

By the Committees on Fiscal Policy; and Environment and Natural Resources; and Senators Brodeur and Avila

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1 A bill to be entitled
2 An act relating to environmental protection; creating
3 s. 120.5436, F.S.; providing legislative intent;
4 requiring the Department of Environmental Protection
5 and water management districts to conduct a holistic
6 review of certain permitting processes and programs;
7 requiring the department to consult with the
8 Department of Transportation in conducting its review;
9 providing the scope and purpose of the review;
10 providing the factors the Department of Environmental
11 Protection and water management districts must
12 consider when conducting the review; requiring the
13 department and water management districts to submit a
14 specified report to the Governor and Legislature by a
15 specified date; amending s. 163.3177, F.S.; revising
16 the required components of a local government
17 comprehensive plan capital improvements element and
18 general sanitary sewer, solid waste, drainage, potable
19 water, and natural groundwater aquifer recharge
20 element; making technical changes; requiring the
21 update of comprehensive plans by a specified date;
22 providing applicability; amending s. 253.025, F.S.;
23 increasing the estimated value threshold of land
24 acquisition agreements that are required to be
25 submitted to and approved by the Board of Trustees of
26 the Internal Improvement Trust Fund; removing the
27 requirement that agreements to acquire initial lands
28 for Florida Forever projects be submitted to and
29 approved by the board of trustees; increasing the

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30 estimated value threshold for the appraisal of certain
31 land acquisitions; requiring, rather than authorizing,
32 the department to disclose appraisal reports to
33 private landowners or their representatives during
34 negotiations for certain land acquisitions; removing a
35 provision requiring private landowners to maintain
36 confidentiality of such reports; providing
37 requirements for the assessment of property values;
38 amending s. 259.032, F.S.; authorizing the board to
39 acquire interests in lands that complete certain
40 linkages within the Florida wildlife corridor;
41 conforming a provision to changes made by the act;
42 making technical changes; amending s. 259.105, F.S.;
43 requiring the Department of Agriculture and Consumer
44 Services to submit an updated priority list for the
45 acquisition of certain agricultural lands to the
46 Acquisition and Restoration Council by a specified
47 date; providing construction; conforming cross-
48 references; deleting an obsolete provision; requiring
49 the council to give increased priority to specified
50 projects; creating s. 373.469, F.S.; providing
51 legislative findings and intent; defining terms;
52 providing the components of the Indian River Lagoon
53 Protection Program; requiring the Department of
54 Environmental Protection to evaluate and update the
55 basin management action plans within the program at
56 specified intervals; requiring the department, in
57 coordination with specified entities, to identify and
58 prioritize strategies and projects to achieve certain

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59 water quality standards and total maximum daily loads;
60 requiring the department, in coordination with
61 specified entities, to implement the Indian River
62 Lagoon Watershed Research and Water Quality Monitoring
63 Program for specified purposes; prohibiting the
64 installation of new onsite sewage treatment and
65 disposal systems beginning on a specified date under
66 certain circumstances; requiring that commercial or
67 residential properties with existing onsite sewage
68 treatment and disposal systems be connected to central
69 sewer or be upgraded to a certain system by a
70 specified date; providing construction; authorizing
71 the department and the governing boards of the St.
72 Johns River Water Management District and the South
73 Florida Water Management District to adopt rules;
74 amending s. 373.501, F.S.; requiring, rather than
75 authorizing, the department to transfer appropriated
76 funds to the water management districts for specified
77 purposes; requiring the districts to annually report
78 to the department on the use of such funds; amending
79 s. 373.802, F.S.; defining the term "enhanced
80 nutrient-reducing onsite sewage treatment and disposal
81 system"; amending s. 373.807, F.S.; conforming a
82 cross-reference; revising requirements for onsite
83 sewage treatment and disposal system remediation plans
84 for springs; amending s. 373.811, F.S.; prohibiting
85 new onsite sewage treatment and disposal systems
86 within basin management action plans in effect for
87 Outstanding Florida Springs under certain

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88 circumstances; authorizing the installation of
89 enhanced or alternative systems for certain lots;
90 amending s. 375.041, F.S.; requiring an annual
91 appropriation from the Land Acquisition Trust Fund to
92 the department for the acquisition of specified lands;
93 deleting an obsolete provision; amending s. 381.0065,
94 F.S.; defining the term "enhanced nutrient-reducing
95 onsite sewage treatment and disposal system"; amending
96 s. 381.00652, F.S.; requiring the onsite sewage
97 treatment and disposal systems technical advisory
98 committee to submit annual recommendations to the
99 Governor and the Legislature; removing the scheduled
100 expiration of the committee; amending s. 381.00655,
101 F.S.; encouraging local governmental agencies that
102 receive funding for connecting onsite sewage treatment
103 and disposal systems to central sewer facilities to
104 provide notice of the funding availability to certain
105 owners of onsite sewage treatment and disposal systems
106 and to maintain a website with certain information
107 regarding the funding; reordering and amending s.
108 403.031, F.S.; defining and revising terms; amending
109 s. 403.067, F.S.; revising requirements for new or
110 revised basin management action plans; requiring that
111 basin management action plans include 5-year
112 milestones for implementation; requiring certain
113 entities to identify projects or strategies to meet
114 such milestones; prohibiting the installation of new
115 onsite sewage treatment and disposal systems within
116 specified areas under certain circumstances; requiring

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117 the installation of enhanced or alternative systems
118 for certain lots; revising requirements for a basin
119 management action plan's cooperative agricultural
120 regional water quality improvement element; amending
121 s. 403.0673, F.S.; renaming the wastewater grant
122 program as the water quality improvement grant
123 program; revising the purposes of the grant program;
124 specifying the projects for which the department may
125 provide grants under the program; requiring the
126 department to prioritize certain projects; requiring
127 the department to coordinate with each water
128 management district to annually identify projects;
129 requiring the department to coordinate with specified
130 entities to identify projects; revising reporting
131 requirements; amending s. 403.086, F.S.; revising the
132 waters that sewage disposal facilities are prohibited
133 from disposing wastes into; amending s. 570.71, F.S.;
134 requiring the Department of Agriculture and Consumer
135 Services, in consultation with the Department of
136 Environmental Protection, the water management
137 districts, the Department of Economic Opportunity, and
138 the Florida Fish and Wildlife Conservation Commission,
139 to adopt rules giving funding priority and preference
140 to specified lands; requiring the Department of
141 Agriculture and Consumer Services to submit certain
142 purchase agreements to the Board of Trustees of the
143 Internal Improvement Trust Fund for approval; amending
144 s. 570.715, F.S.; increasing the estimated value
145 threshold for the appraisal of specified conservation

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146 easement acquisitions; requiring, rather than
147 authorizing, the Department of Agriculture and
148 Consumer Services to disclose appraisal reports to
149 private landowners or their representatives during
150 negotiations for certain land acquisitions; amending
151 ss. 201.15, 259.105, 373.019, 373.4132, 373.414,
152 373.4142, 373.430, 373.4592, 403.890, 403.892,
153 403.9301, and 403.9302, F.S.; conforming cross-
154 references and provisions to changes made by the act;
155 reenacting s. 259.045(6), F.S., relating to the
156 purchase of lands in areas of critical state concern,
157 to incorporate the amendment made to s. 259.032, F.S.,
158 in a reference thereto; providing a declaration of
159 important state interest; providing an effective date.

160
161 Be It Enacted by the Legislature of the State of Florida:

162
163 Section 1. Section 120.5436, Florida Statutes, is created
164 to read:

165 120.5436 Environmental licensing process review.-

166 (1) (a) It is the intent of the Legislature to build a more
167 resilient and responsive government infrastructure to allow for
168 quick recovery after natural disasters, including hurricanes and
169 tropical storms, without negatively impacting coastal ecosystems
170 or increasing future community vulnerability.

171 (b) It is further the intent of the Legislature to promote
172 efficiency in state government across branches, agencies, and
173 other governmental entities and to identify any area of
174 improvement within each that allows for quick, effective

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175 delivery of services.

176 (c) Further, the Legislature intends for the state to seek
177 out ways to improve its administrative procedures in relevant
178 fields to build a streamlined permitting process that withstands
179 disruptions caused by natural disasters, including hurricanes
180 and tropical storms, while maintaining the integrity of natural
181 coastal ecosystems.

182 (2) (a) The Department of Environmental Protection and water
183 management districts shall conduct a holistic review of their
184 current coastal permitting processes and other permit programs.
185 These permitting processes must include, but are not limited to,
186 coastal construction control line permits; joint coastal
187 permits; environmental resource permits; consistent with
188 applicable federal terms and conditions, state-administered
189 federal environmental permitting programs; and permitting
190 processes related to water supply infrastructure, wastewater
191 infrastructure, and onsite sewage treatment and disposal
192 systems. The Department of Environmental Protection shall
193 consult with the Department of Transportation in conducting its
194 review.

195 (b) The scope and purpose of the review is to identify
196 areas of improvement and to increase efficiency within each
197 process. Factors that must be considered in the review include
198 all of the following:

199 1. The requirements to obtain a permit.

200 2. Time periods for review, including by commenting
201 agencies, and approval of the permit application.

202 3. Areas for improved efficiency and decision-point
203 consolidation within a single project's process.

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204 4. Areas of duplication across one or more permit programs,
205 while maintaining federal terms and conditions applicable to
206 state-administered federal environmental permitting programs.

207 5. The methods of requesting permits.

208 6. Adequate staffing levels necessary for complete and
209 efficient review.

210 7. Any other factors that may increase the efficiency of
211 the permitting processes and may allow improved storm recovery.

212 (c) By July 1, 2024, the department and water management
213 districts shall provide their findings and proposed solutions in
214 a report to the Governor, the President of the Senate, and the
215 Speaker of the House of Representatives.

216 Section 2. Paragraph (a) of subsection (3) and paragraph
217 (c) of subsection (6) of section 163.3177, Florida Statutes, are
218 amended to read:

219 163.3177 Required and optional elements of comprehensive
220 plan; studies and surveys.—

221 (3) (a) The comprehensive plan must ~~shall~~ contain a capital
222 improvements element designed to consider the need for and the
223 location of public facilities in order to encourage the
224 efficient use of such facilities and set forth all of the
225 following:

226 1. A component that outlines principles for construction,
227 extension, or increase in capacity of public facilities, as well
228 as a component that outlines principles for correcting existing
229 public facility deficiencies, which are necessary to implement
230 the comprehensive plan. The components must ~~shall~~ cover at least
231 a 5-year period.

232 2. Estimated public facility costs, including a delineation

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233 of when facilities will be needed, the general location of the
234 facilities, and projected revenue sources to fund the
235 facilities.

236 3. Standards to ensure the availability of public
237 facilities and the adequacy of those facilities to meet
238 established acceptable levels of service.

239 4. A schedule of capital improvements which includes any
240 publicly funded projects of federal, state, or local government,
241 and which may include privately funded projects for which the
242 local government has no fiscal responsibility. Projects
243 necessary to ensure that any adopted level-of-service standards
244 are achieved and maintained for the 5-year period must be
245 identified as either funded or unfunded and given a level of
246 priority for funding.

247 ~~5.~~ The schedule must:

248 a. Include transportation improvements included in the
249 applicable metropolitan planning organization's transportation
250 improvement program adopted pursuant to s. 339.175(8) to the
251 extent that such improvements are relied upon to ensure
252 concurrency and financial feasibility;

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

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

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

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262 (c) A general sanitary sewer, solid waste, drainage,
263 potable water, and natural groundwater aquifer recharge element
264 correlated to principles and guidelines for future land use,
265 indicating ways to provide for future potable water, drainage,
266 sanitary sewer, solid waste, and aquifer recharge protection
267 requirements for the area. The element may be a detailed
268 engineering plan including a topographic map depicting areas of
269 prime groundwater recharge.

270 1. Each local government shall address in the data and
271 analyses required by this section those facilities that provide
272 service within the local government's jurisdiction. Local
273 governments that provide facilities to serve areas within other
274 local government jurisdictions shall also address those
275 facilities in the data and analyses required by this section,
276 using data from the comprehensive plan for those areas for the
277 purpose of projecting facility needs as required in this
278 subsection. For shared facilities, each local government shall
279 indicate the proportional capacity of the systems allocated to
280 serve its jurisdiction.

281 2. The element must ~~shall~~ describe the problems and needs
282 and the general facilities that will be required for solution of
283 the problems and needs, including correcting existing facility
284 deficiencies. The element must ~~shall~~ address coordinating the
285 extension of, ~~or~~ increase in the capacity of, or upgrade in
286 treatment of facilities to meet future needs; prioritizing
287 advanced waste treatment while maximizing the use of existing
288 facilities and discouraging urban sprawl; conserving potable
289 water resources; and protecting the functions of natural
290 groundwater recharge areas and natural drainage features.

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291 3. Within the local government's jurisdiction, for any
292 development of more than 50 residential lots, whether built or
293 unbuilt, with more than one onsite sewage treatment and disposal
294 system per 1 acre, the element must consider the feasibility of
295 providing sanitary sewer services within a 10-year planning
296 horizon and must identify the name and location of the
297 wastewater facility that could receive sanitary sewer flows
298 after connection; the capacity of the facility and any
299 associated transmission facilities; the projected wastewater
300 flow at that facility for the next 20 years, including expected
301 future new construction and connections of onsite sewage
302 treatment and disposal systems to sanitary sewer; and a timeline
303 for the construction of the sanitary sewer system. An onsite
304 sewage treatment and disposal system is presumed to exist on a
305 parcel if sanitary sewer services are not available at or
306 adjacent to the parcel boundary. Each comprehensive plan must be
307 updated to include this element by July 1, 2024, and as needed
308 thereafter to account for future applicable developments. This
309 subparagraph does not apply to a local government designated as
310 a rural area of opportunity under s. 288.0656.

311 4. Within 18 months after the governing board approves an
312 updated regional water supply plan, the element must incorporate
313 the alternative water supply project or projects selected by the
314 local government from those identified in the regional water
315 supply plan pursuant to s. 373.709(2)(a) or proposed by the
316 local government under s. 373.709(8)(b). If a local government
317 is located within two water management districts, the local
318 government must ~~shall~~ adopt its comprehensive plan amendment
319 within 18 months after the later updated regional water supply

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320 plan. The element must identify such alternative water supply
321 projects and traditional water supply projects and conservation
322 and reuse necessary to meet the water needs identified in s.
323 373.709(2)(a) within the local government's jurisdiction and
324 include a work plan, covering at least a 10-year planning
325 period, for building public, private, and regional water supply
326 facilities, including development of alternative water supplies,
327 which are identified in the element as necessary to serve
328 existing and new development. The work plan must ~~shall~~ be
329 updated, at a minimum, every 5 years within 18 months after the
330 governing board of a water management district approves an
331 updated regional water supply plan. Local governments, public
332 and private utilities, regional water supply authorities,
333 special districts, and water management districts are encouraged
334 to cooperatively plan for the development of multijurisdictional
335 water supply facilities that are sufficient to meet projected
336 demands for established planning periods, including the
337 development of alternative water sources to supplement
338 traditional sources of groundwater and surface water supplies.

