520 to central sewer facilities.

1521 (b) Upgrading domestic wastewater treatment facilities to
1522 advanced waste treatment or greater.

1523 (c) Repairing, upgrading, expanding, or constructing
1524 stormwater treatment facilities that result in improvements to
1525 surface water or groundwater quality.

1526 (d) Repairing, upgrading, expanding, or constructing
1527 domestic wastewater treatment facilities that result in
1528 improvements to surface water or groundwater quality, including
1529 domestic wastewater reuse and collection systems.

1530 (e) Projects identified pursuant to s. 403.067(7) (a) or
1531 (7) (e).

1532 (f) Projects identified in a wastewater treatment plan or
1533 an onsite sewage treatment and disposal system remediation plan
1534 developed pursuant to s. 403.067(7) (a) 9.a. and b.

1535 (g) Projects listed in a city or county capital improvement
1536 element pursuant to s. 163.3177(3) (a) 4.b.

1537 (h) Retrofitting onsite sewage treatment and disposal

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1538 ~~systems to upgrade such systems to enhanced nutrient-reducing~~
1539 ~~onsite sewage treatment and disposal systems where central~~
1540 ~~sewerage is unavailable which will individually or collectively~~
1541 ~~reduce excess nutrient pollution;~~

1542 ~~(a) Projects to retrofit onsite sewage treatment and~~
1543 ~~disposal systems to upgrade such systems to enhanced nutrient-~~
1544 ~~reducing onsite sewage treatment and disposal systems.~~

1545 ~~(b) Projects to construct, upgrade, or expand facilities to~~
1546 ~~provide advanced waste treatment, as defined in s. 403.086(4).~~

1547 ~~(c) Projects to connect onsite sewage treatment and~~
1548 ~~disposal systems to central sewer facilities.~~

1549 ~~(3)(2) In allocating such funds, priority must be given to~~
1550 ~~projects that subsidize the connection of onsite sewage~~
1551 ~~treatment and disposal systems to wastewater treatment~~
1552 ~~facilities. First priority must be given to subsidize the~~
1553 ~~connection of onsite sewage treatment and disposal systems to~~
1554 ~~existing infrastructure. Second priority must be given to any~~
1555 ~~expansion of a collection or transmission system that promotes~~
1556 ~~efficiency by planning the installation of wastewater~~
1557 ~~transmission facilities to be constructed concurrently with~~
1558 ~~other construction projects occurring within or along a~~
1559 ~~transportation facility right-of-way. Third priority must be~~
1560 ~~given to all other connections of onsite sewage treatment and~~
1561 ~~disposal systems to wastewater treatment facilities. The~~
1562 ~~department shall consider and prioritize those projects that~~
1563 ~~have the maximum estimated reduction in nutrient load per~~
1564 ~~project; demonstrate project readiness; are cost-effective,~~
1565 ~~including the percent cost-share identified by the applicant,~~
1566 ~~except for rural areas of opportunity; provide an the cost-~~

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1567 ~~effectiveness of the project; the overall environmental benefit,~~
1568 including any projected water savings associated with reclaimed
1569 water use; and are in of a project; the location where
1570 reductions are most needed of a project; the availability of
1571 local matching funds; and projected water savings or quantity
1572 improvements associated with a project.

1573 ~~(3) Each grant for a project described in subsection (1)~~
1574 ~~must require a minimum of a 50 percent local match of funds.~~
1575 ~~However, the department may, at its discretion, waive, in whole~~
1576 ~~or in part, this consideration of the local contribution for~~
1577 ~~proposed projects within an area designated as a rural area of~~
1578 ~~opportunity under s. 288.0656.~~

1579 (4) The department shall coordinate annually with each
1580 water management district, ~~as necessary,~~ to identify potential
1581 projects grant recipients in each district.

1582 (5) The department shall coordinate with local governments
1583 and stakeholders to identify the most effective and beneficial
1584 water quality improvement projects.

1585 (6) Beginning January 1, 2024 ~~2021~~, and each January 1
1586 thereafter, the department shall submit a report regarding the
1587 projects funded pursuant to this section to the Governor, the
1588 President of the Senate, and the Speaker of the House of
1589 Representatives.

