

**By** the Committee on Environment and Natural Resources; and  
Senator Brodeur

592-02770-23

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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 disposal 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, whether built or  
184 unbuilt, with more than one onsite sewage treatment and disposal  
185 system per 1 acre, the element must include a plan to provide  
186 sanitary sewer services within a 10-year planning horizon. An  
187 onsite sewage treatment and disposal system is presumed to exist  
188 on a 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.

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

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

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

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

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552 be calculated.

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

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

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

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581 evaluation must be incorporated into the Banana River Lagoon  
582 Basin Management Action Plan, Central Indian River Lagoon Basin  
583 Management Action Plan, North Indian River Lagoon Basin  
584 Management Action Plan, and Mosquito Lagoon Reasonable Assurance  
585 Plan, as appropriate.

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

601 (d) Onsite sewage treatment and disposal systems.—  
602 1. Beginning on January 1, 2024, unless previously  
603 permitted, the installation of new onsite sewage treatment and  
604 disposal systems is prohibited within the Banana River Lagoon  
605 Basin Management Action Plan, Central Indian River Lagoon Basin  
606 Management Action Plan, North Indian River Lagoon Basin  
607 Management Action Plan, and Mosquito Lagoon Reasonable Assurance  
608 Plan areas where a publicly owned or investor-owned sewerage  
609 system is available as defined in s. 381.0065(2) (a). Where

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610 central sewerage is not available, only enhanced nutrient-  
611 reducing onsite sewage treatment and disposal systems or other  
612 wastewater treatment systems that achieve at least 50 percent  
613 nutrient reduction compared to a standard onsite sewage  
614 treatment and disposal system are authorized.

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

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

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

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

638 Section 5. Subsection (1) of section 373.501, Florida

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639 Statutes, is amended to read:

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

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

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

655 373.802 Definitions.—As used in this part, the term:

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

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

665 373.807 Protection of water quality in Outstanding Florida  
666 Springs.—By July 1, 2016, the department shall initiate  
667 assessment, pursuant to s. 403.067(3), of Outstanding Florida

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

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

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

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



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697 springs and springs systems; and

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

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

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726 Section 8. Section 373.811, Florida Statutes, is amended to  
727 read:

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

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

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

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

754 (4) The land application of Class A or Class B domestic

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755 wastewater biosolids not in accordance with a department  
756 approved nutrient management plan establishing the rate at which  
757 all biosolids, soil amendments, and sources of nutrients at the  
758 land application site can be applied to the land for crop  
759 production while minimizing the amount of pollutants and  
760 nutrients discharged to groundwater or waters of the state.

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

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

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

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

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

782 (4) PERMITS; INSTALLATION; CONDITIONS.—A person may not  
783 construct, repair, modify, abandon, or operate an onsite sewage

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784 treatment and disposal system without first obtaining a permit  
785 approved by the department. The department may issue permits to  
786 carry out this section, except that the issuance of a permit for  
787 work seaward of the coastal construction control line  
788 established under s. 161.053 is ~~shall be~~ contingent upon receipt  
789 of any required coastal construction control line permit from  
790 the department. A construction permit is valid for 18 months  
791 after the date of issuance and may be extended by the department  
792 for one 90-day period under rules adopted by the department. A  
793 repair permit is valid for 90 days after the date of issuance.  
794 An operating permit must be obtained before the use of any  
795 aerobic treatment unit or if the establishment generates  
796 commercial waste. Buildings or establishments that use an  
797 aerobic treatment unit or generate commercial waste shall be  
798 inspected by the department at least annually to assure  
799 compliance with the terms of the operating permit. The operating  
800 permit for a commercial wastewater system is valid for 1 year  
801 after the date of issuance and must be renewed annually. The  
802 operating permit for an aerobic treatment unit is valid for 2  
803 years after the date of issuance and must be renewed every 2  
804 years. If all information pertaining to the siting, location,  
805 and installation conditions or repair of an onsite sewage  
806 treatment and disposal system remains the same, a construction  
807 or repair permit for the onsite sewage treatment and disposal  
808 system may be transferred to another person, if the transferee  
809 files, within 60 days after the transfer of ownership, an  
810 amended application providing all corrected information and  
811 proof of ownership of the property. A fee is not associated with  
812 the processing of this supplemental information. A person may

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

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

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842 persons identified in paragraph (2) (1) ~~(2) (k)~~. The department  
843 shall accept evaluations submitted by professional engineers and  
844 such other persons as meet the expertise established by this  
845 section or by rule unless the department has a reasonable  
846 scientific basis for questioning the accuracy or completeness of  
847 the evaluation.

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

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

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

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

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

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

869 403.031 Definitions.—In construing this chapter, or rules  
870 and regulations adopted pursuant hereto, the following words,

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871 phrases, or terms, unless the context otherwise indicates, have  
872 the following meanings:

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

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

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

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

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

893 (7) "Nutrient or nutrient-related standards" means water  
894 quality standards and criteria established for total nitrogen  
895 and total phosphorous, or their organic or inorganic forms;  
896 biological variables, such as chlorophyll-a, biomass, or the  
897 structure of the phytoplankton, periphyton, or vascular plant  
898 community, that respond to nutrient load or concentration in a  
899 predictable and measurable manner; or dissolved oxygen if it is

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900 demonstrated for the waterbody that dissolved oxygen conditions  
901 result in a biological imbalance and the dissolved oxygen  
902 responds to a nutrient load or concentration in a predictable  
903 and measurable manner.

904 (8) "Onsite sewage treatment and disposal system" means a  
905 system that contains a standard subsurface, filled, or mound  
906 drainfield system; an aerobic treatment unit; a graywater system  
907 tank; a laundry wastewater system tank; a septic tank; a grease  
908 interceptor; a pump tank; a solids or effluent pump; a  
909 waterless, incinerating, or organic waste-composting toilet; or  
910 a sanitary pit privy that is installed or proposed to be  
911 installed beyond the building sewer on land of the owner or on  
912 other land to which the owner has the legal right to install a  
913 system. The term includes any item placed within, or intended to  
914 be used as a part of or in conjunction with, the system. The  
915 term does not include package sewage treatment facilities and  
916 other treatment works regulated under chapter 403.

917 (9)~~(5)~~ "Person" means the state or any agency or  
918 institution thereof, the United States or any agency or  
919 institution thereof, or any municipality, political subdivision,  
920 public or private corporation, individual, partnership,  
921 association, or other entity and includes any officer or  
922 governing or managing body of the state, the United States, any  
923 agency, any municipality, political subdivision, or public or  
924 private corporation.

925 (10)~~(6)~~ "Plant" is any unit operation, complex, area, or  
926 multiple of unit operations that produce, process, or cause to  
927 be processed any materials, the processing of which can, or may,  
928 cause air or water pollution.



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929        (11)~~(7)~~ "Pollution" is the presence in the outdoor  
930 atmosphere or waters of the state of any substances,  
931 contaminants, noise, or manmade or human-induced impairment of  
932 air or waters or alteration of the chemical, physical,  
933 biological, or radiological integrity of air or water in  
934 quantities or at levels which are or may be potentially harmful  
935 or injurious to human health or welfare, animal or plant life,  
936 or property or which unreasonably interfere with the enjoyment  
937 of life or property, including outdoor recreation unless  
938 authorized by applicable law.

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

950        (14)~~(9)~~ "Sewerage system" means pipelines or conduits,  
951 pumping stations, and force mains and all other structures,  
952 devices, appurtenances, and facilities used for collecting or  
953 conducting wastes to an ultimate point for treatment or  
954 disposal.

955        (15)~~(10)~~ "Source" means ~~is~~ any and all points of origin of  
956 a contaminant ~~the item defined in subsection (1)~~, whether  
957 privately or publicly owned or operated.

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958        (21)~~(11)~~ "Treatment works" and "disposal systems" mean any  
959 plant or other works used for the purpose of treating,  
960 stabilizing, or holding wastes.