339 5.4. A local government that does not own, operate, or
340 maintain its own water supply facilities, including, but not
341 limited to, wells, treatment facilities, and distribution
342 infrastructure, and is served by a public water utility with a
343 permitted allocation of greater than 300 million gallons per day
344 is not required to amend its comprehensive plan in response to
345 an updated regional water supply plan or to maintain a work plan
346 if any such local government's usage of water constitutes less
347 than 1 percent of the public water utility's total permitted
348 allocation. However, any such local government shall ~~is required~~

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349 ~~to~~ cooperate with, and provide relevant data to, any local
350 government or utility provider that provides service within its
351 jurisdiction, and shall ~~to~~ keep its general sanitary sewer,
352 solid waste, potable water, and natural groundwater aquifer
353 recharge element updated in accordance with s. 163.3191.

354 Section 3. Subsection (4) and paragraphs (b), (f), and (j)
355 of subsection (8) of section 253.025, Florida Statutes, are
356 amended to read:

357 253.025 Acquisition of state lands.—

358 (4) An agreement to acquire real property for the purposes
359 described in this chapter, chapter 259, chapter 260, or chapter
360 375, title to which will vest in the board of trustees, may not
361 bind the state before the agreement is reviewed and approved by
362 the Department of Environmental Protection as complying with
363 this section and any rules adopted pursuant to this section. If
364 any of the following conditions exist, the agreement must ~~shall~~
365 be submitted to and approved by the board of trustees:

366 (a) The purchase price agreed to by the seller exceeds the
367 value as established pursuant to the rules of the board of
368 trustees.†

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

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

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

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379 If approval of the board of trustees is required pursuant to
380 this subsection, the acquiring agency must provide a
381 justification as to why it is in the public's interest to
382 acquire the parcel or Florida Forever project. Approval of the
383 board of trustees is also required for Florida Forever projects
384 the department recommends acquiring pursuant to subsections (11)
385 and (22). Review and approval of agreements for acquisitions for
386 Florida Greenways and Trails Program properties pursuant to
387 chapter 260 may be waived by the department in any contract with
388 nonprofit corporations that have agreed to assist the department
389 with this program. If the contribution of the acquiring agency
390 exceeds \$100 million in any one fiscal year, the agreement must
391 ~~shall~~ be submitted to and approved by the Legislative Budget
392 Commission.

393 (8) Before approval by the board of trustees, or, when
394 applicable, the Department of Environmental Protection, of any
395 agreement to purchase land pursuant to this chapter, chapter
396 259, chapter 260, or chapter 375, and before negotiations with
397 the parcel owner to purchase any other land, title to which will
398 vest in the board of trustees, an appraisal of the parcel shall
399 be required as follows:

400 (b) Each parcel to be acquired must ~~shall~~ have at least one
401 appraisal. Two appraisals are required when the estimated value
402 of the parcel exceeds \$5 ~~\$1~~ million. However, if both appraisals
403 exceed \$5 ~~\$1~~ million and differ significantly, a third appraisal
404 may be obtained. If a parcel is estimated to be worth \$100,000
405 or less and the director of the Division of State Lands finds
406 that the cost of an outside appraisal is not justified, a

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407 comparable sales analysis, an appraisal prepared by the
408 division, or other reasonably prudent procedures may be used by
409 the division to estimate the value of the parcel, provided the
410 public's interest is reasonably protected. The state is not
411 required to appraise the value of lands and appurtenances that
412 are being donated to the state.

413 (f) Appraisal reports are confidential and exempt from s.
414 119.07(1), for use by the agency and the board of trustees,
415 until an option contract is executed or, if no option contract
416 is executed, until 2 weeks before a contract or agreement for
417 purchase is considered for approval by the board of trustees.
418 However, the Department of Environmental Protection shall ~~may~~
419 disclose appraisal reports to private landowners or their
420 representatives during negotiations for acquisitions ~~using~~
421 ~~alternatives to fee simple techniques, if the department~~
422 ~~determines that disclosure of such reports will bring the~~
423 ~~proposed acquisition to closure. However, the private landowner~~
424 ~~must agree to maintain the confidentiality of the reports or~~
425 ~~information.~~ The department may also disclose appraisal
426 information to public agencies or nonprofit organizations that
427 agree to maintain the confidentiality of the reports or
428 information when joint acquisition of property is contemplated,
429 or when a public agency or nonprofit organization enters into a
430 written agreement with the department to purchase and hold
431 property for subsequent resale to the board of trustees. In
432 addition, the department may use, as its own, appraisals
433 obtained by a public agency or nonprofit organization, if the
434 appraiser is selected from the department's list of appraisers
435 and the appraisal is reviewed and approved by the department.

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436 For purposes of this paragraph, the term "nonprofit
437 organization" means an organization that is exempt from federal
438 income tax under s. 501(c)(3) of the Internal Revenue Code and,
439 for purposes of the acquisition of conservation lands, an
440 organization whose purpose must include the preservation of
441 natural resources. The agency may release an appraisal report
442 when the passage of time has rendered the conclusions of value
443 in the report invalid or when the acquiring agency has
444 terminated negotiations.

445 (j)1. The board of trustees shall adopt by rule the method
446 for determining the value of parcels sought to be acquired by
447 state agencies pursuant to this section. An offer by a state
448 agency may not exceed the value for that parcel as determined
449 pursuant to the highest approved appraisal or the value
450 determined pursuant to the rules of the board of trustees,
451 whichever value is less.

452 2. Property value must be based upon the reasonable market
453 value of the property considering those uses that are legally
454 permissible, physically possible, financially feasible, and
455 maximally productive.

456 ~~3.2.~~ For a joint acquisition by a state agency and a local
457 government or other entity apart from the state, the joint
458 purchase price may not exceed 150 percent of the value for a
459 parcel as determined in accordance with the limits in
460 subparagraph 1. The state agency share of a joint purchase offer
461 may not exceed what the agency may offer singly pursuant to
462 subparagraph 1.

463 ~~4.3.~~ This paragraph does not apply to the acquisition of
464 historically unique or significant property as determined by the

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465 Division of Historical Resources of the Department of State.

466
467 Notwithstanding this subsection, on behalf of the board of
468 trustees and before the appraisal of parcels approved for
469 purchase under this chapter or chapter 259, the Secretary of
470 Environmental Protection or the director of the Division of
471 State Lands may enter into option contracts to buy such parcels.
472 Any such option contract shall state that the final purchase
473 price is subject to approval by the board of trustees or, if
474 applicable, the Secretary of Environmental Protection, and that
475 the final purchase price may not exceed the maximum offer
476 allowed by law. Any such option contract presented to the board
477 of trustees for final purchase price approval shall explicitly
478 state that payment of the final purchase price is subject to an
479 appropriation from the Legislature. The consideration for such
480 an option may not exceed \$1,000 or 0.01 percent of the estimate
481 by the department of the value of the parcel, whichever amount
482 is greater.

483 Section 4. Subsections (2) and (7), paragraph (b) of
484 subsection (8), and paragraph (d) of subsection (9) of section
485 259.032, Florida Statutes, are amended to read:

486 259.032 Conservation and recreation lands.—

487 (2) The Governor and Cabinet, sitting as the Board of
488 Trustees of the Internal Improvement Trust Fund, may expend
489 moneys appropriated by the Legislature to acquire the fee or any
490 lesser interest in lands for any of the following public
491 purposes:

492 (a) To conserve and protect environmentally unique and
493 irreplaceable lands that contain native, relatively unaltered

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494 flora and fauna representing a natural area unique to, or scarce
495 within, a region of this state or a larger geographic area.†

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

499 (c) To conserve and protect native species habitat or
500 endangered or threatened species, emphasizing long-term
501 protection for endangered or threatened species designated G-1
502 or G-2 by the Florida Natural Areas Inventory, and especially
503 those areas that are special locations for breeding and
504 reproduction.†

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

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

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

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

518 (h) To preserve significant archaeological or historic
519 sites.†

520 (i) To conserve urban open spaces suitable for greenways or
521 outdoor recreation which are compatible with conservation
522 purposes.†~~or~~

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

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

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

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

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

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

545 1. The management goals for the property;

546 2. The conditions that will affect the intensity of
547 management;

548 3. An estimate of the revenue-generating potential of the
549 property, if appropriate;

550 4. A timetable for implementing the various stages of
551 management and for providing access to the public, if

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552 applicable;

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

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

557 7. The anticipated costs of management and projected
558 sources of revenue, including legislative appropriations, to
559 fund management needs; and

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

564 (c)~~(d)~~ Concurrent with the approval of the acquisition
565 contract pursuant to s. 253.025(4) ~~s. 253.025(4)(e)~~ for any
566 interest in lands except those lands acquired pursuant to s.
567 259.1052, the board shall designate an agency or agencies to
568 manage such lands. The board shall evaluate and amend, as
569 appropriate, the management policy statement for the project as
570 provided by s. 259.035 to ensure that the policy statement is
571 compatible with conservation, recreation, or both. For any fee
572 simple acquisition of a parcel which is or will be leased back
573 for agricultural purposes, or any acquisition of a less than fee
574 interest in land that is or will be used for agricultural
575 purposes, the board shall first consider having a soil and water
576 conservation district, created pursuant to chapter 582, manage
577 and monitor such interests.

578 (d)~~(e)~~ State agencies designated to manage lands acquired
579 under this chapter or with funds deposited into the Land
580 Acquisition Trust Fund, except those lands acquired under s.

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581 259.1052, may contract with local governments and soil and water
582 conservation districts to assist in management activities,
583 including the responsibility of being the lead land manager.
584 Such land management contracts may include a provision for the
585 transfer of management funding to the local government or soil
586 and water conservation district from the land acquisition trust
587 fund of the lead land managing agency in an amount adequate for
588 the local government or soil and water conservation district to
589 perform its contractual land management responsibilities and
590 proportionate to its responsibilities, and which otherwise would
591 have been expended by the state agency to manage the property.

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

597 (8)

598 (b) Individual management plans required by s. 253.034(5),
599 for parcels over 160 acres, shall be developed with input from
600 an advisory group. Members of this advisory group shall include,
601 at a minimum, representatives of the lead land managing agency,
602 comanaging entities, local private property owners, the
603 appropriate soil and water conservation district, a local
604 conservation organization, and a local elected official. If
605 habitat or potentially restorable habitat for imperiled species
606 is located on state lands, the Fish and Wildlife Conservation
607 Commission and the Department of Agriculture and Consumer
608 Services shall be included on any advisory group required under
609 chapter 253, and the short-term and long-term management goals

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610 required under chapter 253 must advance the goals and objectives
611 of imperiled species management without restricting other uses
612 identified in the management plan. The advisory group shall
613 conduct at least one public hearing within the county in which
614 the parcel or project is located. For those parcels or projects
615 that are within more than one county, at least one areawide
616 public hearing shall be acceptable and the lead managing agency
617 shall invite a local elected official from each county. The
618 areawide public hearing shall be held in the county in which the
619 core parcels are located. Notice of such public hearing shall be
620 posted on the parcel or project designated for management,
621 advertised in a paper of general circulation, and announced at a
622 scheduled meeting of the local governing body before the actual
623 public hearing. The management prospectus required pursuant to
624 paragraph (7) (b) ~~(7) (e)~~ shall be available to the public for a
625 period of 30 days before the public hearing.

626

627 By July 1 of each year, each governmental agency and each
628 private entity designated to manage lands shall report to the
629 Secretary of Environmental Protection on the progress of
630 funding, staffing, and resource management of every project for
631 which the agency or entity is responsible.

632 (9)

633 (d) Up to one-fifth of the funds appropriated for the
634 purposes identified in paragraph (b) shall be reserved by the
635 board for interim management of acquisitions and for associated
636 contractual services, to ensure the conservation and protection
637 of natural resources on project sites and to allow limited
638 public recreational use of lands. Interim management activities

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639 may include, but not be limited to, resource assessments,
640 control of invasive, nonnative species, habitat restoration,
641 fencing, law enforcement, controlled burning, and public access
642 consistent with preliminary determinations made pursuant to
643 paragraph (7) (e) ~~(7) (f)~~. The board shall make these interim
644 funds available immediately upon purchase.

645 Section 5. Paragraphs (i), (l), and (m) of subsection (3),
646 paragraph (a) of subsection (5), and paragraph (i) of subsection
647 (15) of section 259.105, Florida Statutes, are amended, and
648 paragraphs (g) and (h) are added to subsection (10) of that
649 section, to read:

650 259.105 The Florida Forever Act.—

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

657 (i) Three and five-tenths percent to the Department of
658 Agriculture and Consumer Services for the acquisition of
659 agricultural lands, through perpetual conservation easements and
660 other perpetual less than fee techniques, which will achieve the
661 objectives of Florida Forever and s. 570.71. Rules concerning
662 the application, acquisition, and priority ranking process for
663 such easements shall be developed pursuant to s. 570.71(10) and
664 as provided by this paragraph. The board shall ensure that such
665 rules are consistent with the acquisition process provided for
666 in s. 570.715. The rules developed pursuant to s. 570.71(10),
667 shall also provide for the following:

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668 1. An annual priority list shall be developed pursuant to
669 s. 570.71(10), submitted to the council for review, and approved
670 by the board pursuant to s. 259.04. By March 1, 2024, the
671 Department of Agriculture and Consumer Services shall submit an
672 updated priority list to the council. Any acquisitions for which
673 funds have been obligated before July 1, 2023, to pay for an
674 appraisal may not be impacted by the updated priority list.

675 2. Terms of easements and acquisitions proposed pursuant to
676 this paragraph shall be approved by the board and may not be
677 delegated by the board to any other entity receiving funds under
678 this section.

679 3. All acquisitions pursuant to this paragraph shall
680 contain a clear statement that they are subject to legislative
681 appropriation.

682
683 Funds provided under this paragraph may not be expended until
684 final adoption of rules by the board pursuant to s. 570.71.

685 (1) For the purposes of paragraphs (e), (f), (g), and (h),
686 the agencies that receive the funds shall develop their
687 individual acquisition or restoration lists in accordance with
688 specific criteria and numeric performance measures developed
689 pursuant to s. 259.035(4). Proposed additions may be acquired if
690 they are identified within the original project boundary, the
691 management plan required pursuant to s. 253.034(5), or the
692 management prospectus required pursuant to s. 259.032(7)(b) ~~s.~~
693 ~~259.032(7)(c)~~. Proposed additions not meeting the requirements
694 of this paragraph shall be submitted to the council for
695 approval. The council may only approve the proposed addition if
696 it meets two or more of the following criteria: serves as a link

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697 or corridor to other publicly owned property; enhances the
698 protection or management of the property; would add a desirable
699 resource to the property; would create a more manageable
700 boundary configuration; has a high resource value that otherwise
701 would be unprotected; or can be acquired at less than fair
702 market value.

