

Committee on Environmental Preservation And Conservation

CS/SB 1808 — Numeric Nutrient Criteria

by Community Affairs Committee and Environmental Preservation and Conservation Committee

The bill amends s. 403.061, F.S., and creates four unnumbered sections of law. The bill provides guidance for setting numeric nutrient criteria (NNC) for flowing waters of the state.

The bill allows the Department of Environmental Preservation (DEP) to implement its adopted nutrient standards for streams, springs, lakes, and estuaries in accordance with the document “Implementation of Florida’s Numeric Nutrient Standards.” The bill provides for the repeal of Rule 62-302.531(9), Florida Administrative Code (F.A.C.), when the United States Environmental Protection Agency withdraws all federal NNC rules in Florida and otherwise ceases all federal nutrient rulemaking, which allows for the implementation of the state’s NNC rules. The bill subjects any NNC rules for estuaries adopted by the DEP in 2013 to the provisions of Rule 62-302.531(9), F.A.C., and exempts them from legislative ratification.

The bill directs the DEP to establish estuary specific NNC for estuaries not already subject to NNC, and sets NNC for chlorophyll *a* for non-estuarine coastal waters by December 1, 2014. The bill establishes the water quality standard for non-estuarine coastal waters until such time as NNC are established for those waters. The bill directs the DEP to provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by August 1, 2013, on the status of setting NNC for estuaries and non-estuarine coastal waters for which NNC have not been set.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 34-4; House 103-13