1590 Section 14. Paragraph (c) of subsection (1) of section
1591 403.086, Florida Statutes, is amended to read:

1592 403.086 Sewage disposal facilities; advanced and secondary
1593 waste treatment.-

1594 (1)

1595 (c)1. Notwithstanding this chapter or chapter 373, sewage

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1596 disposal facilities may not dispose of any wastes into the
1597 following waters without providing advanced waste treatment, as
1598 defined in subsection (4), as approved by the department or a
1599 more stringent treatment standard if the department determines
1600 the more stringent standard is necessary to achieve the total
1601 maximum daily load or applicable water quality criteria:

1602 a. Old Tampa Bay, Tampa Bay, Hillsborough Bay, Boca Ciega
1603 Bay, St. Joseph Sound, Clearwater Bay, Sarasota Bay, Little
1604 Sarasota Bay, Roberts Bay, Lemon Bay, Charlotte Harbor Bay,
1605 Biscayne Bay, or any river, stream, channel, canal, bay, bayou,
1606 sound, or other water tributary thereto.

1607 b. Beginning July 1, 2025, Indian River Lagoon, or ~~into~~ any
1608 river, stream, channel, canal, bay, bayou, sound, or other water
1609 tributary thereto.

1610 c. By January 1, 2033, water bodies that are currently
1611 impaired for nutrient or nutrient-related standards or that are
1612 subject to a nutrient or nutrient-related basin management
1613 action plan adopted pursuant to s. 403.067 or adopted reasonable
1614 assurance plan.

1615 2. For any water body impaired for nutrient or nutrient-
1616 related standards after July 1, 2023, or subject to a nutrient
1617 or nutrient-related basin management action plan adopted
1618 pursuant to s. 403.067 or adopted reasonable assurance plan
1619 after July 1, 2023, sewage disposal facilities are prohibited
1620 from disposing any wastes into such waters without providing
1621 advanced waste treatment, as defined in subsection (4), as
1622 approved by the department within 10 years after such
1623 determination or adoption, ~~without providing advanced waste~~
1624 treatment, as defined in subsection (4), approved by the

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1625 ~~department. This paragraph does not apply to facilities which~~
1626 ~~were permitted by February 1, 1987, and which discharge~~
1627 ~~secondary treated effluent, followed by water hyacinth~~
1628 ~~treatment, to tributaries of tributaries of the named waters; or~~
1629 ~~to facilities permitted to discharge to the nontidally~~
1630 ~~influenced portions of the Peace River.~~

1631 Section 15. Paragraph (h) of subsection (4) of section
1632 201.15, Florida Statutes, is amended to read:

1633 201.15 Distribution of taxes collected.—All taxes collected
1634 under this chapter are hereby pledged and shall be first made
1635 available to make payments when due on bonds issued pursuant to
1636 s. 215.618 or s. 215.619, or any other bonds authorized to be
1637 issued on a parity basis with such bonds. Such pledge and
1638 availability for the payment of these bonds shall have priority
1639 over any requirement for the payment of service charges or costs
1640 of collection and enforcement under this section. All taxes
1641 collected under this chapter, except taxes distributed to the
1642 Land Acquisition Trust Fund pursuant to subsections (1) and (2),
1643 are subject to the service charge imposed in s. 215.20(1).
1644 Before distribution pursuant to this section, the Department of
1645 Revenue shall deduct amounts necessary to pay the costs of the
1646 collection and enforcement of the tax levied by this chapter.
1647 The costs and service charge may not be levied against any
1648 portion of taxes pledged to debt service on bonds to the extent
1649 that the costs and service charge are required to pay any
1650 amounts relating to the bonds. All of the costs of the
1651 collection and enforcement of the tax levied by this chapter and
1652 the service charge shall be available and transferred to the
1653 extent necessary to pay debt service and any other amounts

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1654 payable with respect to bonds authorized before January 1, 2017,
1655 secured by revenues distributed pursuant to this section. All
1656 taxes remaining after deduction of costs shall be distributed as
1657 follows:

1658 (4) After the required distributions to the Land
1659 Acquisition Trust Fund pursuant to subsections (1) and (2) and
1660 deduction of the service charge imposed pursuant to s.
1661 215.20(1), the remainder shall be distributed as follows:

1662 (h) An amount equaling 5.4175 percent of the remainder
1663 shall be paid into the Water Protection and Sustainability
1664 Program Trust Fund to be used to fund water quality improvement
1665 ~~wastewater~~ grants as specified in s. 403.0673.