703 ~~(m) Notwithstanding paragraphs (a)-(j) and for the 2021-~~
704 ~~2022 fiscal year, the amount of \$1,998,100 to only the~~
705 ~~Department of Environmental Protection for grants pursuant to s.~~
706 ~~375.075. This paragraph expires July 1, 2022.~~

707 (5) (a) All lands acquired pursuant to this section shall be
708 managed for multiple-use purposes, where compatible with the
709 resource values of and management objectives for such lands. As
710 used in this section, "multiple-use" includes, but is not
711 limited to, outdoor recreational activities as described in ss.
712 253.034 and 259.032(7)(a)2. ~~259.032(7)(b)~~, water resource
713 development projects, sustainable forestry management, carbon
714 sequestration, carbon mitigation, or carbon offsets.

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

716 (g) Projects in imminent danger of development, loss of
717 significant natural attributes or recreational open space, or
718 subdivision, which would result in multiple ownership and make
719 acquisition of the project costly or less likely to be
720 accomplished.

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

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

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726 (i) A management policy statement for the project and a
727 management prospectus pursuant to s. 259.032(7)(b) ~~s.~~
728 ~~259.032(7)(c)~~.

729 Section 6. Section 373.469, Florida Statutes, is created to
730 read:

731 373.469 Indian River Lagoon Protection Program.—

732 (1) FINDINGS AND INTENT.—

733 (a) The Legislature finds that:

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

739 2. Among other causes, land use changes, onsite sewage
740 treatment and disposal systems, aging infrastructure, stormwater
741 runoff, agriculture, and residential fertilizer have resulted in
742 excess nutrients entering the Indian River Lagoon and adversely
743 impacting the lagoon's water quality.

744 3. Improvement to the hydrology, water quality, and
745 associated aquatic habitats within the Indian River Lagoon is
746 essential to the protection of the resource.

747 4. It is imperative for the state, local governments, and
748 agricultural and environmental communities to commit to
749 restoring and protecting the surface water resources of the
750 Indian River Lagoon, and a holistic approach to address these
751 issues must be developed and implemented immediately.

752 5. The expeditious implementation of the Banana River
753 Lagoon Basin Management Action Plan, Central Indian River Lagoon
754 Basin Management Action Plan, North Indian River Lagoon Basin

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755 Management Action Plan, and Mosquito Lagoon Reasonable Assurance
756 Plan is necessary to improve the quality of water in the Indian
757 River Lagoon ecosystem and to provide a reasonable means of
758 achieving the total maximum daily load requirements and
759 achieving and maintaining compliance with state water quality
760 standards.

761 6. The implementation of the programs contained in this
762 section will benefit the public health, safety, and welfare and
763 is in the public interest.

764 (b) The Legislature intends for this state to protect and
765 restore surface water resources and achieve and maintain
766 compliance with water quality standards in the Indian River
767 Lagoon through the phased, comprehensive, and innovative
768 protection program set forth in this section, including long-
769 term solutions based upon the total maximum daily loads
770 established in accordance with s. 403.067. This program is
771 watershed-based, provides for the consideration of all water
772 quality issues needed to meet the total maximum daily load, and
773 includes research and monitoring, development and implementation
774 of best management practices, refinement of existing
775 regulations, and structural and nonstructural projects,
776 including public works.

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

778 (a) "Best management practice" means a practice or
779 combination of practices determined by the coordinating
780 agencies, based on research, field-testing, and expert review,
781 to be the most effective and practicable on-location means,
782 including economic and technological considerations, for
783 improving water quality in agricultural and urban discharges.

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784 Best management practices for agricultural discharges must
785 reflect a balance between water quality improvements and
786 agricultural productivity.

787 (b) "Enhanced nutrient-reducing onsite sewage treatment and
788 disposal system" means an onsite sewage treatment and disposal
789 system approved by the department as capable of meeting or
790 exceeding a 50 percent total nitrogen reduction before disposal
791 of wastewater in the drainfield, or at least 65 percent total
792 nitrogen reduction combined from onsite sewage tank or tanks and
793 drainfield.

794 (c) "Total maximum daily load" means the sum of the
795 individual wasteload allocations for point sources and the load
796 allocations for nonpoint sources and natural background adopted
797 pursuant to s. 403.067. Before determining individual wasteload
798 allocations and load allocations, the maximum amount of a
799 pollutant that a waterbody or water segment can assimilate from
800 all sources without exceeding water quality standards must first
801 be calculated.

802 (3) THE INDIAN RIVER LAGOON PROTECTION PROGRAM.—The Indian
803 River Lagoon Protection Program consists of the Banana River
804 Lagoon Basin Management Action Plan, Central Indian River Lagoon
805 Basin Management Action Plan, North Indian River Lagoon Basin
806 Management Action Plan, and Mosquito Lagoon Reasonable Assurance
807 Plan, and such plans are the components of the Indian River
808 Lagoon Protection Program which achieve phosphorous and nitrogen
809 load reductions for the Indian River Lagoon.

810 (a) Evaluation.—Every 5 years, the department shall
811 evaluate and update the Banana River Lagoon Basin Management
812 Action Plan, Central Indian River Lagoon Basin Management Action

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813 Plan, and North Indian River Lagoon Basin Management Action Plan
814 and identify any further load reductions necessary to achieve
815 compliance with the relevant total maximum daily loads
816 established pursuant to s. 403.067. As provided in s.
817 403.067(7)(a)6., such plans must include 5-year milestones for
818 implementation and water quality improvement and a water quality
819 monitoring component sufficient to evaluate whether reasonable
820 progress in pollutant load reductions is being achieved over
821 time.

822 (b) Water quality standards and total maximum daily loads.—
823 The department, in coordination with the Department of
824 Agriculture and Consumer Services, the St. Johns River Water
825 Management District, South Florida Water Management District,
826 local governments, the Indian River Lagoon National Estuary
827 Program, and other stakeholders, shall identify and prioritize
828 strategies and projects necessary to achieve water quality
829 standards within the Indian River Lagoon watershed and meet the
830 total maximum daily loads. Projects identified from this
831 evaluation must be incorporated into the Banana River Lagoon
832 Basin Management Action Plan, Central Indian River Lagoon Basin
833 Management Action Plan, North Indian River Lagoon Basin
834 Management Action Plan, and Mosquito Lagoon Reasonable Assurance
835 Plan, as appropriate.

836 (c) Indian River Lagoon Watershed Research and Water
837 Quality Monitoring Program.—The department, in coordination with
838 the St. Johns River Water Management District, the South Florida
839 Water Management District, and the Indian River Lagoon National
840 Estuary Program, shall implement the Indian River Lagoon
841 Watershed Research and Water Quality Monitoring Program to

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842 establish a comprehensive water quality monitoring network
843 throughout the Indian River Lagoon and fund research pertaining
844 to water quality, ecosystem restoration, and seagrass impacts
845 and restoration. The department shall use the results from the
846 program to prioritize projects and to make modifications to the
847 Banana River Lagoon Basin Management Action Plan, Central Indian
848 River Lagoon Basin Management Action Plan, North Indian River
849 Lagoon Basin Management Action Plan, and Mosquito Lagoon
850 Reasonable Assurance Plan, as appropriate.

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

852 1. Beginning on January 1, 2024, unless previously
853 permitted, the installation of new onsite sewage treatment and
854 disposal systems is prohibited within the Banana River Lagoon
855 Basin Management Action Plan, Central Indian River Lagoon Basin
856 Management Action Plan, North Indian River Lagoon Basin
857 Management Action Plan, and Mosquito Lagoon Reasonable Assurance
858 Plan areas where a publicly owned or investor-owned sewerage
859 system is available as defined in s. 381.0065(2) (a). Where
860 central sewerage is not available, only enhanced nutrient-
861 reducing onsite sewage treatment and disposal systems or other
862 wastewater treatment systems that achieve at least 65 percent
863 nitrogen reduction are authorized.

864 2. By July 1, 2030, any commercial or residential property
865 with an existing onsite sewage treatment and disposal system
866 located within the Banana River Lagoon Basin Management Action
867 Plan, Central Indian River Lagoon Basin Management Action Plan,
868 North Indian River Lagoon Basin Management Action Plan, and
869 Mosquito Lagoon Reasonable Assurance Plan areas must connect to
870 central sewer, if available, or upgrade to an enhanced nutrient-

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871 reducing onsite sewage treatment and disposal system or other
 872 wastewater treatment system that achieves at least 65 percent
 873 nitrogen reduction.

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

877 (5) PRESERVATION OF AUTHORITY.—This section may not be
 878 construed to restrict the authority otherwise granted to
 879 agencies pursuant to this chapter and chapter 403, and this
 880 section is supplemental to the authority granted to agencies
 881 pursuant to this chapter and chapter 403.

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

886 Section 7. Subsection (1) of section 373.501, Florida
 887 Statutes, is amended to read:

888 373.501 Appropriation of funds to water management
 889 districts.—

890 (1) The department shall transfer ~~may allocate~~ to the water
 891 management districts, ~~from~~ funds appropriated to the districts
 892 through the department in, such sums as ~~may be~~ deemed necessary
 893 to defray the costs of the administrative, regulatory, and other
 894 operational activities of the districts. The governing boards
 895 shall submit annual budget requests for such purposes to the
 896 department, and the department shall consider such budgets in
 897 preparing its budget request for the Legislature. The districts
 898 shall annually report to the department on the use of the funds.

899 Section 8. Present subsections (2) through (8) of section

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900 373.802, Florida Statutes, are redesignated as subsections (3)
901 through (9), respectively, and a new subsection (2) is added to
902 that section, to read:

903 373.802 Definitions.—As used in this part, the term:

904 (2) "Enhanced nutrient-reducing onsite sewage treatment and
905 disposal system" means an onsite sewage treatment and disposal
906 system approved by the department as capable of meeting or
907 exceeding a 50 percent total nitrogen reduction before disposal
908 of wastewater in the drainfield, or at least 65 percent total
909 nitrogen reduction combined from onsite sewage tank or tanks and
910 drainfield.

911 Section 9. Subsections (2) and (3) of section 373.807,
912 Florida Statutes, are amended to read:

913 373.807 Protection of water quality in Outstanding Florida
914 Springs.—By July 1, 2016, the department shall initiate
915 assessment, pursuant to s. 403.067(3), of Outstanding Florida
916 Springs or spring systems for which an impairment determination
917 has not been made under the numeric nutrient standards in effect
918 for spring vents. Assessments must be completed by July 1, 2018.

919 (2) By July 1, 2017, each local government, as defined in
920 s. 373.802(3) ~~s. 373.802(2)~~, that has not adopted an ordinance
921 pursuant to s. 403.9337, shall develop, enact, and implement an
922 ordinance pursuant to that section. It is the intent of the
923 Legislature that ordinances required to be adopted under this
924 subsection reflect the latest scientific information,
925 advancements, and technological improvements in the industry.

926 (3) As part of a basin management action plan that includes
927 an Outstanding Florida Spring, the department, relevant local
928 governments, and relevant local public and private wastewater

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929 utilities shall develop an onsite sewage treatment and disposal
930 system remediation plan for a spring if the department
931 determines onsite sewage treatment and disposal systems within a
932 basin management action plan ~~priority focus area~~ contribute at
933 least 20 percent of nonpoint source nitrogen pollution or if the
934 department determines remediation is necessary to achieve the
935 total maximum daily load. The plan must ~~shall~~ identify cost-
936 effective and financially feasible projects necessary to reduce
937 the nutrient impacts from onsite sewage treatment and disposal
938 systems and shall be completed and adopted as part of the basin
939 management action plan no later than the first 5-year milestone
940 required by subparagraph (1)(b)8. The department is the lead
941 agency in coordinating the preparation of and the adoption of
942 the plan. The department shall:

943 (a) Collect and evaluate credible scientific information on
944 the effect of nutrients, particularly forms of nitrogen, on
945 springs and springs systems; and

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

949
950 In addition to the requirements in s. 403.067, the plan must
951 ~~shall~~ include options for repair, upgrade, replacement,
952 drainfield modification, addition of effective nitrogen reducing
953 features, connection to a central sewerage system, or other
954 action for an onsite sewage treatment and disposal system or
955 group of systems within a basin management action plan ~~priority~~
956 ~~focus area~~ that contribute at least 20 percent of nonpoint
957 source nitrogen pollution or if the department determines

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958 remediation is necessary to achieve a total maximum daily load.
959 For these systems, the department shall include in the plan a
960 priority ranking for each system or group of systems that
961 requires remediation and shall award funds to implement the
962 remediation projects contingent on an appropriation in the
963 General Appropriations Act, which may include all or part of the
964 costs necessary for repair, upgrade, replacement, drainfield
965 modification, addition of effective nitrogen reducing features,
966 initial connection to a central sewerage system, or other
967 action. In awarding funds, the department may consider expected
968 nutrient reduction benefit per unit cost, size and scope of
969 project, relative local financial contribution to the project,
970 and the financial impact on property owners and the community.
971 The department may waive matching funding requirements for
972 proposed projects within an area designated as a rural area of
973 opportunity under s. 288.0656.

974 Section 10. Section 373.811, Florida Statutes, is amended
975 to read:

976 373.811 Prohibited activities within a basin management
977 action plan ~~priority focus area~~.—The following activities are
978 prohibited within a basin management action plan ~~priority focus~~
979 ~~area~~ in effect for an Outstanding Florida Spring:

980 (1) New domestic wastewater disposal facilities, including
981 rapid infiltration basins, with permitted capacities of 100,000
982 gallons per day or more, except for those facilities that meet
983 an advanced wastewater treatment standard of no more than 3 mg/l
984 total nitrogen, expressed as N, on an annual permitted basis, or
985 a more stringent treatment standard if the department determines
986 the more stringent standard is necessary to attain a total

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987 maximum daily load for the Outstanding Florida Spring.

988 (2) New onsite sewage treatment and disposal systems where
989 connection to a publicly owned or investor-owned sewerage system
990 is available as defined in s. 381.0065(2)(a). On lots of 1 acre
991 or less, if a publicly owned or investor-owned sewerage system
992 is not available, only the installation of enhanced nutrient-
993 reducing onsite sewage treatment and disposal systems or other
994 wastewater treatment systems that achieve at least 65 percent
995 nitrogen reduction is authorized ~~on lots of less than 1 acre, if~~
996 ~~the addition of the specific systems conflicts with an onsite~~
997 ~~treatment and disposal system remediation plan incorporated into~~
998 ~~a basin management action plan in accordance with s. 373.807(3).~~

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

1000 (4) The land application of Class A or Class B domestic
1001 wastewater biosolids not in accordance with a department
1002 approved nutrient management plan establishing the rate at which
1003 all biosolids, soil amendments, and sources of nutrients at the
1004 land application site can be applied to the land for crop
1005 production while minimizing the amount of pollutants and
1006 nutrients discharged to groundwater or waters of the state.

1007 (5) New agriculture operations that do not implement best
1008 management practices, measures necessary to achieve pollution
1009 reduction levels established by the department, or groundwater
1010 monitoring plans approved by a water management district or the
1011 department.