961        (22)~~(12)~~ "Wastes" means sewage, industrial wastes, and all  
962 other liquid, gaseous, solid, radioactive, or other substances  
963 which may pollute or tend to pollute any waters of the state.

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

981        (a) Commence at the intersection of State Road (SRD) 5  
982 (U.S. 1) and the county line dividing Miami-Dade and Monroe  
983 Counties, said point also being the mean high-water line of  
984 Florida Bay, located in section 4, township 60 south, range 39  
985 east of the Tallahassee Meridian for the point of beginning.  
986 From said point of beginning, thence run northwesterly along

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987 said SRD 5 to an intersection with the north line of section 18,  
988 township 58 south, range 39 east; thence run westerly to a point  
989 marking the southeast corner of section 12, township 58 south,  
990 range 37 east, said point also lying on the east boundary of the  
991 Everglades National Park; thence run north along the east  
992 boundary of the aforementioned Everglades National Park to a  
993 point marking the northeast corner of section 1, township 58  
994 south, range 37 east; thence run west along said park to a point  
995 marking the northwest corner of said section 1; thence run  
996 northerly along said park to a point marking the northwest  
997 corner of section 24, township 57 south, range 37 east; thence  
998 run westerly along the south lines of sections 14, 15, and 16 to  
999 the southwest corner of section 16; thence leaving the  
1000 Everglades National Park boundary run northerly along the west  
1001 line of section 16 to the northwest corner of section 16; thence  
1002 east along the northerly line of section 16 to a point at the  
1003 intersection of the east one-half and west one-half of section  
1004 9; thence northerly along the line separating the east one-half  
1005 and the west one-half of sections 9, 4, 33, and 28; thence run  
1006 easterly along the north line of section 28 to the northeast  
1007 corner of section 28; thence run northerly along the west line  
1008 of section 22 to the northwest corner of section 22; thence  
1009 easterly along the north line of section 22 to a point at the  
1010 intersection of the east one-half and west one-half of section  
1011 15; thence run northerly along said line to the point of  
1012 intersection with the north line of section 15; thence easterly  
1013 along the north line of section 15 to the northeast corner of  
1014 section 15; thence run northerly along the west lines of  
1015 sections 11 and 2 to the northwest corner of section 2; thence

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1016 run easterly along the north lines of sections 2 and 1 to the  
1017 northeast corner of section 1, township 56 south, range 37 east;  
1018 thence run north along the east line of section 36, township 55  
1019 south, range 37 east to the northeast corner of section 36;  
1020 thence run west along the north line of section 36 to the  
1021 northwest corner of section 36; thence run north along the west  
1022 line of section 25 to the northwest corner of section 25; thence  
1023 run west along the north line of section 26 to the northwest  
1024 corner of section 26; thence run north along the west line of  
1025 section 23 to the northwest corner of section 23; thence run  
1026 easterly along the north line of section 23 to the northeast  
1027 corner of section 23; thence run north along the west line of  
1028 section 13 to the northwest corner of section 13; thence run  
1029 east along the north line of section 13 to a point of  
1030 intersection with the west line of the southeast one-quarter of  
1031 section 12; thence run north along the west line of the  
1032 southeast one-quarter of section 12 to the northwest corner of  
1033 the southeast one-quarter of section 12; thence run east along  
1034 the north line of the southeast one-quarter of section 12 to the  
1035 point of intersection with the east line of section 12; thence  
1036 run east along the south line of the northwest one-quarter of  
1037 section 7 to the southeast corner of the northwest one-quarter  
1038 of section 7; thence run north along the east line of the  
1039 northwest one-quarter of section 7 to the point of intersection  
1040 with the north line of section 7; thence run northerly along the  
1041 west line of the southeast one-quarter of section 6 to the  
1042 northwest corner of the southeast one-quarter of section 6;  
1043 thence run east along the north lines of the southeast one-  
1044 quarter of section 6 and the southwest one-quarter of section 5

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

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1074 east; thence run northerly along Levee L-31N crossing SRD 90  
1075 (U.S. 41 Tamiami Trail) to an intersection common to Levees L-  
1076 31N, L-29, and L-30, said intersection located near the  
1077 southeast corner of section 2, township 54 south, range 38 east;  
1078 thence run northeasterly, northerly, and northeasterly along  
1079 Levee L-30 to a point of intersection with the Miami-  
1080 Dade/Broward Levee, said intersection located near the northeast  
1081 corner of section 17, township 52 south, range 39 east; thence  
1082 run due east to a point of intersection with SRD 27 (Krome  
1083 Ave.); thence run northeasterly along SRD 27 to an intersection  
1084 with SRD 25 (U.S. 27), said intersection located in section 3,  
1085 township 52 south, range 39 east; thence run northerly along  
1086 said SRD 25, entering into Broward County, to an intersection  
1087 with SRD 84 at Andytown; thence run southeasterly along the  
1088 aforementioned SRD 84 to an intersection with the southwesterly  
1089 prolongation of Levee L-35A, said intersection being located in  
1090 the northeast one-quarter of section 5, township 50 south, range  
1091 40 east; thence run northeasterly along Levee L-35A to an  
1092 intersection of Levee L-36, said intersection located near the  
1093 southeast corner of section 12, township 49 south, range 40  
1094 east; thence run northerly along Levee L-36, entering into Palm  
1095 Beach County, to an intersection common to said Levees L-36, L-  
1096 39, and L-40, said intersection located near the west quarter  
1097 corner of section 19, township 47 south, range 41 east; thence  
1098 run northeasterly, easterly, and northerly along Levee L-40,  
1099 said Levee L-40 being the easterly boundary of the Loxahatchee  
1100 National Wildlife Refuge, to an intersection with SRD 80 (U.S.  
1101 441), said intersection located near the southeast corner of  
1102 section 32, township 43 south, range 40 east; thence run

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1103 westerly along the aforementioned SRD 80 to a point marking the  
1104 intersection of said road and the northeasterly prolongation of  
1105 Levee L-7, said Levee L-7 being the westerly boundary of the  
1106 Loxahatchee National Wildlife Refuge; thence run southwesterly  
1107 and southerly along said Levee L-7 to an intersection common to  
1108 Levees L-7, L-15 (Hillsborough Canal), and L-6; thence run  
1109 southwesterly along Levee L-6 to an intersection common to Levee  
1110 L-6, SRD 25 (U.S. 27), and Levee L-5, said intersection being  
1111 located near the northwest corner of section 27, township 47  
1112 south, range 38 east; thence run westerly along the  
1113 aforementioned Levee L-5 to a point intersecting the east line  
1114 of range 36 east; thence run northerly along said range line to  
1115 a point marking the northeast corner of section 1, township 47  
1116 south, range 36 east; thence run westerly along the north line  
1117 of township 47 south, to an intersection with Levee L-23/24  
1118 (Miami Canal); thence run northwesterly along the Miami Canal  
1119 Levee to a point intersecting the north line of section 22,  
1120 township 46 south, range 35 east; thence run westerly to a point  
1121 marking the northwest corner of section 21, township 46 south,  
1122 range 35 east; thence run southerly to the southwest corner of  
1123 said section 21; thence run westerly to a point marking the  
1124 northwest corner of section 30, township 46 south, range 35  
1125 east, said point also being on the line dividing Palm Beach and  
1126 Hendry Counties; from said point, thence run southerly along  
1127 said county line to a point marking the intersection of Broward,  
1128 Hendry, and Collier Counties, said point also being the  
1129 northeast corner of section 1, township 49 south, range 34 east;  
1130 thence run westerly along the line dividing Hendry and Collier  
1131 Counties and continuing along the prolongation thereof to a