1666 Section 16. Paragraph (1) of subsection (3), paragraph (a)
1667 of subsection (5), and paragraph (i) of subsection (15) of
1668 section 259.105, Florida Statutes, are amended to read:

1669 259.105 The Florida Forever Act.—

1670 (3) Less the costs of issuing and the costs of funding
1671 reserve accounts and other costs associated with bonds, the
1672 proceeds of cash payments or bonds issued pursuant to this
1673 section shall be deposited into the Florida Forever Trust Fund
1674 created by s. 259.1051. The proceeds shall be distributed by the
1675 Department of Environmental Protection in the following manner:

1676 (1) For the purposes of paragraphs (e), (f), (g), and (h),
1677 the agencies that receive the funds shall develop their
1678 individual acquisition or restoration lists in accordance with
1679 specific criteria and numeric performance measures developed
1680 pursuant to s. 259.035(4). Proposed additions may be acquired if
1681 they are identified within the original project boundary, the
1682 management plan required pursuant to s. 253.034(5), or the

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1683 management prospectus required pursuant to s. 259.032(7)(b) ~~s.~~
1684 ~~259.032(7)(c)~~. Proposed additions not meeting the requirements
1685 of this paragraph shall be submitted to the council for
1686 approval. The council may only approve the proposed addition if
1687 it meets two or more of the following criteria: serves as a link
1688 or corridor to other publicly owned property; enhances the
1689 protection or management of the property; would add a desirable
1690 resource to the property; would create a more manageable
1691 boundary configuration; has a high resource value that otherwise
1692 would be unprotected; or can be acquired at less than fair
1693 market value.

1694 (5) (a) All lands acquired pursuant to this section shall be
1695 managed for multiple-use purposes, where compatible with the
1696 resource values of and management objectives for such lands. As
1697 used in this section, "multiple-use" includes, but is not
1698 limited to, outdoor recreational activities as described in ss.
1699 253.034 and 259.032(7)(a)2. ~~ss. 253.034 and 259.032(7)(b)~~, water
1700 resource development projects, sustainable forestry management,
1701 carbon sequestration, carbon mitigation, or carbon offsets.

1702 (15) The council shall submit to the board, with its list
1703 of projects, a report that includes, but need not be limited to,
1704 the following information for each project listed:

1705 (i) A management policy statement for the project and a
1706 management prospectus pursuant to s. 259.032(7)(b) ~~s.~~
1707 ~~259.032(7)(c)~~.

1708 Section 17. Subsection (17) of section 373.019, Florida
1709 Statutes, is amended to read:

1710 373.019 Definitions.—When appearing in this chapter or in
1711 any rule, regulation, or order adopted pursuant thereto, the

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1712 term:

1713 (17) "Reclaimed water" means water that has received at
1714 least secondary treatment and basic disinfection and is reused
1715 after flowing out of a domestic wastewater treatment facility.
1716 Reclaimed water is not subject to regulation pursuant to s.
1717 373.175 or part II of this chapter until it has been discharged
1718 into waters as defined in s. 403.031 ~~s. 403.031(13)~~.

1719 Section 18. Section 373.4132, Florida Statutes, is amended
1720 to read:

1721 373.4132 Dry storage facility permitting.—The governing
1722 board or the department shall require a permit under this part,
1723 including s. 373.4145, for the construction, alteration,
1724 operation, maintenance, abandonment, or removal of a dry storage
1725 facility for 10 or more vessels that is functionally associated
1726 with a boat launching area. As part of an applicant's
1727 demonstration that such a facility will not be harmful to the
1728 water resources and will not be inconsistent with the overall
1729 objectives of the district, the governing board or department
1730 shall require the applicant to provide reasonable assurance that
1731 the secondary impacts from the facility will not cause adverse
1732 impacts to the functions of wetlands and surface waters,
1733 including violations of state water quality standards applicable
1734 to waters as defined in s. 403.031 ~~s. 403.031(13)~~, and will meet
1735 the public interest test of s. 373.414(1)(a), including the
1736 potential adverse impacts to manatees. Nothing in this section
1737 shall affect the authority of the governing board or the
1738 department to regulate such secondary impacts under this part
1739 for other regulated activities.

