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LEGISLATIVE ACTION

Senate

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House

Floor: 1/AD/2R

03/09/2018 02:30 PM

Senator Perry moved the following:

Senate Amendment (with title amendment)

Delete lines 117 - 956

and insert:

Section 2. Subsection (7) is added to section 373.413,
Florida Statutes, to read:

373.413 Permits for construction or alteration.-

(7) (a) The governing board or department shall reissue the
construction phase of an expired individual permit upon a
demonstration by an applicant that:

1. The applicant could not reasonably be expected to



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12 complete the original permitted activity within the original
13 permit period;

14 2. The applicant can meet the plans, terms, and conditions
15 of the original permit for the duration of the reissued permit
16 period;

17 3. The site conditions or significant information regarding
18 the site or activity have not changed since the original permit
19 was issued to an extent that the permitted activity would create
20 additional adverse impacts; and

21 4. No more than 3 years have passed since the expiration of
22 the original permit.

23 (b) A new property owner may apply for reissuance of the
24 construction phase of an expired individual permit. The new
25 owner must demonstrate the criteria required in paragraph (a)
26 and provide sufficient evidence of ownership pursuant to
27 governing board or department rule.

28 (c) An applicant for the reissuance of the construction
29 phase of an expired individual permit must submit to the
30 governing board or department, in writing or electronically:

31 1. The applicant's name and contact information;

32 2. The permit number;

33 3. A clear statement explaining why the permitted activity
34 could not be completed within the original permit period; and

35 4. A certification from a professional registered in or
36 licensed by the state and practicing under chapter 471, chapter
37 472, chapter 481, or chapter 492 that:

38 a. The permitted activity remains consistent with plans,
39 terms, and conditions of the original permit and the rules of
40 the governing board or department that were in effect when the



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41 original permit was issued.

42 b. The site conditions or significant information regarding
43 the site or activity have not changed since the original permit
44 was issued to an extent that the permitted activity would create
45 additional adverse impacts.

46 (d) The department, in coordination with the water
47 management districts, may adopt rules to administer this
48 subsection.

49 Section 3. Subsection (1) of section 403.064, Florida
50 Statutes, is amended, and subsection (17) is added to that
51 section, to read:

52 403.064 Reuse of reclaimed water.—

53 (1) The encouragement and promotion of water conservation,
54 and reuse of reclaimed water, as defined by the department, are
55 state objectives and are considered to be in the public
56 interest. The Legislature finds that the reuse of reclaimed
57 water is a critical component of meeting the state's existing
58 and future water supply needs while sustaining natural systems.
59 The Legislature further finds that for those wastewater
60 treatment plants permitted and operated under an approved reuse
61 program by the department, the reclaimed water shall be
62 considered environmentally acceptable and not a threat to public
63 health and safety. The Legislature encourages the development of
64 aquifer recharge and incentive-based programs for reuse
65 implementation.

66 (17) The department and the water management districts
67 shall develop and enter into a memorandum of agreement providing
68 for a coordinated review of any reclaimed water project
69 requiring a reclaimed water facility permit, an underground



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70 injection control permit, and a consumptive use permit. The
71 memorandum of agreement must provide that the coordinated review
72 is performed only if the applicant for such permits requests a
73 coordinated review. The goal of the coordinated review is to
74 share information, avoid requesting the applicant to submit
75 redundant information, and ensure, to the extent feasible, a
76 harmonized review of the reclaimed water project under these
77 various permitting programs, including the use of a proposed
78 impact offset or substitution credit in accordance with s.
79 373.250(5). The department and the water management districts
80 must develop and execute such memorandum of agreement no later
81 than December 1, 2018.