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1132 point marking the southwest corner of section 36, township 48  
1133 south, range 29 east; thence run southerly to a point marking  
1134 the southwest corner of section 12, township 49 south, range 29  
1135 east; thence run westerly to a point marking the southwest  
1136 corner of section 10, township 49 south, range 29 east; thence  
1137 run southerly to a point marking the southwest corner of section  
1138 15, township 49 south, range 29 east; thence run westerly to a  
1139 point marking the northwest corner of section 24, township 49  
1140 south, range 28 east, said point lying on the west boundary of  
1141 the Big Cypress Area of Critical State Concern as described in  
1142 rule 28-25.001, Florida Administrative Code; thence run  
1143 southerly along said boundary crossing SRD 84 (Alligator Alley)  
1144 to a point marking the southwest corner of section 24, township  
1145 50 south, range 28 east; thence leaving the aforementioned west  
1146 boundary of the Big Cypress Area of Critical State Concern run  
1147 easterly to a point marking the northeast corner of section 25,  
1148 township 50 south, range 28 east; thence run southerly along the  
1149 east line of range 28 east to a point lying approximately 0.15  
1150 miles south of the northeast corner of section 1, township 52  
1151 south, range 28 east; thence run southwesterly 2.4 miles more or  
1152 less to an intersection with SRD 90 (U.S. 41 Tamiami Trail),  
1153 said intersection lying 1.1 miles more or less west of the east  
1154 line of range 28 east; thence run northwesterly and westerly  
1155 along SRD 90 to an intersection with the west line of section  
1156 10, township 52 south, range 28 east; thence leaving SRD 90 run  
1157 southerly to a point marking the southwest corner of section 15,  
1158 township 52 south, range 28 east; thence run westerly crossing  
1159 the Faka Union Canal 0.6 miles more or less to a point; thence  
1160 run southerly and parallel to the Faka Union Canal to a point



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1161 located on the mean high-water line of Faka Union Bay; thence  
1162 run southeasterly along the mean high-water line of the various  
1163 bays, rivers, inlets, and streams to the point of beginning.

1164 (b) The area bounded by the line described in paragraph (a)  
1165 generally includes those waters to be known as waters of the  
1166 state. The landward extent of these waters shall be determined  
1167 by the delineation methodology ratified in s. 373.4211. Any  
1168 waters which are outside the general boundary line described in  
1169 paragraph (a) but which are contiguous thereto by virtue of the  
1170 presence of a wetland, watercourse, or other surface water, as  
1171 determined by the delineation methodology ratified in s.  
1172 373.4211, shall be a part of this waterbody ~~water body~~. Any  
1173 areas within the line described in paragraph (a) which are  
1174 neither a wetland nor surface water, as determined by the  
1175 delineation methodology ratified in s. 373.4211, shall be  
1176 excluded therefrom. If the Florida Environmental Regulation  
1177 Commission designates the waters within the boundaries an  
1178 Outstanding Florida Water, waters outside the boundaries may  
1179 ~~shall~~ not be included as part of such designation unless a  
1180 hearing is held pursuant to notice in each appropriate county  
1181 and the boundaries of such lands are specifically considered and  
1182 described for such designation.

1183 (16) ~~(14)~~ "State water resource implementation rule" means  
1184 the rule authorized by s. 373.036, which sets forth goals,  
1185 objectives, and guidance for the development and review of  
1186 programs, rules, and plans relating to water resources, based on  
1187 statutory policies and directives. The waters of the state are  
1188 among its most basic resources. Such waters should be managed to  
1189 conserve and protect water resources and to realize the full

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1190 beneficial use of these resources.

1191 (17)~~(15)~~ "Stormwater management program" means the  
1192 institutional strategy for stormwater management, including  
1193 urban, agricultural, and other stormwater.

1194 (18)~~(16)~~ "Stormwater management system" means a system  
1195 ~~which is~~ designed and constructed or implemented to control  
1196 discharges that ~~which~~ are necessitated by rainfall events,  
1197 incorporating methods to collect, convey, store, absorb,  
1198 inhibit, treat, use, or reuse water to prevent or reduce  
1199 flooding, overdrainage, environmental degradation and water  
1200 pollution or otherwise affect the quantity and quality of  
1201 discharges from the system.

1202 (19)~~(17)~~ "Stormwater utility" means the funding of a  
1203 stormwater management program by assessing the cost of the  
1204 program to the beneficiaries based on their relative  
1205 contribution to its need. It is operated as a typical utility  
1206 which bills services regularly, similar to water and wastewater  
1207 services.

1208 (24)~~(18)~~ "Watershed" means the land area that ~~which~~  
1209 contributes to the flow of water into a receiving body of water.

1210 (13)~~(19)~~ "Regulated air pollutant" means any pollutant  
1211 regulated under the federal Clean Air Act.

1212 (4)~~(20)~~ "Electrical power plant" means, for purposes of  
1213 this part of this chapter, any electrical generating facility  
1214 that uses any process or fuel and that is owned or operated by  
1215 an electric utility, as defined in s. 403.503(14), and includes  
1216 any associated facility that directly supports the operation of  
1217 the electrical power plant.

1218 (20)~~(21)~~ "Total maximum daily load" is defined as the sum

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1219 of the individual wasteload allocations for point sources and  
1220 the load allocations for nonpoint sources and natural  
1221 background. Prior to determining individual wasteload  
1222 allocations and load allocations, the maximum amount of a  
1223 pollutant that a waterbody ~~water body~~ or water segment can  
1224 assimilate from all sources without exceeding water quality  
1225 standards must first be calculated.

1226 Section 12. Paragraphs (a) and (e) of subsection (7) of  
1227 section 403.067, Florida Statutes, are amended to read:

1228 403.067 Establishment and implementation of total maximum  
1229 daily loads.—

1230 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND  
1231 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

1232 (a) *Basin management action plans.*—

1233 1. In developing and implementing the total maximum daily  
1234 load for a waterbody ~~water body~~, the department, or the  
1235 department in conjunction with a water management district, may  
1236 develop a basin management action plan that addresses some or  
1237 all of the watersheds and basins tributary to the waterbody  
1238 ~~water body~~. Such plan must integrate the appropriate management  
1239 strategies available to the state through existing water quality  
1240 protection programs to achieve the total maximum daily loads and  
1241 may provide for phased implementation of these management  
1242 strategies to promote timely, cost-effective actions as provided  
1243 for in s. 403.151. The plan must establish a schedule  
1244 implementing the management strategies, establish a basis for  
1245 evaluating the plan's effectiveness, and identify feasible  
1246 funding strategies for implementing the plan's management  
1247 strategies. The management strategies may include regional

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1248 treatment systems or other public works, when appropriate, and  
1249 voluntary trading of water quality credits to achieve the needed  
1250 pollutant load reductions.

1251 2. A basin management action plan must equitably allocate,  
1252 pursuant to paragraph (6) (b), pollutant reductions to individual  
1253 basins, as a whole to all basins, or to each identified point  
1254 source or category of nonpoint sources, as appropriate. For  
1255 nonpoint sources for which best management practices have been  
1256 adopted, the initial requirement specified by the plan must be  
1257 those practices developed pursuant to paragraph (c). When  
1258 appropriate, the plan may take into account the benefits of  
1259 pollutant load reduction achieved by point or nonpoint sources  
1260 that have implemented management strategies to reduce pollutant  
1261 loads, including best management practices, before the  
1262 development of the basin management action plan. The plan must  
1263 also identify the mechanisms that will address potential future  
1264 increases in pollutant loading.

1265 3. The basin management action planning process is intended  
1266 to involve the broadest possible range of interested parties,  
1267 with the objective of encouraging the greatest amount of  
1268 cooperation and consensus possible. In developing a basin  
1269 management action plan, the department shall assure that key  
1270 stakeholders, including, but not limited to, applicable local  
1271 governments, water management districts, the Department of  
1272 Agriculture and Consumer Services, other appropriate state  
1273 agencies, local soil and water conservation districts,  
1274 environmental groups, regulated interests, and affected  
1275 pollution sources, are invited to participate in the process.  
1276 The department shall hold at least one public meeting in the

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1277 vicinity of the watershed or basin to discuss and receive  
1278 comments during the planning process and shall otherwise  
1279 encourage public participation to the greatest practicable  
1280 extent. Notice of the public meeting must be published in a  
1281 newspaper of general circulation in each county in which the  
1282 watershed or basin lies at least 5 days, but not more than 15  
1283 days, before the public meeting. A basin management action plan  
1284 does not supplant or otherwise alter any assessment made under  
1285 subsection (3) or subsection (4) or any calculation or initial  
1286 allocation.