1012 Section 11. Subsection (3) of section 375.041, Florida
1013 Statutes, is amended to read:

1014 375.041 Land Acquisition Trust Fund.—

1015 (3) Funds distributed into the Land Acquisition Trust Fund

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1016 pursuant to s. 201.15 shall be applied:

1017 (a) First, to pay debt service or to fund debt service
1018 reserve funds, rebate obligations, or other amounts payable with
1019 respect to Florida Forever bonds issued under s. 215.618; and
1020 pay debt service, provide reserves, and pay rebate obligations
1021 and other amounts due with respect to Everglades restoration
1022 bonds issued under s. 215.619; and

1023 (b) Of the funds remaining after the payments required
1024 under paragraph (a), but before funds may be appropriated,
1025 pledged, or dedicated for other uses:

1026 1. A minimum of the lesser of 25 percent or \$200 million
1027 shall be appropriated annually for Everglades projects that
1028 implement the Comprehensive Everglades Restoration Plan as set
1029 forth in s. 373.470, including the Central Everglades Planning
1030 Project subject to congressional authorization; the Long-Term
1031 Plan as defined in s. 373.4592(2); and the Northern Everglades
1032 and Estuaries Protection Program as set forth in s. 373.4595.
1033 From these funds, \$32 million shall be distributed each fiscal
1034 year through the 2023-2024 fiscal year to the South Florida
1035 Water Management District for the Long-Term Plan as defined in
1036 s. 373.4592(2). After deducting the \$32 million distributed
1037 under this subparagraph, from the funds remaining, a minimum of
1038 the lesser of 76.5 percent or \$100 million shall be appropriated
1039 each fiscal year through the 2025-2026 fiscal year for the
1040 planning, design, engineering, and construction of the
1041 Comprehensive Everglades Restoration Plan as set forth in s.
1042 373.470, including the Central Everglades Planning Project, the
1043 Everglades Agricultural Area Storage Reservoir Project, the Lake
1044 Okeechobee Watershed Project, the C-43 West Basin Storage

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1045 Reservoir Project, the Indian River Lagoon-South Project, the
1046 Western Everglades Restoration Project, and the Picayune Strand
1047 Restoration Project. The Department of Environmental Protection
1048 and the South Florida Water Management District shall give
1049 preference to those Everglades restoration projects that reduce
1050 harmful discharges of water from Lake Okeechobee to the St.
1051 Lucie or Caloosahatchee estuaries in a timely manner. For the
1052 purpose of performing the calculation provided in this
1053 subparagraph, the amount of debt service paid pursuant to
1054 paragraph (a) for bonds issued after July 1, 2016, for the
1055 purposes set forth under this paragraph shall be added to the
1056 amount remaining after the payments required under paragraph
1057 (a). The amount of the distribution calculated shall then be
1058 reduced by an amount equal to the debt service paid pursuant to
1059 paragraph (a) on bonds issued after July 1, 2016, for the
1060 purposes set forth under this subparagraph.

1061 2. A minimum of the lesser of 7.6 percent or \$50 million
1062 shall be appropriated annually for spring restoration,
1063 protection, and management projects. For the purpose of
1064 performing the calculation provided in this subparagraph, the
1065 amount of debt service paid pursuant to paragraph (a) for bonds
1066 issued after July 1, 2016, for the purposes set forth under this
1067 paragraph shall be added to the amount remaining after the
1068 payments required under paragraph (a). The amount of the
1069 distribution calculated shall then be reduced by an amount equal
1070 to the debt service paid pursuant to paragraph (a) on bonds
1071 issued after July 1, 2016, for the purposes set forth under this
1072 subparagraph.

1073 3. The sum of \$5 million shall be appropriated annually

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1074 each fiscal year through the 2025-2026 fiscal year to the St.
1075 Johns River Water Management District for projects dedicated to
1076 the restoration of Lake Apopka. This distribution shall be
1077 reduced by an amount equal to the debt service paid pursuant to
1078 paragraph (a) on bonds issued after July 1, 2016, for the
1079 purposes set forth in this subparagraph.

1080 4. The sum of \$64 million is appropriated and shall be
1081 transferred to the Everglades Trust Fund for the 2018-2019
1082 fiscal year, and each fiscal year thereafter, for the EAA
1083 reservoir project pursuant to s. 373.4598. Any funds remaining
1084 in any fiscal year shall be made available only for Phase II of
1085 the C-51 reservoir project or projects identified in
1086 subparagraph 1. and must be used in accordance with laws
1087 relating to such projects. Any funds made available for such
1088 purposes in a fiscal year are in addition to the amount
1089 appropriated under subparagraph 1. This distribution shall be
1090 reduced by an amount equal to the debt service paid pursuant to
1091 paragraph (a) on bonds issued after July 1, 2017, for the
1092 purposes set forth in this subparagraph.

1093 5. The sum of \$50 million shall be appropriated annually to
1094 the South Florida Water Management District for the Lake
1095 Okeechobee Watershed Restoration Project in accordance with s.
1096 373.4599. This distribution must be reduced by an amount equal
1097 to the debt service paid pursuant to paragraph (a) on bonds
1098 issued after July 1, 2021, for the purposes set forth in this
1099 subparagraph.

1100 6. The sum of \$100 million shall be appropriated annually
1101 to the Department of Environmental Protection for the
1102 acquisition of land pursuant to s. 259.105 ~~Notwithstanding~~

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1103 ~~subparagraph 3., for the 2022-2023 fiscal year, funds shall be~~
1104 ~~appropriated as provided in the General Appropriations Act. This~~
1105 ~~subparagraph expires July 1, 2023.~~

1106 Section 12. Present paragraphs (f) through (r) of
1107 subsection (2) of section 381.0065, Florida Statutes, are
1108 redesignated as paragraphs (g) through (s), respectively, a new
1109 paragraph (f) is added to that subsection, and paragraph (n) of
1110 subsection (4) of that section is amended, to read:

1111 381.0065 Onsite sewage treatment and disposal systems;
1112 regulation.—

1113 (2) DEFINITIONS.—As used in ss. 381.0065-381.0067, the
1114 term:

1115 (f) "Enhanced nutrient-reducing onsite sewage treatment and
1116 disposal system" means an onsite sewage treatment and disposal
1117 system approved by the department as capable of meeting or
1118 exceeding a 50 percent total nitrogen reduction before disposal
1119 of wastewater in the drainfield, or at least 65 percent total
1120 nitrogen reduction combined from onsite sewage tank or tanks and
1121 drainfield.

1122 (4) PERMITS; INSTALLATION; CONDITIONS.—A person may not
1123 construct, repair, modify, abandon, or operate an onsite sewage
1124 treatment and disposal system without first obtaining a permit
1125 approved by the department. The department may issue permits to
1126 carry out this section, except that the issuance of a permit for
1127 work seaward of the coastal construction control line
1128 established under s. 161.053 shall be contingent upon receipt of
1129 any required coastal construction control line permit from the
1130 department. A construction permit is valid for 18 months after
1131 the date of issuance and may be extended by the department for

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1132 one 90-day period under rules adopted by the department. A
1133 repair permit is valid for 90 days after the date of issuance.
1134 An operating permit must be obtained before the use of any
1135 aerobic treatment unit or if the establishment generates
1136 commercial waste. Buildings or establishments that use an
1137 aerobic treatment unit or generate commercial waste shall be
1138 inspected by the department at least annually to assure
1139 compliance with the terms of the operating permit. The operating
1140 permit for a commercial wastewater system is valid for 1 year
1141 after the date of issuance and must be renewed annually. The
1142 operating permit for an aerobic treatment unit is valid for 2
1143 years after the date of issuance and must be renewed every 2
1144 years. If all information pertaining to the siting, location,
1145 and installation conditions or repair of an onsite sewage
1146 treatment and disposal system remains the same, a construction
1147 or repair permit for the onsite sewage treatment and disposal
1148 system may be transferred to another person, if the transferee
1149 files, within 60 days after the transfer of ownership, an
1150 amended application providing all corrected information and
1151 proof of ownership of the property. A fee is not associated with
1152 the processing of this supplemental information. A person may
1153 not contract to construct, modify, alter, repair, service,
1154 abandon, or maintain any portion of an onsite sewage treatment
1155 and disposal system without being registered under part III of
1156 chapter 489. A property owner who personally performs
1157 construction, maintenance, or repairs to a system serving his or
1158 her own owner-occupied single-family residence is exempt from
1159 registration requirements for performing such construction,
1160 maintenance, or repairs on that residence, but is subject to all

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1161 permitting requirements. A municipality or political subdivision
1162 of the state may not issue a building or plumbing permit for any
1163 building that requires the use of an onsite sewage treatment and
1164 disposal system unless the owner or builder has received a
1165 construction permit for such system from the department. A
1166 building or structure may not be occupied and a municipality,
1167 political subdivision, or any state or federal agency may not
1168 authorize occupancy until the department approves the final
1169 installation of the onsite sewage treatment and disposal system.
1170 A municipality or political subdivision of the state may not
1171 approve any change in occupancy or tenancy of a building that
1172 uses an onsite sewage treatment and disposal system until the
1173 department has reviewed the use of the system with the proposed
1174 change, approved the change, and amended the operating permit.

1175 (n) Evaluations for determining the seasonal high-water
1176 table elevations or the suitability of soils for the use of a
1177 new onsite sewage treatment and disposal system shall be
1178 performed by department personnel, professional engineers
1179 registered in the state, or such other persons with expertise,
1180 as defined by rule, in making such evaluations. Evaluations for
1181 determining mean annual flood lines shall be performed by those
1182 persons identified in paragraph (2) (1) ~~(2) (k)~~. The department
1183 shall accept evaluations submitted by professional engineers and
1184 such other persons as meet the expertise established by this
1185 section or by rule unless the department has a reasonable
1186 scientific basis for questioning the accuracy or completeness of
1187 the evaluation.

1188 Section 13. Subsections (5) and (6) of section 381.00652,
1189 Florida Statutes, are amended to read:

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1190 381.00652 Onsite sewage treatment and disposal systems
1191 technical advisory committee.—

1192 (5) By January 1 of each year, ~~2022~~, the committee shall
1193 submit its recommendations to the Governor, the President of the
1194 Senate, and the Speaker of the House of Representatives.

1195 ~~(6) This section expires August 15, 2022.~~

1196 Section 14. Subsection (3) is added to section 381.00655,
1197 Florida Statutes, to read:

1198 381.00655 Connection of existing onsite sewage treatment
1199 and disposal systems to central sewerage system; requirements.—

1200 (3) Local governmental agencies, as defined in s.
1201 403.1835(2), that receive grants or loans from the department to
1202 offset the cost of connecting onsite sewage treatment and
1203 disposal systems to publicly owned or investor-owned sewerage
1204 systems are encouraged to do all of the following while such
1205 funds remain available:

1206 (a) Identify the owners of onsite sewage treatment and
1207 disposal systems within the jurisdiction of the respective local
1208 governmental agency who are eligible to apply for the grant or
1209 loan funds and notify such owners of the funding availability.

1210 (b) Maintain a publicly available website with information
1211 relating to the availability of the grant or loan funds,
1212 including the amount of funds available and information on how
1213 the owner of an onsite sewage treatment and disposal system may
1214 apply for such funds.

1215 Section 15. Section 403.031, Florida Statutes, is reordered
1216 and amended to read:

1217 403.031 Definitions.—In construing this chapter, or rules
1218 and regulations adopted pursuant hereto, the following words,

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1219 phrases, or terms, unless the context otherwise indicates, have
1220 the following meanings:

1221 (1) "Contaminant" is any substance which is harmful to
1222 plant, animal, or human life.

1223 (2) "Department" means the Department of Environmental
1224 Protection.

1225 (3) "Effluent limitations" means any restriction
1226 established by the department on quantities, rates, or
1227 concentrations of chemical, physical, biological, or other
1228 constituents which are discharged from sources into waters of
1229 the state.

1230 (5) "Enhanced nutrient-reducing onsite sewage treatment and
1231 disposal system" means an onsite sewage treatment and disposal
1232 system approved by the department as capable of meeting or
1233 exceeding a 50 percent total nitrogen reduction before disposal
1234 of wastewater in the drainfield, or at least 65 percent total
1235 nitrogen reduction combined from onsite sewage tank or tanks and
1236 drainfield.

1237 ~~(6)~~(4) "Installation" means ~~is~~ any structure, equipment, or
1238 facility, or appurtenances thereto, or operation which may emit
1239 air or water contaminants in quantities prohibited by rules of
1240 the department.

1241 (7) "Nutrient or nutrient-related standards" means water
1242 quality standards and criteria established for total nitrogen
1243 and total phosphorous, or their organic or inorganic forms;
1244 biological variables, such as chlorophyll-a, biomass, or the
1245 structure of the phytoplankton, periphyton, or vascular plant
1246 community, that respond to nutrient load or concentration in a
1247 predictable and measurable manner; or dissolved oxygen if it is

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1248 demonstrated for the waterbody that dissolved oxygen conditions
1249 result in a biological imbalance and the dissolved oxygen
1250 responds to a nutrient load or concentration in a predictable
1251 and measurable manner.

1252 (8) "Onsite sewage treatment and disposal system" means a
1253 system that contains a standard subsurface, filled, or mound
1254 drainfield system; an aerobic treatment unit; a graywater system
1255 tank; a laundry wastewater system tank; a septic tank; a grease
1256 interceptor; a pump tank; a solids or effluent pump; a
1257 waterless, incinerating, or organic waste-composting toilet; or
1258 a sanitary pit privy that is installed or proposed to be
1259 installed beyond the building sewer on land of the owner or on
1260 other land to which the owner has the legal right to install a
1261 system. The term includes any item placed within, or intended to
1262 be used as a part of or in conjunction with, the system. The
1263 term does not include package sewage treatment facilities and
1264 other treatment works regulated under chapter 403.

1265 (9)~~(5)~~ "Person" means the state or any agency or
1266 institution thereof, the United States or any agency or
1267 institution thereof, or any municipality, political subdivision,
1268 public or private corporation, individual, partnership,
1269 association, or other entity and includes any officer or
1270 governing or managing body of the state, the United States, any
1271 agency, any municipality, political subdivision, or public or
1272 private corporation.

1273 (10)~~(6)~~ "Plant" is any unit operation, complex, area, or
1274 multiple of unit operations that produce, process, or cause to
1275 be processed any materials, the processing of which can, or may,
1276 cause air or water pollution.

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1277 (11)~~(7)~~ "Pollution" is the presence in the outdoor
1278 atmosphere or waters of the state of any substances,
1279 contaminants, noise, or manmade or human-induced impairment of
1280 air or waters or alteration of the chemical, physical,
1281 biological, or radiological integrity of air or water in
1282 quantities or at levels which are or may be potentially harmful
1283 or injurious to human health or welfare, animal or plant life,
1284 or property or which unreasonably interfere with the enjoyment
1285 of life or property, including outdoor recreation unless
1286 authorized by applicable law.

1287 (12)~~(8)~~ "Pollution prevention" means the steps taken by a
1288 potential generator of contamination or pollution to eliminate
1289 or reduce the contamination or pollution before it is discharged
1290 into the environment. The term includes nonmandatory steps taken
1291 to use alternative forms of energy, conserve or reduce the use
1292 of energy, substitute nontoxic materials for toxic materials,
1293 conserve or reduce the use of toxic materials and raw materials,
1294 reformulate products, modify manufacturing or other processes,
1295 improve in-plant maintenance and operations, implement
1296 environmental planning before expanding a facility, and recycle
1297 toxic or other raw materials.