82 Section 4. Present subsection (22) of section 403.706,
83 Florida Statutes, is renumbered as subsection (23), and a new
84 subsection (22) is added to that section, to read:

85 403.706 Local government solid waste responsibilities.—

86 (22) Counties and municipalities must address the
87 contamination of recyclable material in contracts for the
88 collection, transportation, and processing of residential
89 recyclable material based upon the following:

90 (a) A residential recycling collector may not be required
91 to collect or transport contaminated recyclable material, except
92 pursuant to a contract consistent with paragraph (c). As used in
93 this subsection, the term "residential recycling collector"
94 means a for-profit business entity that collects and transports
95 residential recyclable material on behalf of a county or
96 municipality.

97 (b) A recovered materials processing facility may not be
98 required to process contaminated recyclable material, except



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99 pursuant to a contract consistent with paragraph (d).

100 (c) Each contract between a residential recycling collector
101 and a county or municipality for the collection or transport of
102 residential recyclable material, and each request for proposal
103 or other solicitation for the collection of residential
104 recyclable material, must define the term "contaminated
105 recyclable material." The term should be defined in a manner
106 that is appropriate for the local community, taking into
107 consideration available markets for recyclable material,
108 available waste composition studies, and other relevant factors.
109 The contract and request for proposal or other solicitation must
110 include:

111 1. The respective strategies and obligations of the county
112 or municipality and the residential recycling collector to
113 reduce the amount of contaminated recyclable material being
114 collected;

115 2. The procedures for identifying, documenting, managing,
116 and rejecting residential recycling containers, truck loads,
117 carts, or bins that contain contaminated recyclable material;

118 3. The remedies authorized to be used if a container, cart,
119 or bin contains contaminated recyclable material; and

120 4. The education and enforcement measures that will be used
121 to reduce the amount of contaminated recyclable material.

122 (d) Each contract between a recovered materials processing
123 facility and a county or municipality for processing residential
124 recyclable material, and each request for proposal or other
125 solicitation for processing residential recyclable material,
126 must define the term "contaminated recyclable material." The
127 term should be defined in a manner that is appropriate for the



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128 local community, taking into consideration available markets for
129 recyclable material, available waste composition studies, and
130 other relevant factors. The contract and request for proposal
131 must include:

132 1. The respective strategies and obligations of the county
133 or municipality and the facility to reduce the amount of
134 contaminated recyclable material being collected and processed;

135 2. The procedures for identifying, documenting, managing,
136 and rejecting residential recycling containers, truck loads,
137 carts, or bins that contain contaminated recyclable material;
138 and

139 3. The remedies authorized to be used if a container or
140 truck load contains contaminated recyclable material.

141 (e) This subsection applies to each contract between a
142 municipality or county and a residential recycling collector or
143 recovered materials processing facility executed or renewed
144 after July 1, 2018.

145 (f) This subsection applies only to the collection and
146 processing of material obtained from residential recycling
147 activities. As used in this subsection, the term "contaminated
148 recyclable material" refers only to recyclable material that is
149 comingled or mixed with solid waste or other nonhazardous
150 material. The term does not include contamination as that term
151 or a derivation of that term is used in chapter 376 and other
152 sections of chapter 403, including, but not limited to,
153 brownfield site cleanup, water quality remediation, dry cleaning
154 solvent contaminated site cleanup, petroleum contaminated site
155 cleanup, cattle dipping vat site cleanup, or other hazardous
156 waste remediation.



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157 Section 5. Subsection (1) of section 403.813, Florida
158 Statutes, is amended to read:

159 403.813 Permits issued at district centers; exceptions.—

160 (1) A permit is not required under this chapter, chapter
161 373, chapter 61-691, Laws of Florida, or chapter 25214 or
162 chapter 25270, 1949, Laws of Florida, and a local government may
163 not require a person claiming this exception to provide further
164 department verification, for activities associated with the
165 following types of projects; however, except as otherwise
166 provided in this subsection, this subsection does not relieve an
167 applicant from any requirement to obtain permission to use or
168 occupy lands owned by the Board of Trustees of the Internal
169 Improvement Trust Fund or a water management district in its
170 governmental or proprietary capacity or from complying with
171 applicable local pollution control programs authorized under
172 this chapter or other requirements of county and municipal
173 governments:

174 (a) The installation of overhead transmission lines, having
175 with support structures that ~~which~~ are not constructed in waters
176 of the state and which do not create a navigational hazard.