1287 4. Each new or revised basin management action plan must  
1288 ~~shall~~ include all of the following:

1289 a. The appropriate management strategies available through  
1290 existing water quality protection programs to achieve total  
1291 maximum daily loads, which may provide for phased implementation  
1292 to promote timely, cost-effective actions as provided for in s.  
1293 403.151.~~7~~

1294 b. A description of best management practices adopted by  
1295 rule.~~7~~

1296 c. For the applicable 5-year implementation milestone, a  
1297 list of projects that will achieve the pollutant load reductions  
1298 needed to meet the total maximum daily load or the load  
1299 allocations established pursuant to subsection (6). Each project  
1300 must include a planning-level cost estimate and an estimated  
1301 date of completion. ~~A list of projects in priority ranking with~~  
1302 ~~a planning-level cost estimate and estimated date of completion~~  
1303 ~~for each listed project.~~

1304 d. A list of projects developed pursuant to paragraph (e),  
1305 if applicable.

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1306 ~~e.d.~~ The source and amount of financial assistance to be  
1307 made available by the department, a water management district,  
1308 or other entity for each listed project, if applicable. ~~;~~ ~~and~~

1309 f.e. A planning-level estimate of each listed project's  
1310 expected load reduction, if applicable.

1311 5. The department shall adopt all or any part of a basin  
1312 management action plan and any amendment to such plan by  
1313 secretarial order pursuant to chapter 120 to implement this  
1314 section.

1315 6. The basin management action plan must include 5-year  
1316 milestones for implementation and water quality improvement, and  
1317 an associated water quality monitoring component sufficient to  
1318 evaluate whether reasonable progress in pollutant load  
1319 reductions is being achieved over time. An assessment of  
1320 progress toward these milestones shall be conducted every 5  
1321 years, and revisions to the plan shall be made as appropriate.  
1322 Any entity with a specific pollutant load reduction requirement  
1323 established in a basin management action plan shall identify the  
1324 projects or strategies that such entity will undertake to meet  
1325 current 5-year pollution reduction milestones, beginning with  
1326 the first 5-year milestone for new basin management action  
1327 plans, and submit such projects to the department for inclusion  
1328 in the appropriate basin management action plan. Each project  
1329 identified must include an estimated amount of nutrient  
1330 reduction that is reasonably expected to be achieved based on  
1331 the best scientific information available. Revisions to the  
1332 basin management action plan shall be made by the department in  
1333 cooperation with basin stakeholders. Revisions to the management  
1334 strategies required for nonpoint sources must follow the

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1335 procedures in subparagraph (c)4. Revised basin management action  
1336 plans must be adopted pursuant to subparagraph 5.

1337 7. In accordance with procedures adopted by rule under  
1338 paragraph (9)(c), basin management action plans, and other  
1339 pollution control programs under local, state, or federal  
1340 authority as provided in subsection (4), may allow point or  
1341 nonpoint sources that will achieve greater pollutant reductions  
1342 than required by an adopted total maximum daily load or  
1343 wasteload allocation to generate, register, and trade water  
1344 quality credits for the excess reductions to enable other  
1345 sources to achieve their allocation; however, the generation of  
1346 water quality credits does not remove the obligation of a source  
1347 or activity to meet applicable technology requirements or  
1348 adopted best management practices. Such plans must allow trading  
1349 between NPDES permittees, and trading that may or may not  
1350 involve NPDES permittees, where the generation or use of the  
1351 credits involve an entity or activity not subject to department  
1352 water discharge permits whose owner voluntarily elects to obtain  
1353 department authorization for the generation and sale of credits.

1354 8. The department's rule relating to the equitable  
1355 abatement of pollutants into surface waters do not apply to  
1356 water bodies or waterbody ~~water body~~ segments for which a basin  
1357 management plan that takes into account future new or expanded  
1358 activities or discharges has been adopted under this section.

1359 9. In order to promote resilient wastewater utilities, if  
1360 the department identifies domestic wastewater treatment  
1361 facilities or onsite sewage treatment and disposal systems as  
1362 contributors of at least 20 percent of point source or nonpoint  
1363 source nutrient pollution or if the department determines

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1364 remediation is necessary to achieve the total maximum daily  
1365 load, a basin management action plan for a nutrient total  
1366 maximum daily load must include the following:

1367 a. A wastewater treatment plan developed by each local  
1368 government, in cooperation with the department, the water  
1369 management district, and the public and private domestic  
1370 wastewater treatment facilities within the jurisdiction of the  
1371 local government, that addresses domestic wastewater. The  
1372 wastewater treatment plan must:

1373 (I) Provide for construction, expansion, or upgrades  
1374 necessary to achieve the total maximum daily load requirements  
1375 applicable to the domestic wastewater treatment facility.

1376 (II) Include the permitted capacity in average annual  
1377 gallons per day for the domestic wastewater treatment facility;  
1378 the average nutrient concentration and the estimated average  
1379 nutrient load of the domestic wastewater; a projected timeline  
1380 of the dates by which the construction of any facility  
1381 improvements will begin and be completed and the date by which  
1382 operations of the improved facility will begin; the estimated  
1383 cost of the improvements; and the identity of responsible  
1384 parties.

1385

1386 The wastewater treatment plan must be adopted as part of the  
1387 basin management action plan no later than July 1, 2025. A local  
1388 government that does not have a domestic wastewater treatment  
1389 facility in its jurisdiction is not required to develop a  
1390 wastewater treatment plan unless there is a demonstrated need to  
1391 establish a domestic wastewater treatment facility within its  
1392 jurisdiction to improve water quality necessary to achieve a



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1393 total maximum daily load. A local government is not responsible  
1394 for a private domestic wastewater facility's compliance with a  
1395 basin management action plan unless such facility is operated  
1396 through a public-private partnership to which the local  
1397 government is a party.

1398       b. An onsite sewage treatment and disposal system  
1399 remediation plan developed by each local government in  
1400 cooperation with the department, the Department of Health, water  
1401 management districts, and public and private domestic wastewater  
1402 treatment facilities.

1403       (I) The onsite sewage treatment and disposal system  
1404 remediation plan must identify cost-effective and financially  
1405 feasible projects necessary to achieve the nutrient load  
1406 reductions required for onsite sewage treatment and disposal  
1407 systems. To identify cost-effective and financially feasible  
1408 projects for remediation of onsite sewage treatment and disposal  
1409 systems, the local government shall:

1410       (A) Include an inventory of onsite sewage treatment and  
1411 disposal systems based on the best information available;

1412       (B) Identify onsite sewage treatment and disposal systems  
1413 that would be eliminated through connection to existing or  
1414 future central domestic wastewater infrastructure in the  
1415 jurisdiction or domestic wastewater service area of the local  
1416 government, that would be replaced with or upgraded to enhanced  
1417 nutrient-reducing onsite sewage treatment and disposal systems,  
1418 or that would remain on conventional onsite sewage treatment and  
1419 disposal systems;

1420       (C) Estimate the costs of potential onsite sewage treatment  
1421 and disposal system connections, upgrades, or replacements; and

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1422 (D) Identify deadlines and interim milestones for the  
1423 planning, design, and construction of projects.

1424 (II) The department shall adopt the onsite sewage treatment  
1425 and disposal system remediation plan as part of the basin  
1426 management action plan no later than July 1, 2025, or as  
1427 required for Outstanding Florida Springs under s. 373.807.

1428 10. The installation of new onsite sewage treatment and  
1429 disposal systems constructed within a basin management action  
1430 plan area adopted under this section, a reasonable assurance  
1431 plan, or a pollution reduction plan is prohibited where  
1432 connection to a publicly owned or investor-owned sewerage system  
1433 is available as defined in s. 381.0065(2) (a). On lots of 1 acre  
1434 or less within a basin management action plan adopted under this  
1435 section, a reasonable assurance plan, or a pollution reduction  
1436 plan where a publicly owned or investor-owned sewerage system is  
1437 not available, the installation of enhanced nutrient-reducing  
1438 onsite sewage treatment and disposal systems or other wastewater  
1439 treatment systems that achieve at least 50 percent nutrient  
1440 reduction compared to a standard onsite sewage treatment and  
1441 disposal system is required.