1298 (14)~~(9)~~ "Sewerage system" means pipelines or conduits,
1299 pumping stations, and force mains and all other structures,
1300 devices, appurtenances, and facilities used for collecting or
1301 conducting wastes to an ultimate point for treatment or
1302 disposal.

1303 (15)~~(10)~~ "Source" means ~~is~~ any and all points of origin of
1304 a contaminant ~~the item defined in subsection (1)~~, whether
1305 privately or publicly owned or operated.

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1306 (21)~~(11)~~ "Treatment works" and "disposal systems" mean any
1307 plant or other works used for the purpose of treating,
1308 stabilizing, or holding wastes.

1309 (22)~~(12)~~ "Wastes" means sewage, industrial wastes, and all
1310 other liquid, gaseous, solid, radioactive, or other substances
1311 which may pollute or tend to pollute any waters of the state.

1312 (23)~~(13)~~ "Waters" include, but are not limited to, rivers,
1313 lakes, streams, springs, impoundments, wetlands, and all other
1314 waters or bodies of water, including fresh, brackish, saline,
1315 tidal, surface, or underground waters. Waters owned entirely by
1316 one person other than the state are included only in regard to
1317 possible discharge on other property or water. Underground
1318 waters include, but are not limited to, all underground waters
1319 passing through pores of rock or soils or flowing through in
1320 channels, whether manmade or natural. Solely for purposes of s.
1321 403.0885, waters of the state also include navigable waters or
1322 waters of the contiguous zone as used in s. 502 of the Clean
1323 Water Act, as amended, 33 U.S.C. ss. 1251 et seq., as in
1324 existence on January 1, 1993, except for those navigable waters
1325 seaward of the boundaries of the state set forth in s. 1, Art.
1326 II of the State Constitution. Solely for purposes of this
1327 chapter, waters of the state also include the area bounded by
1328 the following:

1329 (a) Commence at the intersection of State Road (SRD) 5
1330 (U.S. 1) and the county line dividing Miami-Dade and Monroe
1331 Counties, said point also being the mean high-water line of
1332 Florida Bay, located in section 4, township 60 south, range 39
1333 east of the Tallahassee Meridian for the point of beginning.
1334 From said point of beginning, thence run northwesterly along

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1335 said SRD 5 to an intersection with the north line of section 18,
1336 township 58 south, range 39 east; thence run westerly to a point
1337 marking the southeast corner of section 12, township 58 south,
1338 range 37 east, said point also lying on the east boundary of the
1339 Everglades National Park; thence run north along the east
1340 boundary of the aforementioned Everglades National Park to a
1341 point marking the northeast corner of section 1, township 58
1342 south, range 37 east; thence run west along said park to a point
1343 marking the northwest corner of said section 1; thence run
1344 northerly along said park to a point marking the northwest
1345 corner of section 24, township 57 south, range 37 east; thence
1346 run westerly along the south lines of sections 14, 15, and 16 to
1347 the southwest corner of section 16; thence leaving the
1348 Everglades National Park boundary run northerly along the west
1349 line of section 16 to the northwest corner of section 16; thence
1350 east along the northerly line of section 16 to a point at the
1351 intersection of the east one-half and west one-half of section
1352 9; thence northerly along the line separating the east one-half
1353 and the west one-half of sections 9, 4, 33, and 28; thence run
1354 easterly along the north line of section 28 to the northeast
1355 corner of section 28; thence run northerly along the west line
1356 of section 22 to the northwest corner of section 22; thence
1357 easterly along the north line of section 22 to a point at the
1358 intersection of the east one-half and west one-half of section
1359 15; thence run northerly along said line to the point of
1360 intersection with the north line of section 15; thence easterly
1361 along the north line of section 15 to the northeast corner of
1362 section 15; thence run northerly along the west lines of
1363 sections 11 and 2 to the northwest corner of section 2; thence

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1364 run easterly along the north lines of sections 2 and 1 to the
1365 northeast corner of section 1, township 56 south, range 37 east;
1366 thence run north along the east line of section 36, township 55
1367 south, range 37 east to the northeast corner of section 36;
1368 thence run west along the north line of section 36 to the
1369 northwest corner of section 36; thence run north along the west
1370 line of section 25 to the northwest corner of section 25; thence
1371 run west along the north line of section 26 to the northwest
1372 corner of section 26; thence run north along the west line of
1373 section 23 to the northwest corner of section 23; thence run
1374 easterly along the north line of section 23 to the northeast
1375 corner of section 23; thence run north along the west line of
1376 section 13 to the northwest corner of section 13; thence run
1377 east along the north line of section 13 to a point of
1378 intersection with the west line of the southeast one-quarter of
1379 section 12; thence run north along the west line of the
1380 southeast one-quarter of section 12 to the northwest corner of
1381 the southeast one-quarter of section 12; thence run east along
1382 the north line of the southeast one-quarter of section 12 to the
1383 point of intersection with the east line of section 12; thence
1384 run east along the south line of the northwest one-quarter of
1385 section 7 to the southeast corner of the northwest one-quarter
1386 of section 7; thence run north along the east line of the
1387 northwest one-quarter of section 7 to the point of intersection
1388 with the north line of section 7; thence run northerly along the
1389 west line of the southeast one-quarter of section 6 to the
1390 northwest corner of the southeast one-quarter of section 6;
1391 thence run east along the north lines of the southeast one-
1392 quarter of section 6 and the southwest one-quarter of section 5

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1393 to the northeast corner of the southwest one-quarter of section
1394 5; thence run northerly along the east line of the northwest
1395 one-quarter of section 5 to the point of intersection with the
1396 north line of section 5; thence run northerly along the line
1397 dividing the east one-half and the west one-half of Lot 5 to a
1398 point intersecting the north line of Lot 5; thence run east
1399 along the north line of Lot 5 to the northeast corner of Lot 5,
1400 township 54 1/2 south, range 38 east; thence run north along the
1401 west line of section 33, township 54 south, range 38 east to a
1402 point intersecting the northwest corner of the southwest one-
1403 quarter of section 33; thence run easterly along the north line
1404 of the southwest one-quarter of section 33 to the northeast
1405 corner of the southwest one-quarter of section 33; thence run
1406 north along the west line of the northeast one-quarter of
1407 section 33 to a point intersecting the north line of section 33;
1408 thence run easterly along the north line of section 33 to the
1409 northeast corner of section 33; thence run northerly along the
1410 west line of section 27 to a point intersecting the northwest
1411 corner of the southwest one-quarter of section 27; thence run
1412 easterly to the northeast corner of the southwest one-quarter of
1413 section 27; thence run northerly along the west line of the
1414 northeast one-quarter of section 27 to a point intersecting the
1415 north line of section 27; thence run west along the north line
1416 of section 27 to the northwest corner of section 27; thence run
1417 north along the west lines of sections 22 and 15 to the
1418 northwest corner of section 15; thence run easterly along the
1419 north lines of sections 15 and 14 to the point of intersection
1420 with the L-31N Levee, said intersection located near the
1421 southeast corner of section 11, township 54 south, range 38

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1422 east; thence run northerly along Levee L-31N crossing SRD 90
1423 (U.S. 41 Tamiami Trail) to an intersection common to Levees L-
1424 31N, L-29, and L-30, said intersection located near the
1425 southeast corner of section 2, township 54 south, range 38 east;
1426 thence run northeasterly, northerly, and northeasterly along
1427 Levee L-30 to a point of intersection with the Miami-
1428 Dade/Broward Levee, said intersection located near the northeast
1429 corner of section 17, township 52 south, range 39 east; thence
1430 run due east to a point of intersection with SRD 27 (Krome
1431 Ave.); thence run northeasterly along SRD 27 to an intersection
1432 with SRD 25 (U.S. 27), said intersection located in section 3,
1433 township 52 south, range 39 east; thence run northerly along
1434 said SRD 25, entering into Broward County, to an intersection
1435 with SRD 84 at Andytown; thence run southeasterly along the
1436 aforementioned SRD 84 to an intersection with the southwesterly
1437 prolongation of Levee L-35A, said intersection being located in
1438 the northeast one-quarter of section 5, township 50 south, range
1439 40 east; thence run northeasterly along Levee L-35A to an
1440 intersection of Levee L-36, said intersection located near the
1441 southeast corner of section 12, township 49 south, range 40
1442 east; thence run northerly along Levee L-36, entering into Palm
1443 Beach County, to an intersection common to said Levees L-36, L-
1444 39, and L-40, said intersection located near the west quarter
1445 corner of section 19, township 47 south, range 41 east; thence
1446 run northeasterly, easterly, and northerly along Levee L-40,
1447 said Levee L-40 being the easterly boundary of the Loxahatchee
1448 National Wildlife Refuge, to an intersection with SRD 80 (U.S.
1449 441), said intersection located near the southeast corner of
1450 section 32, township 43 south, range 40 east; thence run

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1451 westerly along the aforementioned SRD 80 to a point marking the
1452 intersection of said road and the northeasterly prolongation of
1453 Levee L-7, said Levee L-7 being the westerly boundary of the
1454 Loxahatchee National Wildlife Refuge; thence run southwesterly
1455 and southerly along said Levee L-7 to an intersection common to
1456 Levees L-7, L-15 (Hillsborough Canal), and L-6; thence run
1457 southwesterly along Levee L-6 to an intersection common to Levee
1458 L-6, SRD 25 (U.S. 27), and Levee L-5, said intersection being
1459 located near the northwest corner of section 27, township 47
1460 south, range 38 east; thence run westerly along the
1461 aforementioned Levee L-5 to a point intersecting the east line
1462 of range 36 east; thence run northerly along said range line to
1463 a point marking the northeast corner of section 1, township 47
1464 south, range 36 east; thence run westerly along the north line
1465 of township 47 south, to an intersection with Levee L-23/24
1466 (Miami Canal); thence run northwesterly along the Miami Canal
1467 Levee to a point intersecting the north line of section 22,
1468 township 46 south, range 35 east; thence run westerly to a point
1469 marking the northwest corner of section 21, township 46 south,
1470 range 35 east; thence run southerly to the southwest corner of
1471 said section 21; thence run westerly to a point marking the
1472 northwest corner of section 30, township 46 south, range 35
1473 east, said point also being on the line dividing Palm Beach and
1474 Hendry Counties; from said point, thence run southerly along
1475 said county line to a point marking the intersection of Broward,
1476 Hendry, and Collier Counties, said point also being the
1477 northeast corner of section 1, township 49 south, range 34 east;
1478 thence run westerly along the line dividing Hendry and Collier
1479 Counties and continuing along the prolongation thereof to a

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1480 point marking the southwest corner of section 36, township 48
1481 south, range 29 east; thence run southerly to a point marking
1482 the southwest corner of section 12, township 49 south, range 29
1483 east; thence run westerly to a point marking the southwest
1484 corner of section 10, township 49 south, range 29 east; thence
1485 run southerly to a point marking the southwest corner of section
1486 15, township 49 south, range 29 east; thence run westerly to a
1487 point marking the northwest corner of section 24, township 49
1488 south, range 28 east, said point lying on the west boundary of
1489 the Big Cypress Area of Critical State Concern as described in
1490 rule 28-25.001, Florida Administrative Code; thence run
1491 southerly along said boundary crossing SRD 84 (Alligator Alley)
1492 to a point marking the southwest corner of section 24, township
1493 50 south, range 28 east; thence leaving the aforementioned west
1494 boundary of the Big Cypress Area of Critical State Concern run
1495 easterly to a point marking the northeast corner of section 25,
1496 township 50 south, range 28 east; thence run southerly along the
1497 east line of range 28 east to a point lying approximately 0.15
1498 miles south of the northeast corner of section 1, township 52
1499 south, range 28 east; thence run southwesterly 2.4 miles more or
1500 less to an intersection with SRD 90 (U.S. 41 Tamiami Trail),
1501 said intersection lying 1.1 miles more or less west of the east
1502 line of range 28 east; thence run northwesterly and westerly
1503 along SRD 90 to an intersection with the west line of section
1504 10, township 52 south, range 28 east; thence leaving SRD 90 run
1505 southerly to a point marking the southwest corner of section 15,
1506 township 52 south, range 28 east; thence run westerly crossing
1507 the Faka Union Canal 0.6 miles more or less to a point; thence
1508 run southerly and parallel to the Faka Union Canal to a point

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1509 located on the mean high-water line of Faka Union Bay; thence
1510 run southeasterly along the mean high-water line of the various
1511 bays, rivers, inlets, and streams to the point of beginning.

1512 (b) The area bounded by the line described in paragraph (a)
1513 generally includes those waters to be known as waters of the
1514 state. The landward extent of these waters shall be determined
1515 by the delineation methodology ratified in s. 373.4211. Any
1516 waters which are outside the general boundary line described in
1517 paragraph (a) but which are contiguous thereto by virtue of the
1518 presence of a wetland, watercourse, or other surface water, as
1519 determined by the delineation methodology ratified in s.
1520 373.4211, shall be a part of this waterbody ~~water body~~. Any
1521 areas within the line described in paragraph (a) which are
1522 neither a wetland nor surface water, as determined by the
1523 delineation methodology ratified in s. 373.4211, shall be
1524 excluded therefrom. If the Florida Environmental Regulation
1525 Commission designates the waters within the boundaries an
1526 Outstanding Florida Water, waters outside the boundaries may
1527 ~~shall~~ not be included as part of such designation unless a
1528 hearing is held pursuant to notice in each appropriate county
1529 and the boundaries of such lands are specifically considered and
1530 described for such designation.

1531 (16) ~~(14)~~ "State water resource implementation rule" means
1532 the rule authorized by s. 373.036, which sets forth goals,
1533 objectives, and guidance for the development and review of
1534 programs, rules, and plans relating to water resources, based on
1535 statutory policies and directives. The waters of the state are
1536 among its most basic resources. Such waters should be managed to
1537 conserve and protect water resources and to realize the full

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1538 beneficial use of these resources.

1539 (17)~~(15)~~ "Stormwater management program" means the
1540 institutional strategy for stormwater management, including
1541 urban, agricultural, and other stormwater.

1542 (18)~~(16)~~ "Stormwater management system" means a system
1543 ~~which is~~ designed and constructed or implemented to control
1544 discharges that ~~which~~ are necessitated by rainfall events,
1545 incorporating methods to collect, convey, store, absorb,
1546 inhibit, treat, use, or reuse water to prevent or reduce
1547 flooding, overdrainage, environmental degradation and water
1548 pollution or otherwise affect the quantity and quality of
1549 discharges from the system.

1550 (19)~~(17)~~ "Stormwater utility" means the funding of a
1551 stormwater management program by assessing the cost of the
1552 program to the beneficiaries based on their relative
1553 contribution to its need. It is operated as a typical utility
1554 which bills services regularly, similar to water and wastewater
1555 services.

1556 (24)~~(18)~~ "Watershed" means the land area that ~~which~~
1557 contributes to the flow of water into a receiving body of water.

1558 (13)~~(19)~~ "Regulated air pollutant" means any pollutant
1559 regulated under the federal Clean Air Act.