177 (b) The installation and repair of mooring pilings and
178 dolphins associated with private docking facilities or piers and
179 the installation of private docks, piers, and recreational
180 docking facilities, or piers and recreational docking facilities
181 of local governmental entities when the local governmental
182 entity's activities will not take place in any manatee habitat,
183 any of which docks:

184 1. Has 500 square feet or less of over-water surface area
185 for a dock ~~which is~~ located in an area designated as Outstanding



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186 Florida Waters or 1,000 square feet or less of over-water
187 surface area for a dock ~~which is~~ located in an area that ~~which~~
188 is not designated as Outstanding Florida Waters;

189 2. Is constructed on or held in place by pilings or is a
190 floating dock ~~which is~~ constructed so as not to involve filling
191 or dredging other than that necessary to install the pilings;

192 3. May ~~shall~~ not substantially impede the flow of water or
193 create a navigational hazard;

194 4. Is used for recreational, noncommercial activities
195 associated with the mooring or storage of boats and boat
196 paraphernalia; and

197 5. Is the sole dock constructed pursuant to this exemption
198 as measured along the shoreline for a distance of 65 feet,
199 unless the parcel of land or individual lot as platted is less
200 than 65 feet in length along the shoreline, in which case there
201 may be one exempt dock allowed per parcel or lot.

202
203 ~~Nothing in~~ This paragraph does not ~~shall~~ prohibit the department
204 from taking appropriate enforcement action pursuant to this
205 chapter to abate or prohibit any activity otherwise exempt from
206 permitting pursuant to this paragraph if the department can
207 demonstrate that the exempted activity has caused water
208 pollution in violation of this chapter.

209 (c) The installation and maintenance to design
210 specifications of boat ramps on artificial bodies of water where
211 navigational access to the proposed ramp exists or the
212 installation of boat ramps open to the public in any waters of
213 the state where navigational access to the proposed ramp exists
214 and where the construction of the proposed ramp will be less



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215 than 30 feet wide and will involve the removal of less than 25
216 cubic yards of material from the waters of the state, and the
217 maintenance to design specifications of such ramps; however, the
218 material to be removed shall be placed upon a self-contained
219 upland site so as to prevent the escape of the spoil material
220 into the waters of the state.

221 (d) The replacement or repair of existing docks and piers,
222 except that fill material may not be used and the replacement or
223 repaired dock or pier must be within 5 feet of the same location
224 and no larger in size than the existing dock or pier, and no
225 additional aquatic resources may be adversely and permanently
226 impacted by such replacement or repair ~~in the same location and~~
227 ~~of the same configuration and dimensions as the dock or pier~~
228 ~~being replaced or repaired.~~ This does not preclude the use of
229 different construction materials or minor deviations to allow
230 upgrades to current structural and design standards.

231 (e) The restoration of seawalls at their previous locations
232 or upland of, or within 18 inches waterward of, their previous
233 locations. However, this may ~~shall~~ not affect the permitting
234 requirements of chapter 161, and department rules shall clearly
235 indicate that this exception does not constitute an exception
236 from the permitting requirements of chapter 161.

237 (f) The performance of maintenance dredging of existing
238 manmade canals, channels, intake and discharge structures, and
239 previously dredged portions of natural water bodies within
240 drainage rights-of-way or drainage easements which have been
241 recorded in the public records of the county, where the spoil
242 material is to be removed and deposited on a self-contained,
243 upland spoil site which will prevent the escape of the spoil