1442 ~~11.10.~~ When identifying wastewater projects in a basin  
1443 management action plan, the department may not require the  
1444 higher cost option if it achieves the same nutrient load  
1445 reduction as a lower cost option. A regulated entity may choose  
1446 a different cost option if it complies with the pollutant  
1447 reduction requirements of an adopted total maximum daily load  
1448 and meets or exceeds the pollution reduction requirement of the  
1449 original project.

1450 12. Annually, local governments subject to a basin

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1451 management action plan or located within the basin of a  
1452 waterbody not attaining nutrient or nutrient-related standards  
1453 must provide to the department an update on the status of  
1454 construction of sanitary sewers to serve such areas, in a manner  
1455 prescribed by the department.

1456 (e) *Cooperative agricultural regional water quality*  
1457 *improvement element.*—

1458 1. The department ~~and,~~ the Department of Agriculture and  
1459 Consumer Services, in cooperation with ~~and~~ owners of  
1460 agricultural operations in the basin, shall develop a  
1461 cooperative agricultural regional water quality improvement  
1462 element as part of a basin management action plan where only if:

1463 a. ~~Agricultural measures have been adopted by the~~  
1464 ~~Department of Agriculture and Consumer Services pursuant to~~  
1465 ~~subparagraph (c)2. and have been implemented and the water body~~  
1466 ~~remains impaired;~~

1467 ~~b.~~ Agricultural nonpoint sources contribute to at least 20  
1468 percent of nonpoint source nutrient discharges; or and

1469 ~~b.c.~~ The department determines that additional measures, in  
1470 combination with state-sponsored regional projects and other  
1471 management strategies included in the basin management action  
1472 plan, are necessary to achieve the total maximum daily load.

1473 2. The element will be implemented through the use of cost-  
1474 effective and technically and financially practical regional  
1475 agricultural nutrient reduction cost-sharing projects and. ~~The~~  
1476 ~~element~~ must include a list of such projects submitted to the  
1477 department by the Department of Agriculture and Consumer  
1478 Services which, in combination with the best management  
1479 practices, additional measures, and other management strategies,

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1480 will achieve the needed pollutant load reductions established  
1481 for agricultural nonpoint sources ~~cost-effective and technically~~  
1482 ~~and financially practical cooperative regional agricultural~~  
1483 ~~nutrient reduction projects that can be implemented on private~~  
1484 ~~properties on a site-specific, cooperative basis.~~ Such  
1485 cooperative regional agricultural nutrient reduction projects  
1486 may include, but are not limited to, land acquisition in fee or  
1487 conservation easements on the lands of willing sellers and site-  
1488 specific water quality improvement or dispersed water management  
1489 projects. The list of regional projects included in the  
1490 cooperative agricultural regional water quality improvement  
1491 element must include a planning-level cost estimate of each  
1492 project along with the estimated amount of nutrient reduction  
1493 that such project will achieve ~~on the lands of project~~  
1494 ~~participants.~~

1495 3. To qualify for participation in the cooperative  
1496 agricultural regional water quality improvement element, the  
1497 participant must have already implemented and be in compliance  
1498 with best management practices or other measures adopted by the  
1499 Department of Agriculture and Consumer Services pursuant to  
1500 subparagraph (c)2. The element must ~~may~~ be included in the basin  
1501 management action plan as a part of the next 5-year assessment  
1502 under subparagraph (a)6.

1503 4. The department or the Department of Agriculture and  
1504 Consumer Services may submit a legislative budget request to  
1505 fund projects developed pursuant to this paragraph. In  
1506 allocating funds for projects funded pursuant to this paragraph,  
1507 the department shall provide at least 20 percent of its annual  
1508 appropriation for projects in subbasins with the highest

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1509 nutrient concentrations within a basin management action plan.  
1510 Projects submitted pursuant to this paragraph are eligible for  
1511 funding in accordance with s. 403.0673.

1512 Section 13. Section 403.0673, Florida Statutes, is amended  
1513 to read:

1514 403.0673 Water quality improvement ~~Wastewater~~ grant  
1515 program.—A ~~wastewater~~ grant program is established within the  
1516 Department of Environmental Protection to address wastewater,  
1517 stormwater, and agricultural sources of nutrient loading to  
1518 surface water or groundwater.

1519 (1) The purpose of the grant program is to fund projects  
1520 that will improve the quality of waters that:

1521 (a) Are not attaining nutrient or nutrient-related  
1522 standards;

1523 (b) Have an established total maximum daily load; or

1524 (c) Are located ~~Subject to the appropriation of funds by~~  
1525 ~~the Legislature, the department may provide grants for the~~  
1526 ~~following projects~~ within a basin management action plan area, a  
1527 reasonable assurance plan area ~~an alternative restoration plan~~  
1528 ~~adopted by final order, an accepted alternative restoration plan~~  
1529 area, or a rural area of opportunity under s. 288.0656.

1530 (2) The department may provide grants for all of the  
1531 following types of projects that reduce the amount of nutrients  
1532 entering those waters identified in subsection (1):

1533 (a) Connecting onsite sewage treatment and disposal systems  
1534 to central sewer facilities.

1535 (b) Upgrading domestic wastewater treatment facilities to  
1536 advanced waste treatment or greater.

1537 (c) Repairing, upgrading, expanding, or constructing

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1538 stormwater treatment facilities that result in improvements to  
1539 surface water or groundwater quality.

1540 (d) Repairing, upgrading, expanding, or constructing  
1541 domestic wastewater treatment facilities that result in  
1542 improvements to surface water or groundwater quality, including  
1543 domestic wastewater reuse and collection systems.

1544 (e) Projects identified pursuant to s. 403.067(7) (a) or  
1545 (7) (e).

1546 (f) Projects identified in a wastewater treatment plan or  
1547 an onsite sewage treatment and disposal system remediation plan  
1548 developed pursuant to s. 403.067(7) (a) 9.a. and b.

1549 (g) Projects listed in a city or county capital improvement  
1550 element pursuant to s. 163.3177(3) (a) 4.b.

1551 (h) Retrofitting onsite sewage treatment and disposal  
1552 systems to upgrade such systems to enhanced nutrient-reducing  
1553 onsite sewage treatment and disposal systems where central  
1554 sewerage is unavailable which will individually or collectively  
1555 reduce excess nutrient pollution:

1556 ~~(a) Projects to retrofit onsite sewage treatment and~~  
1557 ~~disposal systems to upgrade such systems to enhanced nutrient-~~  
1558 ~~reducing onsite sewage treatment and disposal systems.~~

1559 ~~(b) Projects to construct, upgrade, or expand facilities to~~  
1560 ~~provide advanced waste treatment, as defined in s. 403.086(4).~~

1561 ~~(c) Projects to connect onsite sewage treatment and~~  
1562 ~~disposal systems to central sewer facilities.~~

1563 ~~(3)(2) In allocating such funds, priority must be given to~~  
1564 ~~projects that subsidize the connection of onsite sewage~~  
1565 ~~treatment and disposal systems to wastewater treatment~~  
1566 ~~facilities. First priority must be given to subsidize the~~