1740 Section 19. Subsection (1) of section 373.414, Florida

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1741 Statutes, is amended to read:

1742 373.414 Additional criteria for activities in surface
1743 waters and wetlands.—

1744 (1) As part of an applicant's demonstration that an
1745 activity regulated under this part will not be harmful to the
1746 water resources or will not be inconsistent with the overall
1747 objectives of the district, the governing board or the
1748 department shall require the applicant to provide reasonable
1749 assurance that state water quality standards applicable to
1750 waters as defined in s. 403.031 ~~s. 403.031(13)~~ will not be
1751 violated and reasonable assurance that such activity in, on, or
1752 over surface waters or wetlands, as delineated in s. 373.421(1),
1753 is not contrary to the public interest. However, if such an
1754 activity significantly degrades or is within an Outstanding
1755 Florida Water, as provided by department rule, the applicant
1756 must provide reasonable assurance that the proposed activity
1757 will be clearly in the public interest.

1758 (a) In determining whether an activity, which is in, on, or
1759 over surface waters or wetlands, as delineated in s. 373.421(1),
1760 and is regulated under this part, is not contrary to the public
1761 interest or is clearly in the public interest, the governing
1762 board or the department shall consider and balance the following
1763 criteria:

1764 1. Whether the activity will adversely affect the public
1765 health, safety, or welfare or the property of others;

1766 2. Whether the activity will adversely affect the
1767 conservation of fish and wildlife, including endangered or
1768 threatened species, or their habitats;

1769 3. Whether the activity will adversely affect navigation or

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1770 the flow of water or cause harmful erosion or shoaling;

1771 4. Whether the activity will adversely affect the fishing
1772 or recreational values or marine productivity in the vicinity of
1773 the activity;

1774 5. Whether the activity will be of a temporary or permanent
1775 nature;

1776 6. Whether the activity will adversely affect or will
1777 enhance significant historical and archaeological resources
1778 under the provisions of s. 267.061; and

1779 7. The current condition and relative value of functions
1780 being performed by areas affected by the proposed activity.

1781 (b) If the applicant is unable to otherwise meet the
1782 criteria set forth in this subsection, the governing board or
1783 the department, in deciding to grant or deny a permit, must
1784 ~~shall~~ consider measures proposed by or acceptable to the
1785 applicant to mitigate adverse effects that may be caused by the
1786 regulated activity. Such measures may include, but are not
1787 limited to, onsite mitigation, offsite mitigation, offsite
1788 regional mitigation, and the purchase of mitigation credits from
1789 mitigation banks permitted under s. 373.4136. It is ~~shall be~~ the
1790 responsibility of the applicant to choose the form of
1791 mitigation. The mitigation must offset the adverse effects
1792 caused by the regulated activity.

1793 1. The department or water management districts may accept
1794 the donation of money as mitigation only where the donation is
1795 specified for use in a duly noticed environmental creation,
1796 preservation, enhancement, or restoration project, endorsed by
1797 the department or the governing board of the water management
1798 district, which offsets the impacts of the activity permitted

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1799 under this part. However, ~~the provisions of~~ this subsection does
1800 ~~shall~~ not apply to projects undertaken pursuant to s. 373.4137
1801 or chapter 378. Where a permit is required under this part to
1802 implement any project endorsed by the department or a water
1803 management district, all necessary permits must have been issued
1804 prior to the acceptance of any cash donation. After the
1805 effective date of this act, when money is donated to either the
1806 department or a water management district to offset impacts
1807 authorized by a permit under this part, the department or the
1808 water management district shall accept only a donation that
1809 represents the full cost to the department or water management
1810 district of undertaking the project that is intended to mitigate
1811 the adverse impacts. The full cost shall include all direct and
1812 indirect costs, as applicable, such as those for land
1813 acquisition, land restoration or enhancement, perpetual land
1814 management, and general overhead consisting of costs such as
1815 staff time, building, and vehicles. The department or the water
1816 management district may use a multiplier or percentage to add to
1817 other direct or indirect costs to estimate general overhead.
1818 Mitigation credit for such a donation may ~~shall~~ be given only to
1819 the extent that the donation covers the full cost to the agency
1820 of undertaking the project ~~that is~~ intended to mitigate the
1821 adverse impacts. However, nothing herein may ~~shall~~ be construed
1822 to prevent the department or a water management district from
1823 accepting a donation representing a portion of a larger project,
1824 provided that the donation covers the full cost of that portion
1825 and mitigation credit is given only for that portion. The
1826 department or water management district may deviate from the
1827 full cost requirements of this subparagraph to resolve a

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1828 proceeding brought pursuant to chapter 70 or a claim for inverse
1829 condemnation. Nothing in this section may ~~shall~~ be construed to
1830 require the owner of a private mitigation bank, permitted under
1831 s. 373.4136, to include the full cost of a mitigation credit in
1832 the price of the credit to a purchaser of said credit.