1560 (4)~~(20)~~ "Electrical power plant" means, for purposes of
1561 this part of this chapter, any electrical generating facility
1562 that uses any process or fuel and that is owned or operated by
1563 an electric utility, as defined in s. 403.503(14), and includes
1564 any associated facility that directly supports the operation of
1565 the electrical power plant.

1566 (20)~~(21)~~ "Total maximum daily load" is defined as the sum

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1567 of the individual wasteload allocations for point sources and
1568 the load allocations for nonpoint sources and natural
1569 background. Prior to determining individual wasteload
1570 allocations and load allocations, the maximum amount of a
1571 pollutant that a waterbody ~~water body~~ or water segment can
1572 assimilate from all sources without exceeding water quality
1573 standards must first be calculated.

1574 Section 16. Paragraphs (a) and (e) of subsection (7) of
1575 section 403.067, Florida Statutes, are amended to read:

1576 403.067 Establishment and implementation of total maximum
1577 daily loads.—

1578 (7) DEVELOPMENT OF BASIN MANAGEMENT PLANS AND
1579 IMPLEMENTATION OF TOTAL MAXIMUM DAILY LOADS.—

1580 (a) *Basin management action plans.*—

1581 1. In developing and implementing the total maximum daily
1582 load for a waterbody ~~water body~~, the department, or the
1583 department in conjunction with a water management district, may
1584 develop a basin management action plan that addresses some or
1585 all of the watersheds and basins tributary to the waterbody
1586 ~~water body~~. Such plan must integrate the appropriate management
1587 strategies available to the state through existing water quality
1588 protection programs to achieve the total maximum daily loads and
1589 may provide for phased implementation of these management
1590 strategies to promote timely, cost-effective actions as provided
1591 for in s. 403.151. The plan must establish a schedule
1592 implementing the management strategies, establish a basis for
1593 evaluating the plan's effectiveness, and identify feasible
1594 funding strategies for implementing the plan's management
1595 strategies. The management strategies may include regional

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1596 treatment systems or other public works, when appropriate, and
1597 voluntary trading of water quality credits to achieve the needed
1598 pollutant load reductions.

1599 2. A basin management action plan must equitably allocate,
1600 pursuant to paragraph (6) (b), pollutant reductions to individual
1601 basins, as a whole to all basins, or to each identified point
1602 source or category of nonpoint sources, as appropriate. For
1603 nonpoint sources for which best management practices have been
1604 adopted, the initial requirement specified by the plan must be
1605 those practices developed pursuant to paragraph (c). When
1606 appropriate, the plan may take into account the benefits of
1607 pollutant load reduction achieved by point or nonpoint sources
1608 that have implemented management strategies to reduce pollutant
1609 loads, including best management practices, before the
1610 development of the basin management action plan. The plan must
1611 also identify the mechanisms that will address potential future
1612 increases in pollutant loading.

1613 3. The basin management action planning process is intended
1614 to involve the broadest possible range of interested parties,
1615 with the objective of encouraging the greatest amount of
1616 cooperation and consensus possible. In developing a basin
1617 management action plan, the department shall assure that key
1618 stakeholders, including, but not limited to, applicable local
1619 governments, water management districts, the Department of
1620 Agriculture and Consumer Services, other appropriate state
1621 agencies, local soil and water conservation districts,
1622 environmental groups, regulated interests, and affected
1623 pollution sources, are invited to participate in the process.
1624 The department shall hold at least one public meeting in the

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

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

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

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

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

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

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1654 ~~e.d.~~ The source and amount of financial assistance to be
1655 made available by the department, a water management district,
1656 or other entity for each listed project, if applicable. ~~;~~ ~~and~~

1657 ~~f.e.~~ A planning-level estimate of each listed project's
1658 expected load reduction, if applicable.

1659 5. The department shall adopt all or any part of a basin
1660 management action plan and any amendment to such plan by
1661 secretarial order pursuant to chapter 120 to implement this
1662 section.

1663 6. The basin management action plan must include 5-year
1664 milestones for implementation and water quality improvement, and
1665 an associated water quality monitoring component sufficient to
1666 evaluate whether reasonable progress in pollutant load
1667 reductions is being achieved over time. An assessment of
1668 progress toward these milestones shall be conducted every 5
1669 years, and revisions to the plan shall be made as appropriate.
1670 Any entity with a specific pollutant load reduction requirement
1671 established in a basin management action plan shall identify the
1672 projects or strategies that such entity will undertake to meet
1673 current 5-year pollution reduction milestones, beginning with
1674 the first 5-year milestone for new basin management action
1675 plans, and submit such projects to the department for inclusion
1676 in the appropriate basin management action plan. Each project
1677 identified must include an estimated amount of nutrient
1678 reduction that is reasonably expected to be achieved based on
1679 the best scientific information available. Revisions to the
1680 basin management action plan shall be made by the department in
1681 cooperation with basin stakeholders. Revisions to the management
1682 strategies required for nonpoint sources must follow the

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1683 procedures in subparagraph (c)4. Revised basin management action
1684 plans must be adopted pursuant to subparagraph 5.

1685 7. In accordance with procedures adopted by rule under
1686 paragraph (9)(c), basin management action plans, and other
1687 pollution control programs under local, state, or federal
1688 authority as provided in subsection (4), may allow point or
1689 nonpoint sources that will achieve greater pollutant reductions
1690 than required by an adopted total maximum daily load or
1691 wasteload allocation to generate, register, and trade water
1692 quality credits for the excess reductions to enable other
1693 sources to achieve their allocation; however, the generation of
1694 water quality credits does not remove the obligation of a source
1695 or activity to meet applicable technology requirements or
1696 adopted best management practices. Such plans must allow trading
1697 between NPDES permittees, and trading that may or may not
1698 involve NPDES permittees, where the generation or use of the
1699 credits involve an entity or activity not subject to department
1700 water discharge permits whose owner voluntarily elects to obtain
1701 department authorization for the generation and sale of credits.

1702 8. The department's rule relating to the equitable
1703 abatement of pollutants into surface waters does ~~de~~ not apply to
1704 waterbodies ~~water bodies~~ or waterbody ~~water body~~ segments for
1705 which a basin management plan that takes into account future new
1706 or expanded activities or discharges has been adopted under this
1707 section.

1708 9. In order to promote resilient wastewater utilities, if
1709 the department identifies domestic wastewater treatment
1710 facilities or onsite sewage treatment and disposal systems as
1711 contributors of at least 20 percent of point source or nonpoint

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1712 source nutrient pollution or if the department determines
1713 remediation is necessary to achieve the total maximum daily
1714 load, a basin management action plan for a nutrient total
1715 maximum daily load must include the following:

1716 a. A wastewater treatment plan developed by each local
1717 government, in cooperation with the department, the water
1718 management district, and the public and private domestic
1719 wastewater treatment facilities within the jurisdiction of the
1720 local government, that addresses domestic wastewater. The
1721 wastewater treatment plan must:

1722 (I) Provide for construction, expansion, or upgrades
1723 necessary to achieve the total maximum daily load requirements
1724 applicable to the domestic wastewater treatment facility.

1725 (II) Include the permitted capacity in average annual
1726 gallons per day for the domestic wastewater treatment facility;
1727 the average nutrient concentration and the estimated average
1728 nutrient load of the domestic wastewater; a projected timeline
1729 of the dates by which the construction of any facility
1730 improvements will begin and be completed and the date by which
1731 operations of the improved facility will begin; the estimated
1732 cost of the improvements; and the identity of responsible
1733 parties.

1734
1735 The wastewater treatment plan must be adopted as part of the
1736 basin management action plan no later than July 1, 2025. A local
1737 government that does not have a domestic wastewater treatment
1738 facility in its jurisdiction is not required to develop a
1739 wastewater treatment plan unless there is a demonstrated need to
1740 establish a domestic wastewater treatment facility within its

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1741 jurisdiction to improve water quality necessary to achieve a
1742 total maximum daily load. A local government is not responsible
1743 for a private domestic wastewater facility's compliance with a
1744 basin management action plan unless such facility is operated
1745 through a public-private partnership to which the local
1746 government is a party.

1747 b. An onsite sewage treatment and disposal system
1748 remediation plan developed by each local government in
1749 cooperation with the department, the Department of Health, water
1750 management districts, and public and private domestic wastewater
1751 treatment facilities.

1752 (I) The onsite sewage treatment and disposal system
1753 remediation plan must identify cost-effective and financially
1754 feasible projects necessary to achieve the nutrient load
1755 reductions required for onsite sewage treatment and disposal
1756 systems. To identify cost-effective and financially feasible
1757 projects for remediation of onsite sewage treatment and disposal
1758 systems, the local government shall:

1759 (A) Include an inventory of onsite sewage treatment and
1760 disposal systems based on the best information available;

1761 (B) Identify onsite sewage treatment and disposal systems
1762 that would be eliminated through connection to existing or
1763 future central domestic wastewater infrastructure in the
1764 jurisdiction or domestic wastewater service area of the local
1765 government, that would be replaced with or upgraded to enhanced
1766 nutrient-reducing onsite sewage treatment and disposal systems,
1767 or that would remain on conventional onsite sewage treatment and
1768 disposal systems;

1769 (C) Estimate the costs of potential onsite sewage treatment

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1770 and disposal system connections, upgrades, or replacements; and

1771 (D) Identify deadlines and interim milestones for the
1772 planning, design, and construction of projects.

1773 (II) The department shall adopt the onsite sewage treatment
1774 and disposal system remediation plan as part of the basin
1775 management action plan no later than July 1, 2025, or as
1776 required for Outstanding Florida Springs under s. 373.807.

1777 10. The installation of new onsite sewage treatment and
1778 disposal systems constructed within a basin management action
1779 plan area adopted under this section, a reasonable assurance
1780 plan, or a pollution reduction plan is prohibited where
1781 connection to a publicly owned or investor-owned sewerage system
1782 is available as defined in s. 381.0065(2) (a). On lots of 1 acre
1783 or less within a basin management action plan adopted under this
1784 section, a reasonable assurance plan, or a pollution reduction
1785 plan where a publicly owned or investor-owned sewerage system is
1786 not available, the installation of enhanced nutrient-reducing
1787 onsite sewage treatment and disposal systems or other wastewater
1788 treatment systems that achieve at least 65 percent nitrogen
1789 reduction is required.

1790 ~~11.10.~~ When identifying wastewater projects in a basin
1791 management action plan, the department may not require the
1792 higher cost option if it achieves the same nutrient load
1793 reduction as a lower cost option. A regulated entity may choose
1794 a different cost option if it complies with the pollutant
1795 reduction requirements of an adopted total maximum daily load
1796 and meets or exceeds the pollution reduction requirement of the
1797 original project.

1798 12. Annually, local governments subject to a basin

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1799 management action plan or located within the basin of a
1800 waterbody not attaining nutrient or nutrient-related standards
1801 must provide to the department an update on the status of
1802 construction of sanitary sewers to serve such areas, in a manner
1803 prescribed by the department.

1804 (e) *Cooperative agricultural regional water quality*
1805 *improvement element.*—

1806 1. The department and, ~~the Department of Agriculture and~~
1807 ~~Consumer Services, in cooperation with and~~ owners of
1808 agricultural operations in the basin, shall develop a
1809 cooperative agricultural regional water quality improvement
1810 element as part of a basin management action plan where only if:

1811 a. ~~Agricultural measures have been adopted by the~~
1812 ~~Department of Agriculture and Consumer Services pursuant to~~
1813 ~~subparagraph (c)2. and have been implemented and the water body~~
1814 ~~remains impaired;~~

1815 ~~b.~~ Agricultural nonpoint sources contribute to at least 20
1816 percent of nonpoint source nutrient discharges; or and

1817 ~~b.c.~~ The department determines that additional measures, in
1818 combination with state-sponsored regional projects and other
1819 management strategies included in the basin management action
1820 plan, are necessary to achieve the total maximum daily load.

1821 2. The element will be implemented through the use of cost-
1822 effective and technically and financially practical cooperative
1823 regional agricultural nutrient reduction ~~cost-sharing~~ projects
1824 and. The element must include a list of such projects submitted
1825 to the department by the Department of Agriculture and Consumer
1826 Services which, in combination with the best management
1827 practices, additional measures, and other management strategies,

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1828 will achieve the needed pollutant load reductions established
1829 for agricultural nonpoint sources ~~cost-effective and technically~~
1830 ~~and financially practical cooperative regional agricultural~~
1831 ~~nutrient reduction projects that can be implemented on private~~
1832 ~~properties on a site-specific, cooperative basis.~~ Such
1833 cooperative regional agricultural nutrient reduction projects
1834 may include, but are not limited to, land acquisition in fee or
1835 conservation easements on the lands of willing sellers and site-
1836 specific water quality improvement or dispersed water management
1837 projects. The list of regional projects included in the
1838 cooperative agricultural regional water quality improvement
1839 element must include a planning-level cost estimate of each
1840 project along with the estimated amount of nutrient reduction
1841 that such project will achieve ~~on the lands of project~~
1842 ~~participants.~~

1843 3. To qualify for participation in the cooperative
1844 agricultural regional water quality improvement element, the
1845 participant must have already implemented and be in compliance
1846 with best management practices or other measures adopted by the
1847 Department of Agriculture and Consumer Services pursuant to
1848 subparagraph (c)2. The element must ~~may~~ be included in the basin
1849 management action plan as a part of the next 5-year assessment
1850 under subparagraph (a)6.

1851 4. The department or the Department of Agriculture and
1852 Consumer Services may submit a legislative budget request to
1853 fund projects developed pursuant to this paragraph. In
1854 allocating funds for projects funded pursuant to this paragraph,
1855 the department shall provide at least 20 percent of its annual
1856 appropriation for projects in subbasins with the highest

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1857 nutrient concentrations within a basin management action plan.
1858 Projects submitted pursuant to this paragraph are eligible for
1859 funding in accordance with s. 403.0673.

1860 Section 17. Section 403.0673, Florida Statutes, is amended
1861 to read:

1862 403.0673 Water quality improvement ~~Wastewater~~ grant
1863 program.—A ~~wastewater~~ grant program is established within the
1864 Department of Environmental Protection to address wastewater,
1865 stormwater, and agricultural sources of nutrient loading to
1866 surface water or groundwater.

1867 (1) The purpose of the grant program is to fund projects
1868 that will improve the quality of waters that:

1869 (a) Are not attaining nutrient or nutrient-related
1870 standards;

1871 (b) Have an established total maximum daily load; or

1872 (c) Are located ~~Subject to the appropriation of funds by~~
1873 ~~the Legislature, the department may provide grants for the~~
1874 ~~following projects~~ within a basin management action plan area, a
1875 reasonable assurance plan area ~~an alternative restoration plan~~
1876 ~~adopted by final order, an accepted alternative restoration plan~~
1877 area, or a rural area of opportunity under s. 288.0656.

1878 (2) The department may provide grants for all of the
1879 following types of projects that reduce the amount of nutrients
1880 entering a waterbody identified in subsection (1):

1881 (a) Connecting onsite sewage treatment and disposal systems
1882 to central sewer facilities.