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1567 ~~connection of onsite sewage treatment and disposal systems to~~  
1568 ~~existing infrastructure. Second priority must be given to any~~  
1569 ~~expansion of a collection or transmission system that promotes~~  
1570 ~~efficiency by planning the installation of wastewater~~  
1571 ~~transmission facilities to be constructed concurrently with~~  
1572 ~~other construction projects occurring within or along a~~  
1573 ~~transportation facility right-of-way. Third priority must be~~  
1574 ~~given to all other connections of onsite sewage treatment and~~  
1575 ~~disposal systems to wastewater treatment facilities. The~~  
1576 ~~department shall consider and prioritize those projects that~~  
1577 ~~have the maximum estimated reduction in nutrient load per~~  
1578 ~~project; demonstrate project readiness; are cost-effective,~~  
1579 ~~including the percent cost share identified by the applicant,~~  
1580 ~~except for rural areas of opportunity; provide an the cost-~~  
1581 ~~effectiveness of the project; the overall environmental benefit,~~  
1582 ~~including any projected water savings associated with reclaimed~~  
1583 ~~water use; and are in of a project; the location where~~  
1584 ~~reductions are most needed of a project; the availability of~~  
1585 ~~local matching funds; and projected water savings or quantity~~  
1586 ~~improvements associated with a project.~~

1587 ~~(3) Each grant for a project described in subsection (1)~~  
1588 ~~must require a minimum of a 50-percent local match of funds.~~  
1589 ~~However, the department may, at its discretion, waive, in whole~~  
1590 ~~or in part, this consideration of the local contribution for~~  
1591 ~~proposed projects within an area designated as a rural area of~~  
1592 ~~opportunity under s. 288.0656.~~

1593 (4) The department shall coordinate annually with each  
1594 water management district, ~~as necessary,~~ to identify potential  
1595 projects ~~grant recipients~~ in each district.

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1596           (5) The department shall coordinate with local governments  
1597 and stakeholders to identify the most effective and beneficial  
1598 water quality improvement projects.

1599           (6) Beginning January 1, 2024 ~~2021~~, and each January 1  
1600 thereafter, the department shall submit a report regarding the  
1601 projects funded pursuant to this section to the Governor, the  
1602 President of the Senate, and the Speaker of the House of  
1603 Representatives.

1604           Section 14. Paragraph (c) of subsection (1) of section  
1605 403.086, Florida Statutes, is amended to read:

1606           403.086 Sewage disposal facilities; advanced and secondary  
1607 waste treatment.—

1608           (1)

1609           (c)1. Notwithstanding this chapter or chapter 373, sewage  
1610 disposal facilities may not dispose ~~of~~ any wastes into the  
1611 following waters without providing advanced waste treatment, as  
1612 defined in subsection (4), as approved by the department or a  
1613 more stringent treatment standard if the department determines  
1614 the more stringent standard is necessary to achieve the total  
1615 maximum daily load or applicable water quality criteria:

1616           a. Old Tampa Bay, Tampa Bay, Hillsborough Bay, Boca Ciega  
1617 Bay, St. Joseph Sound, Clearwater Bay, Sarasota Bay, Little  
1618 Sarasota Bay, Roberts Bay, Lemon Bay, Charlotte Harbor Bay,  
1619 Biscayne Bay, or any river, stream, channel, canal, bay, bayou,  
1620 sound, or other water tributary thereto.

1621           b. Beginning July 1, 2025, Indian River Lagoon, or ~~into~~ any  
1622 river, stream, channel, canal, bay, bayou, sound, or other water  
1623 tributary thereto.

1624           c. By January 1, 2033, waterbodies that are currently not



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1625 attaining nutrient or nutrient-related standards or that are  
1626 subject to a nutrient or nutrient-related basin management  
1627 action plan adopted pursuant to s. 403.067 or adopted reasonable  
1628 assurance plan.

1629 2. For any waterbody determined not to be attaining  
1630 nutrient or nutrient-related standards after July 1, 2023, or  
1631 subject to a nutrient or nutrient-related basin management  
1632 action plan adopted pursuant to s. 403.067 or adopted reasonable  
1633 assurance plan after July 1, 2023, sewage disposal facilities  
1634 are prohibited from disposing any wastes into such waters  
1635 without providing advanced waste treatment, as defined in  
1636 subsection (4), as approved by the department within 10 years  
1637 after such determination or adoption, without providing advanced  
1638 waste treatment, as defined in subsection (4), approved by the  
1639 department. This paragraph does not apply to facilities which  
1640 were permitted by February 1, 1987, and which discharge  
1641 secondary treated effluent, followed by water hyacinth  
1642 treatment, to tributaries of tributaries of the named waters; or  
1643 to facilities permitted to discharge to the nontidally  
1644 influenced portions of the Peace River.

1645 Section 15. Paragraph (h) of subsection (4) of section  
1646 201.15, Florida Statutes, is amended to read:

1647 201.15 Distribution of taxes collected.—All taxes collected  
1648 under this chapter are hereby pledged and shall be first made  
1649 available to make payments when due on bonds issued pursuant to  
1650 s. 215.618 or s. 215.619, or any other bonds authorized to be  
1651 issued on a parity basis with such bonds. Such pledge and  
1652 availability for the payment of these bonds shall have priority  
1653 over any requirement for the payment of service charges or costs

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1654 of collection and enforcement under this section. All taxes  
1655 collected under this chapter, except taxes distributed to the  
1656 Land Acquisition Trust Fund pursuant to subsections (1) and (2),  
1657 are subject to the service charge imposed in s. 215.20(1).  
1658 Before distribution pursuant to this section, the Department of  
1659 Revenue shall deduct amounts necessary to pay the costs of the  
1660 collection and enforcement of the tax levied by this chapter.  
1661 The costs and service charge may not be levied against any  
1662 portion of taxes pledged to debt service on bonds to the extent  
1663 that the costs and service charge are required to pay any  
1664 amounts relating to the bonds. All of the costs of the  
1665 collection and enforcement of the tax levied by this chapter and  
1666 the service charge shall be available and transferred to the  
1667 extent necessary to pay debt service and any other amounts  
1668 payable with respect to bonds authorized before January 1, 2017,  
1669 secured by revenues distributed pursuant to this section. All  
1670 taxes remaining after deduction of costs shall be distributed as  
1671 follows:

1672 (4) After the required distributions to the Land  
1673 Acquisition Trust Fund pursuant to subsections (1) and (2) and  
1674 deduction of the service charge imposed pursuant to s.  
1675 215.20(1), the remainder shall be distributed as follows:

1676 (h) An amount equaling 5.4175 percent of the remainder  
1677 shall be paid into the Water Protection and Sustainability  
1678 Program Trust Fund to be used to fund water quality improvement  
1679 ~~wastewater~~ grants as specified in s. 403.0673.

1680 Section 16. Paragraph (1) of subsection (3), paragraph (a)  
1681 of subsection (5), and paragraph (i) of subsection (15) of  
1682 section 259.105, Florida Statutes, are amended to read:

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1683 259.105 The Florida Forever Act.—

1684 (3) Less the costs of issuing and the costs of funding  
1685 reserve accounts and other costs associated with bonds, the  
1686 proceeds of cash payments or bonds issued pursuant to this  
1687 section shall be deposited into the Florida Forever Trust Fund  
1688 created by s. 259.1051. The proceeds shall be distributed by the  
1689 Department of Environmental Protection in the following manner:

1690 (1) For the purposes of paragraphs (e), (f), (g), and (h),  
1691 the agencies that receive the funds shall develop their  
1692 individual acquisition or restoration lists in accordance with  
1693 specific criteria and numeric performance measures developed  
1694 pursuant to s. 259.035(4). Proposed additions may be acquired if  
1695 they are identified within the original project boundary, the  
1696 management plan required pursuant to s. 253.034(5), or the  
1697 management prospectus required pursuant to s. 259.032(7)(b) ~~s.~~  
1698 ~~259.032(7)(c)~~. Proposed additions not meeting the requirements  
1699 of this paragraph shall be submitted to the council for  
1700 approval. The council may only approve the proposed addition if  
1701 it meets two or more of the following criteria: serves as a link  
1702 or corridor to other publicly owned property; enhances the  
1703 protection or management of the property; would add a desirable  
1704 resource to the property; would create a more manageable  
1705 boundary configuration; has a high resource value that otherwise  
1706 would be unprotected; or can be acquired at less than fair  
1707 market value.