1833 2. The department and each water management district shall
1834 report by March 1 of each year, as part of the consolidated
1835 annual report required by s. 373.036(7), all cash donations
1836 accepted under subparagraph 1. during the preceding water
1837 management district fiscal year for wetland mitigation purposes.
1838 The report must ~~shall~~ exclude those contributions pursuant to s.
1839 373.4137. The report must ~~shall~~ include a description of the
1840 endorsed mitigation projects and, except for projects governed
1841 by s. 373.4135(6), must ~~shall~~ address, as applicable, success
1842 criteria, project implementation status and timeframe,
1843 monitoring, long-term management, provisions for preservation,
1844 and full cost accounting.

1845 3. If the applicant is unable to meet water quality
1846 standards because existing ambient water quality does not meet
1847 standards, the governing board or the department must ~~shall~~
1848 consider mitigation measures proposed by or acceptable to the
1849 applicant that cause net improvement of the water quality in the
1850 receiving body of water for those parameters which do not meet
1851 standards.

1852 4. If mitigation requirements imposed by a local government
1853 for surface water and wetland impacts of an activity regulated
1854 under this part cannot be reconciled with mitigation
1855 requirements approved under a permit for the same activity
1856 issued under this part, including application of the uniform

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1857 wetland mitigation assessment method adopted pursuant to
1858 subsection (18), the mitigation requirements for surface water
1859 and wetland impacts are ~~shall be~~ controlled by the permit issued
1860 under this part.

1861 (c) Where activities for a single project regulated under
1862 this part occur in more than one local government jurisdiction,
1863 and where permit conditions or regulatory requirements are
1864 imposed by a local government for these activities which cannot
1865 be reconciled with those imposed by a permit under this part for
1866 the same activities, the permit conditions or regulatory
1867 requirements are ~~shall be~~ controlled by the permit issued under
1868 this part.

1869 Section 20. Section 373.4142, Florida Statutes, is amended
1870 to read:

1871 373.4142 Water quality within stormwater treatment
1872 systems.—State surface water quality standards applicable to
1873 waters of this ~~the~~ state, as defined in s. 403.031 ~~s.~~
1874 ~~403.031(13)~~, do ~~shall~~ not apply within a stormwater management
1875 system which is designed, constructed, operated, and maintained
1876 for stormwater treatment in accordance with a valid permit or
1877 noticed exemption issued pursuant to chapter 62-25, Florida
1878 Administrative Code; a valid permit or exemption under s.
1879 373.4145 within the Northwest Florida Water Management District;
1880 a valid permit issued on or subsequent to April 1, 1986, within
1881 the Suwannee River Water Management District or the St. Johns
1882 River Water Management District pursuant to this part; a valid
1883 permit issued on or subsequent to March 1, 1988, within the
1884 Southwest Florida Water Management District pursuant to this
1885 part; or a valid permit issued on or subsequent to January 6,

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1886 1982, within the South Florida Water Management District
1887 pursuant to this part. Such inapplicability of state water
1888 quality standards shall be limited to that part of the
1889 stormwater management system located upstream of a manmade water
1890 control structure permitted, or approved under a noticed
1891 exemption, to retain or detain stormwater runoff in order to
1892 provide treatment of the stormwater. The additional use of such
1893 a stormwater management system for flood attenuation or
1894 irrigation does ~~shall~~ not divest the system of the benefits of
1895 this exemption. This section does ~~shall~~ not affect the authority
1896 of the department and water management districts to require
1897 reasonable assurance that the water quality within such
1898 stormwater management systems will not adversely impact public
1899 health, fish and wildlife, or adjacent waters.

1900 Section 21. Paragraph (a) of subsection (1) of section
1901 373.430, Florida Statutes, is amended to read:

1902 373.430 Prohibitions, violation, penalty, intent.—

1903 (1) It shall be a violation of this part, and it shall be
1904 prohibited for any person:

1905 (a) To cause pollution, as defined in s. 403.031 ~~s.~~
1906 ~~403.031(7)~~, except as otherwise provided in this part, so as to
1907 harm or injure human health or welfare, animal, plant, or
1908 aquatic life or property.