1883 (b) Upgrading domestic wastewater treatment facilities to
1884 advanced waste treatment or greater.

1885 (c) Repairing, upgrading, expanding, or constructing

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1886 stormwater treatment facilities that result in improvements to
1887 surface water or groundwater quality.

1888 (d) Repairing, upgrading, expanding, or constructing
1889 domestic wastewater treatment facilities that result in
1890 improvements to surface water or groundwater quality, including
1891 domestic wastewater reuse and collection systems.

1892 (e) Projects identified pursuant to s. 403.067(7) (a) or
1893 (7) (e).

1894 (f) Projects identified in a wastewater treatment plan or
1895 an onsite sewage treatment and disposal system remediation plan
1896 developed pursuant to s. 403.067(7) (a) 9.a. and b.

1897 (g) Projects listed in a city or county capital improvement
1898 element pursuant to s. 163.3177(3) (a) 4.b.

1899 (h) Retrofitting onsite sewage treatment and disposal
1900 systems to upgrade such systems to enhanced nutrient-reducing
1901 onsite sewage treatment and disposal systems where central
1902 sewerage is unavailable which will individually or collectively
1903 reduce excess nutrient pollution:

1904 ~~(a) Projects to retrofit onsite sewage treatment and~~
1905 ~~disposal systems to upgrade such systems to enhanced nutrient-~~
1906 ~~reducing onsite sewage treatment and disposal systems.~~

1907 ~~(b) Projects to construct, upgrade, or expand facilities to~~
1908 ~~provide advanced waste treatment, as defined in s. 403.086(4).~~

1909 ~~(c) Projects to connect onsite sewage treatment and~~
1910 ~~disposal systems to central sewer facilities.~~

1911 ~~(3)(2) In allocating such funds, priority must be given to~~
1912 ~~projects that subsidize the connection of onsite sewage~~
1913 ~~treatment and disposal systems to wastewater treatment~~
1914 ~~facilities. First priority must be given to subsidize the~~

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1915 ~~connection of onsite sewage treatment and disposal systems to~~
1916 ~~existing infrastructure. Second priority must be given to any~~
1917 ~~expansion of a collection or transmission system that promotes~~
1918 ~~efficiency by planning the installation of wastewater~~
1919 ~~transmission facilities to be constructed concurrently with~~
1920 ~~other construction projects occurring within or along a~~
1921 ~~transportation facility right-of-way. Third priority must be~~
1922 ~~given to all other connections of onsite sewage treatment and~~
1923 ~~disposal systems to wastewater treatment facilities. The~~
1924 department shall consider and prioritize those projects that:

1925 (a) Have the maximum estimated reduction in nutrient load
1926 per project;

1927 (b) Demonstrate project readiness;

1928 (c) Are cost-effective;

1929 (d) Have a cost share identified by the applicant, except
1930 for rural areas of opportunity;

1931 (e) Have previous state commitment and involvement in the
1932 project, considering previously funded phases, the total amount
1933 of previous state funding, and previous partial appropriations
1934 for the proposed project; or

1935 (f) Are in a the cost-effectiveness of the project; the
1936 overall environmental benefit of a project; the location where
1937 reductions are needed most to attain the water quality standards
1938 of a waterbody not attaining nutrient or nutrient-related
1939 standards.

1940
1941 Any project that does not result in reducing nutrient loading to
1942 a waterbody identified in subsection (1) is not eligible for
1943 funding under this section of a project; the availability of

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1944 ~~local matching funds; and projected water savings or quantity~~
1945 ~~improvements associated with a project.~~

1946 ~~(3) Each grant for a project described in subsection (1)~~
1947 ~~must require a minimum of a 50 percent local match of funds.~~
1948 ~~However, the department may, at its discretion, waive, in whole~~
1949 ~~or in part, this consideration of the local contribution for~~
1950 ~~proposed projects within an area designated as a rural area of~~
1951 ~~opportunity under s. 288.0656.~~

1952 (4) The department shall coordinate annually with each
1953 water management district, ~~as necessary,~~ to identify potential
1954 projects grant recipients in each district.

1955 (5) The department shall coordinate with local governments
1956 and stakeholders to identify the most effective and beneficial
1957 water quality improvement projects.

1958 (6) The department shall coordinate with the Department of
1959 Agriculture and Consumer Services to prioritize the most
1960 effective and beneficial agricultural nonpoint source projects
1961 identified pursuant to s. 403.067(7)(e).

1962 (7) Beginning January 15, 2024 ~~1, 2021,~~ and each January 15
1963 ~~1~~ thereafter, the department shall submit a report regarding the
1964 projects funded pursuant to this section to the Governor, the
1965 President of the Senate, and the Speaker of the House of
1966 Representatives. The report must include a list of those
1967 projects receiving funding and the following information for
1968 each project:

1969 (a) A description of the project;

1970 (b) The cost of the project;

1971 (c) The estimated nutrient load reduction of the project;

1972 (d) The location of the project;

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1973 (e) The waterbody or waterbodies where the project will
1974 reduce nutrients; and

1975 (f) The total cost share being provided for the project.

1976 Section 18. Paragraph (c) of subsection (1) of section
1977 403.086, Florida Statutes, is amended to read:

1978 403.086 Sewage disposal facilities; advanced and secondary
1979 waste treatment.-

1980 (1)

1981 (c)1. Notwithstanding this chapter or chapter 373, sewage
1982 disposal facilities may not dispose ~~of~~ any wastes into the
1983 following waters without providing advanced waste treatment, as
1984 defined in subsection (4), as approved by the department or a
1985 more stringent treatment standard if the department determines
1986 the more stringent standard is necessary to achieve the total
1987 maximum daily load or applicable water quality criteria:

1988 a. Old Tampa Bay, Tampa Bay, Hillsborough Bay, Boca Ciega
1989 Bay, St. Joseph Sound, Clearwater Bay, Sarasota Bay, Little
1990 Sarasota Bay, Roberts Bay, Lemon Bay, Charlotte Harbor Bay,
1991 Biscayne Bay, or any river, stream, channel, canal, bay, bayou,
1992 sound, or other water tributary thereto.

1993 b. Beginning July 1, 2025, Indian River Lagoon, or ~~into~~ any
1994 river, stream, channel, canal, bay, bayou, sound, or other water
1995 tributary thereto.

1996 c. By January 1, 2033, waterbodies that are currently not
1997 attaining nutrient or nutrient-related standards or that are
1998 subject to a nutrient or nutrient-related basin management
1999 action plan adopted pursuant to s. 403.067 or adopted reasonable
2000 assurance plan.

2001 2. For any waterbody determined not to be attaining

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2002 nutrient or nutrient-related standards after July 1, 2023, or
2003 subject to a nutrient or nutrient-related basin management
2004 action plan adopted pursuant to s. 403.067 or adopted reasonable
2005 assurance plan after July 1, 2023, sewage disposal facilities
2006 are prohibited from disposing any wastes into such waters
2007 without providing advanced waste treatment, as defined in
2008 subsection (4), as approved by the department within 10 years
2009 after such determination or adoption, ~~without providing advanced~~
2010 ~~waste treatment, as defined in subsection (4), approved by the~~
2011 ~~department. This paragraph does not apply to facilities which~~
2012 ~~were permitted by February 1, 1987, and which discharge~~
2013 ~~secondary treated effluent, followed by water hyacinth~~
2014 ~~treatment, to tributaries of tributaries of the named waters; or~~
2015 ~~to facilities permitted to discharge to the nontidally~~
2016 ~~influenced portions of the Peace River.~~

2017 Section 19. Subsection (10) of section 570.71, Florida
2018 Statutes, is amended, and subsection (14) is added to that
2019 section, to read:

2020 570.71 Conservation easements and agreements.—

2021 (10) The department, in consultation with the Department of
2022 Environmental Protection, the water management districts, the
2023 Department of Economic Opportunity, and the Florida Fish and
2024 Wildlife Conservation Commission, shall adopt rules that
2025 establish an application process; a process and criteria for
2026 setting priorities for use of funds consistent with the purposes
2027 specified in subsection (1) and giving preference to ranch and
2028 timber lands managed using sustainable practices, lands in
2029 imminent danger of development or degradation, or lands within
2030 the Florida wildlife corridor as defined in s. 259.1055(4); an

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2031 appraisal process;~~7~~ and a process for title review and
2032 compliance and approval of the rules by the Board of Trustees of
2033 the Internal Improvement Trust Fund.

2034 (14) Notwithstanding any other law or rule, the department
2035 shall submit a purchase agreement authorized by this section to
2036 the Board of Trustees of the Internal Improvement Trust Fund for
2037 approval only if the purchase price exceeds \$5 million.

2038 Section 20. Paragraph (b) of subsection (1) and subsection
2039 (5) of section 570.715, Florida Statutes, are amended to read:

2040 570.715 Conservation easement acquisition procedures.—

2041 (1) For less than fee simple acquisitions pursuant to s.
2042 570.71, the Department of Agriculture and Consumer Services
2043 shall comply with the following acquisition procedures:

2044 (b) Before approval by the board of trustees of an
2045 agreement to purchase less than fee simple title to land
2046 pursuant to s. 570.71, an appraisal of the parcel shall be
2047 required as follows:

2048 1. Each parcel to be acquired shall have at least one
2049 appraisal. Two appraisals are required when the estimated value
2050 of the parcel exceeds \$5 ~~\$1~~ million. However, when both
2051 appraisals exceed \$5 ~~\$1~~ million and differ significantly, a
2052 third appraisal may be obtained.

2053 2. Appraisal fees and associated costs shall be paid by the
2054 department. All appraisals used for the acquisition of less than
2055 fee simple interest in lands pursuant to this section shall be
2056 prepared by a state-certified appraiser who meets the standards
2057 and criteria established by rule of the board of trustees. Each
2058 appraiser selected to appraise a particular parcel shall, before
2059 contracting with the department or a participant in a multiparty

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2060 agreement, submit to the department or participant an affidavit
2061 substantiating that he or she has no vested or fiduciary
2062 interest in such parcel.

2063 (5) Appraisal reports are confidential and exempt from s.
2064 119.07(1), for use by the department and the board of trustees,
2065 until an option contract is executed or, if an option contract
2066 is not executed, until 2 weeks before a contract or agreement
2067 for purchase is considered for approval by the board of
2068 trustees. However, the department shall ~~has the authority, at~~
2069 ~~its discretion, to~~ disclose appraisal reports to private
2070 landowners or their representatives during negotiations for
2071 acquisitions ~~using alternatives to fee simple techniques, if the~~
2072 ~~department determines that disclosure of such reports will bring~~
2073 ~~the proposed acquisition to closure.~~ The department may also
2074 disclose appraisal information to public agencies or nonprofit
2075 organizations that agree to maintain the confidentiality of the
2076 reports or information when joint acquisition of property is
2077 contemplated, or when a public agency or nonprofit organization
2078 enters into a written multiparty agreement with the department.
2079 For purposes of this subsection, the term "nonprofit
2080 organization" means an organization whose purposes include the
2081 preservation of natural resources, and which is exempt from
2082 federal income tax under s. 501(c)(3) of the Internal Revenue
2083 Code. The department may release an appraisal report when the
2084 passage of time has rendered the conclusions of value in the
2085 report invalid or when the department has terminated
2086 negotiations.

2087 Section 21. Paragraph (h) of subsection (4) of section
2088 201.15, Florida Statutes, is amended to read:

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2089 201.15 Distribution of taxes collected.—All taxes collected
2090 under this chapter are hereby pledged and shall be first made
2091 available to make payments when due on bonds issued pursuant to
2092 s. 215.618 or s. 215.619, or any other bonds authorized to be
2093 issued on a parity basis with such bonds. Such pledge and
2094 availability for the payment of these bonds shall have priority
2095 over any requirement for the payment of service charges or costs
2096 of collection and enforcement under this section. All taxes
2097 collected under this chapter, except taxes distributed to the
2098 Land Acquisition Trust Fund pursuant to subsections (1) and (2),
2099 are subject to the service charge imposed in s. 215.20(1).
2100 Before distribution pursuant to this section, the Department of
2101 Revenue shall deduct amounts necessary to pay the costs of the
2102 collection and enforcement of the tax levied by this chapter.
2103 The costs and service charge may not be levied against any
2104 portion of taxes pledged to debt service on bonds to the extent
2105 that the costs and service charge are required to pay any
2106 amounts relating to the bonds. All of the costs of the
2107 collection and enforcement of the tax levied by this chapter and
2108 the service charge shall be available and transferred to the
2109 extent necessary to pay debt service and any other amounts
2110 payable with respect to bonds authorized before January 1, 2017,
2111 secured by revenues distributed pursuant to this section. All
2112 taxes remaining after deduction of costs shall be distributed as
2113 follows:

2114 (4) After the required distributions to the Land
2115 Acquisition Trust Fund pursuant to subsections (1) and (2) and
2116 deduction of the service charge imposed pursuant to s.
2117 215.20(1), the remainder shall be distributed as follows:

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2118 (h) An amount equaling 5.4175 percent of the remainder
2119 shall be paid into the Water Protection and Sustainability
2120 Program Trust Fund to be used to fund water quality improvement
2121 ~~wastewater~~ grants as specified in s. 403.0673.

2122 Section 22. Paragraph (1) of subsection (3), paragraph (a)
2123 of subsection (5), and paragraph (i) of subsection (15) of
2124 section 259.105, Florida Statutes, are amended to read:

2125 259.105 The Florida Forever Act.—

2126 (3) Less the costs of issuing and the costs of funding
2127 reserve accounts and other costs associated with bonds, the
2128 proceeds of cash payments or bonds issued pursuant to this
2129 section shall be deposited into the Florida Forever Trust Fund
2130 created by s. 259.1051. The proceeds shall be distributed by the
2131 Department of Environmental Protection in the following manner:

2132 (1) For the purposes of paragraphs (e), (f), (g), and (h),
2133 the agencies that receive the funds shall develop their
2134 individual acquisition or restoration lists in accordance with
2135 specific criteria and numeric performance measures developed
2136 pursuant to s. 259.035(4). Proposed additions may be acquired if
2137 they are identified within the original project boundary, the
2138 management plan required pursuant to s. 253.034(5), or the
2139 management prospectus required pursuant to s. 259.032(7)(b) ~~s.~~
2140 ~~259.032(7)(c)~~. Proposed additions not meeting the requirements
2141 of this paragraph shall be submitted to the council for
2142 approval. The council may only approve the proposed addition if
2143 it meets two or more of the following criteria: serves as a link
2144 or corridor to other publicly owned property; enhances the
2145 protection or management of the property; would add a desirable
2146 resource to the property; would create a more manageable

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2147 boundary configuration; has a high resource value that otherwise
2148 would be unprotected; or can be acquired at less than fair
2149 market value.

2150 (5) (a) All lands acquired pursuant to this section shall be
2151 managed for multiple-use purposes, where compatible with the
2152 resource values of and management objectives for such lands. As
2153 used in this section, "multiple-use" includes, but is not
2154 limited to, outdoor recreational activities as described in ss.
2155 253.034 and 259.032(7)(a)2. ~~ss. 253.034 and 259.032(7)(b)~~, water
2156 resource development projects, sustainable forestry management,
2157 carbon sequestration, carbon mitigation, or carbon offsets.