1708 (5) (a) All lands acquired pursuant to this section shall be  
1709 managed for multiple-use purposes, where compatible with the  
1710 resource values of and management objectives for such lands. As  
1711 used in this section, "multiple-use" includes, but is not

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1712 limited to, outdoor recreational activities as described in ss.  
1713 253.034 and 259.032(7)(a)2. ~~ss. 253.034 and 259.032(7)(b)~~, water  
1714 resource development projects, sustainable forestry management,  
1715 carbon sequestration, carbon mitigation, or carbon offsets.

1716 (15) The council shall submit to the board, with its list  
1717 of projects, a report that includes, but need not be limited to,  
1718 the following information for each project listed:

1719 (i) A management policy statement for the project and a  
1720 management prospectus pursuant to s. 259.032(7)(b) ~~s.~~  
1721 ~~259.032(7)(c)~~.

1722 Section 17. Subsection (17) of section 373.019, Florida  
1723 Statutes, is amended to read:

1724 373.019 Definitions.—When appearing in this chapter or in  
1725 any rule, regulation, or order adopted pursuant thereto, the  
1726 term:

1727 (17) "Reclaimed water" means water that has received at  
1728 least secondary treatment and basic disinfection and is reused  
1729 after flowing out of a domestic wastewater treatment facility.  
1730 Reclaimed water is not subject to regulation pursuant to s.  
1731 373.175 or part II of this chapter until it has been discharged  
1732 into waters as defined in s. 403.031 ~~s. 403.031(13)~~.

1733 Section 18. Section 373.4132, Florida Statutes, is amended  
1734 to read:

1735 373.4132 Dry storage facility permitting.—The governing  
1736 board or the department shall require a permit under this part,  
1737 including s. 373.4145, for the construction, alteration,  
1738 operation, maintenance, abandonment, or removal of a dry storage  
1739 facility for 10 or more vessels that is functionally associated  
1740 with a boat launching area. As part of an applicant's

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1741 demonstration that such a facility will not be harmful to the  
1742 water resources and will not be inconsistent with the overall  
1743 objectives of the district, the governing board or department  
1744 shall require the applicant to provide reasonable assurance that  
1745 the secondary impacts from the facility will not cause adverse  
1746 impacts to the functions of wetlands and surface waters,  
1747 including violations of state water quality standards applicable  
1748 to waters as defined in s. 403.031 ~~s. 403.031(13)~~, and will meet  
1749 the public interest test of s. 373.414(1)(a), including the  
1750 potential adverse impacts to manatees. Nothing in this section  
1751 shall affect the authority of the governing board or the  
1752 department to regulate such secondary impacts under this part  
1753 for other regulated activities.

1754 Section 19. Subsection (1) of section 373.414, Florida  
1755 Statutes, is amended to read:

1756 373.414 Additional criteria for activities in surface  
1757 waters and wetlands.—

1758 (1) As part of an applicant's demonstration that an  
1759 activity regulated under this part will not be harmful to the  
1760 water resources or will not be inconsistent with the overall  
1761 objectives of the district, the governing board or the  
1762 department shall require the applicant to provide reasonable  
1763 assurance that state water quality standards applicable to  
1764 waters as defined in s. 403.031 ~~s. 403.031(13)~~ will not be  
1765 violated and reasonable assurance that such activity in, on, or  
1766 over surface waters or wetlands, as delineated in s. 373.421(1),  
1767 is not contrary to the public interest. However, if such an  
1768 activity significantly degrades or is within an Outstanding  
1769 Florida Water, as provided by department rule, the applicant

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1770 must provide reasonable assurance that the proposed activity  
1771 will be clearly in the public interest.

1772 (a) In determining whether an activity, which is in, on, or  
1773 over surface waters or wetlands, as delineated in s. 373.421(1),  
1774 and is regulated under this part, is not contrary to the public  
1775 interest or is clearly in the public interest, the governing  
1776 board or the department shall consider and balance the following  
1777 criteria:

1778 1. Whether the activity will adversely affect the public  
1779 health, safety, or welfare or the property of others;

1780 2. Whether the activity will adversely affect the  
1781 conservation of fish and wildlife, including endangered or  
1782 threatened species, or their habitats;

1783 3. Whether the activity will adversely affect navigation or  
1784 the flow of water or cause harmful erosion or shoaling;

1785 4. Whether the activity will adversely affect the fishing  
1786 or recreational values or marine productivity in the vicinity of  
1787 the activity;

1788 5. Whether the activity will be of a temporary or permanent  
1789 nature;

1790 6. Whether the activity will adversely affect or will  
1791 enhance significant historical and archaeological resources  
1792 under the provisions of s. 267.061; and

1793 7. The current condition and relative value of functions  
1794 being performed by areas affected by the proposed activity.

1795 (b) If the applicant is unable to otherwise meet the  
1796 criteria set forth in this subsection, the governing board or  
1797 the department, in deciding to grant or deny a permit, must  
1798 ~~shall~~ consider measures proposed by or acceptable to the

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1799 applicant to mitigate adverse effects that may be caused by the  
1800 regulated activity. Such measures may include, but are not  
1801 limited to, onsite mitigation, offsite mitigation, offsite  
1802 regional mitigation, and the purchase of mitigation credits from  
1803 mitigation banks permitted under s. 373.4136. It is ~~shall be~~ the  
1804 responsibility of the applicant to choose the form of  
1805 mitigation. The mitigation must offset the adverse effects  
1806 caused by the regulated activity.

1807 1. The department or water management districts may accept  
1808 the donation of money as mitigation only where the donation is  
1809 specified for use in a duly noticed environmental creation,  
1810 preservation, enhancement, or restoration project, endorsed by  
1811 the department or the governing board of the water management  
1812 district, which offsets the impacts of the activity permitted  
1813 under this part. However, ~~the provisions of this subsection~~ does  
1814 ~~shall~~ not apply to projects undertaken pursuant to s. 373.4137  
1815 or chapter 378. Where a permit is required under this part to  
1816 implement any project endorsed by the department or a water  
1817 management district, all necessary permits must have been issued  
1818 prior to the acceptance of any cash donation. After the  
1819 effective date of this act, when money is donated to either the  
1820 department or a water management district to offset impacts  
1821 authorized by a permit under this part, the department or the  
1822 water management district shall accept only a donation that  
1823 represents the full cost to the department or water management  
1824 district of undertaking the project that is intended to mitigate  
1825 the adverse impacts. The full cost shall include all direct and  
1826 indirect costs, as applicable, such as those for land  
1827 acquisition, land restoration or enhancement, perpetual land

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1828 management, and general overhead consisting of costs such as  
1829 staff time, building, and vehicles. The department or the water  
1830 management district may use a multiplier or percentage to add to  
1831 other direct or indirect costs to estimate general overhead.  
1832 Mitigation credit for such a donation may ~~shall~~ be given only to  
1833 the extent that the donation covers the full cost to the agency  
1834 of undertaking the project ~~that is~~ intended to mitigate the  
1835 adverse impacts. However, nothing herein may ~~shall~~ be construed  
1836 to prevent the department or a water management district from  
1837 accepting a donation representing a portion of a larger project,  
1838 provided that the donation covers the full cost of that portion  
1839 and mitigation credit is given only for that portion. The  
1840 department or water management district may deviate from the  
1841 full cost requirements of this subparagraph to resolve a  
1842 proceeding brought pursuant to chapter 70 or a claim for inverse  
1843 condemnation. Nothing in this section may ~~shall~~ be construed to  
1844 require the owner of a private mitigation bank, permitted under  
1845 s. 373.4136, to include the full cost of a mitigation credit in  
1846 the price of the credit to a purchaser of said credit.

1847 2. The department and each water management district shall  
1848 report by March 1 of each year, as part of the consolidated  
1849 annual report required by s. 373.036(7), all cash donations  
1850 accepted under subparagraph 1. during the preceding water  
1851 management district fiscal year for wetland mitigation purposes.  
1852 The report must ~~shall~~ exclude those contributions pursuant to s.  
1853 373.4137. The report must ~~shall~~ include a description of the  
1854 endorsed mitigation projects and, except for projects governed  
1855 by s. 373.4135(6), must ~~shall~~ address, as applicable, success  
1856 criteria, project implementation status and timeframe,



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1857 monitoring, long-term management, provisions for preservation,  
1858 and full cost accounting.