1909 Section 22. Paragraph (n) of subsection (2) of section
1910 373.4592, Florida Statutes, is amended to read:

1911 373.4592 Everglades improvement and management.—

1912 (2) DEFINITIONS.—As used in this section:

1913 (n) "Stormwater management program" shall have the meaning
1914 set forth in s. 403.031 ~~s. 403.031(15)~~.

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1915 Section 23. Paragraph (c) of subsection (1) of section
1916 403.890, Florida Statutes, is amended to read:

1917 403.890 Water Protection and Sustainability Program.—

1918 (1) Revenues deposited into or appropriated to the Water
1919 Protection and Sustainability Program Trust Fund shall be
1920 distributed by the Department of Environmental Protection for
1921 the following purposes:

1922 (c) The water quality improvement ~~wastewater~~ grant program
1923 as provided in s. 403.0673.

1924 Section 24. Paragraph (b) of subsection (1) of section
1925 403.892, Florida Statutes, is amended to read:

1926 403.892 Incentives for the use of graywater technologies.—

1927 (1) As used in this section, the term:

1928 (b) "Graywater" has the same meaning as in s. 381.0065(2)
1929 ~~s. 381.0065(2)(f)~~.

1930 Section 25. Paragraphs (c) and (d) of subsection (2) of
1931 section 403.9301, Florida Statutes, are amended to read:

1932 403.9301 Wastewater services projections.—

1933 (2) As used in this section, the term:

1934 (c) "Treatment works" has the same meaning as provided in
1935 s. 403.031 ~~s. 403.031(11)~~.

1936 (d) "Wastewater services" means service to a sewerage
1937 system, as defined in s. 403.031 ~~s. 403.031(9)~~, or service to
1938 domestic wastewater treatment works.

1939 Section 26. Paragraphs (b) and (c) of subsection (2) of
1940 section 403.9302, Florida Statutes, are amended to read:

1941 403.9302 Stormwater management projections.—

1942 (2) As used in this section, the term:

1943 (b) "Stormwater management program" has the same meaning as

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1944 provided in s. 403.031 ~~s. 403.031(15)~~.

1945 (c) "Stormwater management system" has the same meaning as
1946 provided in s. 403.031 ~~s. 403.031(16)~~.

1947 Section 27. For the purpose of incorporating the amendment
1948 made by this act to section 259.032, Florida Statutes, in a
1949 reference thereto, subsection (6) of section 259.045, Florida
1950 Statutes, is reenacted to read:

1951 259.045 Purchase of lands in areas of critical state
1952 concern; recommendations by department and land authorities.—
1953 Within 45 days after the Administration Commission designates an
1954 area as an area of critical state concern under s. 380.05, and
1955 annually thereafter, the Department of Environmental Protection
1956 shall consider the recommendations of the state land planning
1957 agency pursuant to s. 380.05(1)(a) relating to purchase of lands
1958 within an area of critical state concern or lands outside an
1959 area of critical state concern that directly impact an area of
1960 critical state concern, which may include lands used to preserve
1961 and protect water supply, and shall make recommendations to the
1962 board with respect to the purchase of the fee or any lesser
1963 interest in any such lands that are:

1964 (6) Lands used to prevent or satisfy private property
1965 rights claims resulting from limitations imposed by the
1966 designation of an area of critical state concern if the
1967 acquisition of such lands fulfills a public purpose listed in s.
1968 259.032(2) or if the parcel is wholly or partially, at the time
1969 of acquisition, on one of the board's approved acquisition lists
1970 established pursuant to this chapter. For the purposes of this
1971 subsection, if a parcel is estimated to be worth \$500,000 or
1972 less and the director of the Division of State Lands finds that

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1973 the cost of an outside appraisal is not justified, a comparable
1974 sales analysis, an appraisal prepared by the Division of State
1975 Lands, or other reasonably prudent procedures may be used by the
1976 Division of State Lands to estimate the value of the parcel,
1977 provided the public's interest is reasonably protected.

1978
1979 The department, a local government, a special district, or a
1980 land authority within an area of critical state concern may make
1981 recommendations with respect to additional purchases which were
1982 not included in the state land planning agency recommendations.

1983 Section 28. The Legislature determines and declares that
1984 this act fulfills an important state interest.

1985 Section 29. This act shall take effect July 1, 2023.