2158 (15) The council shall submit to the board, with its list
2159 of projects, a report that includes, but need not be limited to,
2160 the following information for each project listed:

2161 (i) A management policy statement for the project and a
2162 management prospectus pursuant to s. 259.032(7)(b) ~~s.~~
2163 ~~259.032(7)(c)~~.

2164 Section 23. Subsection (17) of section 373.019, Florida
2165 Statutes, is amended to read:

2166 373.019 Definitions.—When appearing in this chapter or in
2167 any rule, regulation, or order adopted pursuant thereto, the
2168 term:

2169 (17) "Reclaimed water" means water that has received at
2170 least secondary treatment and basic disinfection and is reused
2171 after flowing out of a domestic wastewater treatment facility.
2172 Reclaimed water is not subject to regulation pursuant to s.
2173 373.175 or part II of this chapter until it has been discharged
2174 into waters as defined in s. 403.031 ~~s. 403.031(13)~~.

2175 Section 24. Section 373.4132, Florida Statutes, is amended

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2176 to read:

2177 373.4132 Dry storage facility permitting.—The governing
2178 board or the department shall require a permit under this part,
2179 including s. 373.4145, for the construction, alteration,
2180 operation, maintenance, abandonment, or removal of a dry storage
2181 facility for 10 or more vessels that is functionally associated
2182 with a boat launching area. As part of an applicant's
2183 demonstration that such a facility will not be harmful to the
2184 water resources and will not be inconsistent with the overall
2185 objectives of the district, the governing board or department
2186 shall require the applicant to provide reasonable assurance that
2187 the secondary impacts from the facility will not cause adverse
2188 impacts to the functions of wetlands and surface waters,
2189 including violations of state water quality standards applicable
2190 to waters as defined in s. 403.031 ~~s. 403.031(13)~~, and will meet
2191 the public interest test of s. 373.414(1)(a), including the
2192 potential adverse impacts to manatees. Nothing in this section
2193 shall affect the authority of the governing board or the
2194 department to regulate such secondary impacts under this part
2195 for other regulated activities.

2196 Section 25. Subsection (1) of section 373.414, Florida
2197 Statutes, is amended to read:

2198 373.414 Additional criteria for activities in surface
2199 waters and wetlands.—

2200 (1) As part of an applicant's demonstration that an
2201 activity regulated under this part will not be harmful to the
2202 water resources or will not be inconsistent with the overall
2203 objectives of the district, the governing board or the
2204 department shall require the applicant to provide reasonable

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2205 assurance that state water quality standards applicable to
2206 waters as defined in s. 403.031 ~~s. 403.031(13)~~ will not be
2207 violated and reasonable assurance that such activity in, on, or
2208 over surface waters or wetlands, as delineated in s. 373.421(1),
2209 is not contrary to the public interest. However, if such an
2210 activity significantly degrades or is within an Outstanding
2211 Florida Water, as provided by department rule, the applicant
2212 must provide reasonable assurance that the proposed activity
2213 will be clearly in the public interest.

2214 (a) In determining whether an activity, which is in, on, or
2215 over surface waters or wetlands, as delineated in s. 373.421(1),
2216 and is regulated under this part, is not contrary to the public
2217 interest or is clearly in the public interest, the governing
2218 board or the department shall consider and balance the following
2219 criteria:

2220 1. Whether the activity will adversely affect the public
2221 health, safety, or welfare or the property of others;

2222 2. Whether the activity will adversely affect the
2223 conservation of fish and wildlife, including endangered or
2224 threatened species, or their habitats;

2225 3. Whether the activity will adversely affect navigation or
2226 the flow of water or cause harmful erosion or shoaling;

2227 4. Whether the activity will adversely affect the fishing
2228 or recreational values or marine productivity in the vicinity of
2229 the activity;

2230 5. Whether the activity will be of a temporary or permanent
2231 nature;

2232 6. Whether the activity will adversely affect or will
2233 enhance significant historical and archaeological resources

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2234 under the provisions of s. 267.061; and

2235 7. The current condition and relative value of functions
2236 being performed by areas affected by the proposed activity.

2237 (b) If the applicant is unable to otherwise meet the
2238 criteria set forth in this subsection, the governing board or
2239 the department, in deciding to grant or deny a permit, must
2240 ~~shall~~ consider measures proposed by or acceptable to the
2241 applicant to mitigate adverse effects that may be caused by the
2242 regulated activity. Such measures may include, but are not
2243 limited to, onsite mitigation, offsite mitigation, offsite
2244 regional mitigation, and the purchase of mitigation credits from
2245 mitigation banks permitted under s. 373.4136. It is ~~shall be~~ the
2246 responsibility of the applicant to choose the form of
2247 mitigation. The mitigation must offset the adverse effects
2248 caused by the regulated activity.

2249 1. The department or water management districts may accept
2250 the donation of money as mitigation only where the donation is
2251 specified for use in a duly noticed environmental creation,
2252 preservation, enhancement, or restoration project, endorsed by
2253 the department or the governing board of the water management
2254 district, which offsets the impacts of the activity permitted
2255 under this part. However, ~~the provisions of this subsection~~ does
2256 ~~shall~~ not apply to projects undertaken pursuant to s. 373.4137
2257 or chapter 378. Where a permit is required under this part to
2258 implement any project endorsed by the department or a water
2259 management district, all necessary permits must have been issued
2260 prior to the acceptance of any cash donation. After the
2261 effective date of this act, when money is donated to either the
2262 department or a water management district to offset impacts

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2263 authorized by a permit under this part, the department or the
2264 water management district shall accept only a donation that
2265 represents the full cost to the department or water management
2266 district of undertaking the project that is intended to mitigate
2267 the adverse impacts. The full cost shall include all direct and
2268 indirect costs, as applicable, such as those for land
2269 acquisition, land restoration or enhancement, perpetual land
2270 management, and general overhead consisting of costs such as
2271 staff time, building, and vehicles. The department or the water
2272 management district may use a multiplier or percentage to add to
2273 other direct or indirect costs to estimate general overhead.
2274 Mitigation credit for such a donation may ~~shall~~ be given only to
2275 the extent that the donation covers the full cost to the agency
2276 of undertaking the project ~~that is~~ intended to mitigate the
2277 adverse impacts. However, nothing herein may ~~shall~~ be construed
2278 to prevent the department or a water management district from
2279 accepting a donation representing a portion of a larger project,
2280 provided that the donation covers the full cost of that portion
2281 and mitigation credit is given only for that portion. The
2282 department or water management district may deviate from the
2283 full cost requirements of this subparagraph to resolve a
2284 proceeding brought pursuant to chapter 70 or a claim for inverse
2285 condemnation. Nothing in this section may ~~shall~~ be construed to
2286 require the owner of a private mitigation bank, permitted under
2287 s. 373.4136, to include the full cost of a mitigation credit in
2288 the price of the credit to a purchaser of said credit.

2289 2. The department and each water management district shall
2290 report by March 1 of each year, as part of the consolidated
2291 annual report required by s. 373.036(7), all cash donations

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2292 accepted under subparagraph 1. during the preceding water
2293 management district fiscal year for wetland mitigation purposes.
2294 The report must ~~shall~~ exclude those contributions pursuant to s.
2295 373.4137. The report must ~~shall~~ include a description of the
2296 endorsed mitigation projects and, except for projects governed
2297 by s. 373.4135(6), must ~~shall~~ address, as applicable, success
2298 criteria, project implementation status and timeframe,
2299 monitoring, long-term management, provisions for preservation,
2300 and full cost accounting.

2301 3. If the applicant is unable to meet water quality
2302 standards because existing ambient water quality does not meet
2303 standards, the governing board or the department must ~~shall~~
2304 consider mitigation measures proposed by or acceptable to the
2305 applicant that cause net improvement of the water quality in the
2306 receiving body of water for those parameters which do not meet
2307 standards.

2308 4. If mitigation requirements imposed by a local government
2309 for surface water and wetland impacts of an activity regulated
2310 under this part cannot be reconciled with mitigation
2311 requirements approved under a permit for the same activity
2312 issued under this part, including application of the uniform
2313 wetland mitigation assessment method adopted pursuant to
2314 subsection (18), the mitigation requirements for surface water
2315 and wetland impacts are ~~shall be~~ controlled by the permit issued
2316 under this part.

2317 (c) Where activities for a single project regulated under
2318 this part occur in more than one local government jurisdiction,
2319 and where permit conditions or regulatory requirements are
2320 imposed by a local government for these activities which cannot

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2321 be reconciled with those imposed by a permit under this part for
2322 the same activities, the permit conditions or regulatory
2323 requirements are ~~shall be~~ controlled by the permit issued under
2324 this part.

2325 Section 26. Section 373.4142, Florida Statutes, is amended
2326 to read:

2327 373.4142 Water quality within stormwater treatment
2328 systems.—State surface water quality standards applicable to
2329 waters of the state, as defined in s. 403.031 ~~s. 403.031(13)~~, do
2330 ~~shall~~ not apply within a stormwater management system which is
2331 designed, constructed, operated, and maintained for stormwater
2332 treatment in accordance with a valid permit or noticed exemption
2333 issued pursuant to chapter 62-25, Florida Administrative Code; a
2334 valid permit or exemption under s. 373.4145 within the Northwest
2335 Florida Water Management District; a valid permit issued on or
2336 subsequent to April 1, 1986, within the Suwannee River Water
2337 Management District or the St. Johns River Water Management
2338 District pursuant to this part; a valid permit issued on or
2339 subsequent to March 1, 1988, within the Southwest Florida Water
2340 Management District pursuant to this part; or a valid permit
2341 issued on or subsequent to January 6, 1982, within the South
2342 Florida Water Management District pursuant to this part. Such
2343 inapplicability of state water quality standards shall be
2344 limited to that part of the stormwater management system located
2345 upstream of a manmade water control structure permitted, or
2346 approved under a noticed exemption, to retain or detain
2347 stormwater runoff in order to provide treatment of the
2348 stormwater. The additional use of such a stormwater management
2349 system for flood attenuation or irrigation does ~~shall~~ not divest

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2350 the system of the benefits of this exemption. This section does
2351 ~~shall~~ not affect the authority of the department and water
2352 management districts to require reasonable assurance that the
2353 water quality within such stormwater management systems will not
2354 adversely impact public health, fish and wildlife, or adjacent
2355 waters.

2356 Section 27. Paragraph (a) of subsection (1) of section
2357 373.430, Florida Statutes, is amended to read:

2358 373.430 Prohibitions, violation, penalty, intent.—

2359 (1) It shall be a violation of this part, and it shall be
2360 prohibited for any person:

2361 (a) To cause pollution, as defined in s. 403.031 ~~s.~~
2362 ~~403.031(7)~~, except as otherwise provided in this part, so as to
2363 harm or injure human health or welfare, animal, plant, or
2364 aquatic life or property.

2365 Section 28. Paragraph (n) of subsection (2) of section
2366 373.4592, Florida Statutes, is amended to read:

2367 373.4592 Everglades improvement and management.—

2368 (2) DEFINITIONS.—As used in this section:

2369 (n) "Stormwater management program" shall have the meaning
2370 set forth in s. 403.031 ~~s. 403.031(15)~~.

2371 Section 29. Paragraph (c) of subsection (1) of section
2372 403.890, Florida Statutes, is amended to read:

2373 403.890 Water Protection and Sustainability Program.—

2374 (1) Revenues deposited into or appropriated to the Water
2375 Protection and Sustainability Program Trust Fund shall be
2376 distributed by the Department of Environmental Protection for
2377 the following purposes:

2378 (c) The water quality improvement ~~wastewater~~ grant program

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2379 as provided in s. 403.0673.

2380 Section 30. Paragraph (b) of subsection (1) of section
2381 403.892, Florida Statutes, is amended to read:

2382 403.892 Incentives for the use of graywater technologies.-

2383 (1) As used in this section, the term:

2384 (b) "Graywater" has the same meaning as in s. 381.0065(2)
2385 ~~s. 381.0065(2)(f)~~.

2386 Section 31. Paragraphs (c) and (d) of subsection (2) of
2387 section 403.9301, Florida Statutes, are amended to read:

2388 403.9301 Wastewater services projections.-

2389 (2) As used in this section, the term:

2390 (c) "Treatment works" has the same meaning as provided in
2391 s. 403.031 ~~s. 403.031(11)~~.

2392 (d) "Wastewater services" means service to a sewerage
2393 system, as defined in s. 403.031 ~~s. 403.031(9)~~, or service to
2394 domestic wastewater treatment works.

2395 Section 32. Paragraphs (b) and (c) of subsection (2) of
2396 section 403.9302, Florida Statutes, are amended to read:

2397 403.9302 Stormwater management projections.-

2398 (2) As used in this section, the term:

2399 (b) "Stormwater management program" has the same meaning as
2400 provided in s. 403.031 ~~s. 403.031(15)~~.

2401 (c) "Stormwater management system" has the same meaning as
2402 provided in s. 403.031 ~~s. 403.031(16)~~.

2403 Section 33. For the purpose of incorporating the amendment
2404 made by this act to section 259.032, Florida Statutes, in a
2405 reference thereto, subsection (6) of section 259.045, Florida
2406 Statutes, is reenacted to read:

2407 259.045 Purchase of lands in areas of critical state

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2408 concern; recommendations by department and land authorities.—
2409 Within 45 days after the Administration Commission designates an
2410 area as an area of critical state concern under s. 380.05, and
2411 annually thereafter, the Department of Environmental Protection
2412 shall consider the recommendations of the state land planning
2413 agency pursuant to s. 380.05(1)(a) relating to purchase of lands
2414 within an area of critical state concern or lands outside an
2415 area of critical state concern that directly impact an area of
2416 critical state concern, which may include lands used to preserve
2417 and protect water supply, and shall make recommendations to the
2418 board with respect to the purchase of the fee or any lesser
2419 interest in any such lands that are:

2420 (6) Lands used to prevent or satisfy private property
2421 rights claims resulting from limitations imposed by the
2422 designation of an area of critical state concern if the
2423 acquisition of such lands fulfills a public purpose listed in s.
2424 259.032(2) or if the parcel is wholly or partially, at the time
2425 of acquisition, on one of the board's approved acquisition lists
2426 established pursuant to this chapter. For the purposes of this
2427 subsection, if a parcel is estimated to be worth \$500,000 or
2428 less and the director of the Division of State Lands finds that
2429 the cost of an outside appraisal is not justified, a comparable
2430 sales analysis, an appraisal prepared by the Division of State
2431 Lands, or other reasonably prudent procedures may be used by the
2432 Division of State Lands to estimate the value of the parcel,
2433 provided the public's interest is reasonably protected.

2434
2435 The department, a local government, a special district, or a
2436 land authority within an area of critical state concern may make

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2437 recommendations with respect to additional purchases which were
2438 not included in the state land planning agency recommendations.

2439 Section 34. The Legislature determines and declares that
2440 this act fulfills an important state interest.

2441 Section 35. This act shall take effect July 1, 2023.