1859 3. If the applicant is unable to meet water quality  
1860 standards because existing ambient water quality does not meet  
1861 standards, the governing board or the department must ~~shall~~  
1862 consider mitigation measures proposed by or acceptable to the  
1863 applicant that cause net improvement of the water quality in the  
1864 receiving body of water for those parameters which do not meet  
1865 standards.

1866 4. If mitigation requirements imposed by a local government  
1867 for surface water and wetland impacts of an activity regulated  
1868 under this part cannot be reconciled with mitigation  
1869 requirements approved under a permit for the same activity  
1870 issued under this part, including application of the uniform  
1871 wetland mitigation assessment method adopted pursuant to  
1872 subsection (18), the mitigation requirements for surface water  
1873 and wetland impacts are ~~shall be~~ controlled by the permit issued  
1874 under this part.

1875 (c) Where activities for a single project regulated under  
1876 this part occur in more than one local government jurisdiction,  
1877 and where permit conditions or regulatory requirements are  
1878 imposed by a local government for these activities which cannot  
1879 be reconciled with those imposed by a permit under this part for  
1880 the same activities, the permit conditions or regulatory  
1881 requirements are ~~shall be~~ controlled by the permit issued under  
1882 this part.

1883 Section 20. Section 373.4142, Florida Statutes, is amended  
1884 to read:

1885 373.4142 Water quality within stormwater treatment

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1886 systems.—State surface water quality standards applicable to  
1887 waters of the state, as defined in s. 403.031 ~~s. 403.031(13)~~, do  
1888 ~~shall~~ not apply within a stormwater management system which is  
1889 designed, constructed, operated, and maintained for stormwater  
1890 treatment in accordance with a valid permit or noticed exemption  
1891 issued pursuant to chapter 62-25, Florida Administrative Code; a  
1892 valid permit or exemption under s. 373.4145 within the Northwest  
1893 Florida Water Management District; a valid permit issued on or  
1894 subsequent to April 1, 1986, within the Suwannee River Water  
1895 Management District or the St. Johns River Water Management  
1896 District pursuant to this part; a valid permit issued on or  
1897 subsequent to March 1, 1988, within the Southwest Florida Water  
1898 Management District pursuant to this part; or a valid permit  
1899 issued on or subsequent to January 6, 1982, within the South  
1900 Florida Water Management District pursuant to this part. Such  
1901 inapplicability of state water quality standards shall be  
1902 limited to that part of the stormwater management system located  
1903 upstream of a manmade water control structure permitted, or  
1904 approved under a noticed exemption, to retain or detain  
1905 stormwater runoff in order to provide treatment of the  
1906 stormwater. The additional use of such a stormwater management  
1907 system for flood attenuation or irrigation does ~~shall~~ not divest  
1908 the system of the benefits of this exemption. This section does  
1909 ~~shall~~ not affect the authority of the department and water  
1910 management districts to require reasonable assurance that the  
1911 water quality within such stormwater management systems will not  
1912 adversely impact public health, fish and wildlife, or adjacent  
1913 waters.

1914 Section 21. Paragraph (a) of subsection (1) of section

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1915 373.430, Florida Statutes, is amended to read:

1916 373.430 Prohibitions, violation, penalty, intent.—

1917 (1) It shall be a violation of this part, and it shall be  
1918 prohibited for any person:

1919 (a) To cause pollution, as defined in s. 403.031 ~~s.~~  
1920 ~~403.031(7)~~, except as otherwise provided in this part, so as to  
1921 harm or injure human health or welfare, animal, plant, or  
1922 aquatic life or property.

1923 Section 22. Paragraph (n) of subsection (2) of section  
1924 373.4592, Florida Statutes, is amended to read:

1925 373.4592 Everglades improvement and management.—

1926 (2) DEFINITIONS.—As used in this section:

1927 (n) "Stormwater management program" shall have the meaning  
1928 set forth in s. 403.031 ~~s. 403.031(15)~~.

1929 Section 23. Paragraph (c) of subsection (1) of section  
1930 403.890, Florida Statutes, is amended to read:

1931 403.890 Water Protection and Sustainability Program.—

1932 (1) Revenues deposited into or appropriated to the Water  
1933 Protection and Sustainability Program Trust Fund shall be  
1934 distributed by the Department of Environmental Protection for  
1935 the following purposes:

1936 (c) The water quality improvement ~~wastewater~~ grant program  
1937 as provided in s. 403.0673.

1938 Section 24. Paragraph (b) of subsection (1) of section  
1939 403.892, Florida Statutes, is amended to read:

1940 403.892 Incentives for the use of graywater technologies.—

1941 (1) As used in this section, the term:

1942 (b) "Graywater" has the same meaning as in s. 381.0065(2)  
1943 ~~s. 381.0065(2)(f)~~.

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1944 Section 25. Paragraphs (c) and (d) of subsection (2) of  
1945 section 403.9301, Florida Statutes, are amended to read:

1946 403.9301 Wastewater services projections.—

1947 (2) As used in this section, the term:

1948 (c) "Treatment works" has the same meaning as provided in  
1949 s. 403.031 ~~s. 403.031(11)~~.

1950 (d) "Wastewater services" means service to a sewerage  
1951 system, as defined in s. 403.031 ~~s. 403.031(9)~~, or service to  
1952 domestic wastewater treatment works.

1953 Section 26. Paragraphs (b) and (c) of subsection (2) of  
1954 section 403.9302, Florida Statutes, are amended to read:

1955 403.9302 Stormwater management projections.—

1956 (2) As used in this section, the term:

1957 (b) "Stormwater management program" has the same meaning as  
1958 provided in s. 403.031 ~~s. 403.031(15)~~.

1959 (c) "Stormwater management system" has the same meaning as  
1960 provided in s. 403.031 ~~s. 403.031(16)~~.

1961 Section 27. For the purpose of incorporating the amendment  
1962 made by this act to section 259.032, Florida Statutes, in a  
1963 reference thereto, subsection (6) of section 259.045, Florida  
1964 Statutes, is reenacted to read:

1965 259.045 Purchase of lands in areas of critical state  
1966 concern; recommendations by department and land authorities.—  
1967 Within 45 days after the Administration Commission designates an  
1968 area as an area of critical state concern under s. 380.05, and  
1969 annually thereafter, the Department of Environmental Protection  
1970 shall consider the recommendations of the state land planning  
1971 agency pursuant to s. 380.05(1)(a) relating to purchase of lands  
1972 within an area of critical state concern or lands outside an

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1973 area of critical state concern that directly impact an area of  
1974 critical state concern, which may include lands used to preserve  
1975 and protect water supply, and shall make recommendations to the  
1976 board with respect to the purchase of the fee or any lesser  
1977 interest in any such lands that are:

1978 (6) Lands used to prevent or satisfy private property  
1979 rights claims resulting from limitations imposed by the  
1980 designation of an area of critical state concern if the  
1981 acquisition of such lands fulfills a public purpose listed in s.  
1982 259.032(2) or if the parcel is wholly or partially, at the time  
1983 of acquisition, on one of the board's approved acquisition lists  
1984 established pursuant to this chapter. For the purposes of this  
1985 subsection, if a parcel is estimated to be worth \$500,000 or  
1986 less and the director of the Division of State Lands finds that  
1987 the cost of an outside appraisal is not justified, a comparable  
1988 sales analysis, an appraisal prepared by the Division of State  
1989 Lands, or other reasonably prudent procedures may be used by the  
1990 Division of State Lands to estimate the value of the parcel,  
1991 provided the public's interest is reasonably protected.

1992  
1993 The department, a local government, a special district, or a  
1994 land authority within an area of critical state concern may make  
1995 recommendations with respect to additional purchases which were  
1996 not included in the state land planning agency recommendations.

1997 Section 28. The Legislature determines and declares that  
1998 this act fulfills an important state interest.

1999 Section 29. This act shall take effect July 1, 2023.