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244 material into the waters of the state, provided that no more
245 dredging is to be performed than is necessary to restore the
246 canals, channels, and intake and discharge structures, and
247 previously dredged portions of natural water bodies, to original
248 design specifications or configurations, provided that the work
249 is conducted in compliance with s. 379.2431(2)(d), provided that
250 no significant impacts occur to previously undisturbed natural
251 areas, and provided that control devices for return flow and
252 best management practices for erosion and sediment control are
253 utilized to prevent bank erosion and scouring and to prevent
254 turbidity, dredged material, and toxic or deleterious substances
255 from discharging into adjacent waters during maintenance
256 dredging. Further, for maintenance dredging of previously
257 dredged portions of natural water bodies within recorded
258 drainage rights-of-way or drainage easements, an entity that
259 seeks an exemption must notify the department or water
260 management district, as applicable, at least 30 days before
261 ~~prior to~~ dredging and provide documentation of original design
262 specifications or configurations where such exist. This
263 exemption applies to all canals and previously dredged portions
264 of natural water bodies within recorded drainage rights-of-way
265 or drainage easements constructed before ~~prior to~~ April 3, 1970,
266 and to those canals and previously dredged portions of natural
267 water bodies constructed on or after April 3, 1970, pursuant to
268 all necessary state permits. This exemption does not apply to
269 the removal of a natural or manmade barrier separating a canal
270 or canal system from adjacent waters. When no previous permit
271 has been issued by the Board of Trustees of the Internal
272 Improvement Trust Fund or the United States Army Corps of



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273 Engineers for construction or maintenance dredging of the
274 existing manmade canal or intake or discharge structure, such
275 maintenance dredging shall be limited to a depth of no more than
276 5 feet below mean low water. The Board of Trustees of the
277 Internal Improvement Trust Fund may fix and recover from the
278 permittee an amount equal to the difference between the fair
279 market value and the actual cost of the maintenance dredging for
280 material removed during such maintenance dredging. However, no
281 charge shall be exacted by the state for material removed during
282 such maintenance dredging by a public port authority. The
283 removing party may subsequently sell such material; however,
284 proceeds from such sale that exceed the costs of maintenance
285 dredging shall be remitted to the state and deposited in the
286 Internal Improvement Trust Fund.

287 (g) The maintenance of existing insect control structures,
288 dikes, and irrigation and drainage ditches, provided that spoil
289 material is deposited on a self-contained, upland spoil site
290 which will prevent the escape of the spoil material into waters
291 of the state. In the case of insect control structures, if the
292 cost of using a self-contained upland spoil site is so
293 excessive, as determined by the Department of Health, pursuant
294 to s. 403.088(1), that it will inhibit proposed insect control,
295 then-existing spoil sites or dikes may be used, upon
296 notification to the department. In the case of insect control
297 where upland spoil sites are not used pursuant to this
298 exemption, turbidity control devices shall be used to confine
299 the spoil material discharge to that area previously disturbed
300 when the receiving body of water is used as a potable water
301 supply, is designated as shellfish harvesting waters, or



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302 functions as a habitat for commercially or recreationally
303 important shellfish or finfish. In all cases, no more dredging
304 is to be performed than is necessary to restore the dike or
305 irrigation or drainage ditch to its original design
306 specifications.

307 (h) The repair or replacement of existing functional pipes
308 or culverts the purpose of which is the discharge or conveyance
309 of stormwater. In all cases, the invert elevation, the diameter,
310 and the length of the culvert may ~~shall~~ not be changed. However,
311 the material used for the culvert may be different from the
312 original.

313 (i) The construction of private docks of 1,000 square feet
314 or less of over-water surface area and seawalls in artificially
315 created waterways where such construction will not violate
316 existing water quality standards, impede navigation, or affect
317 flood control. This exemption does not apply to the construction
318 of vertical seawalls in estuaries or lagoons unless the proposed
319 construction is within an existing manmade canal where the
320 shoreline is currently occupied in whole or part by vertical
321 seawalls.

322 (j) The construction and maintenance of swales.

323 (k) The installation of aids to navigation and buoys
324 associated with such aids, provided the devices are marked
325 pursuant to s. 327.40.

326 (l) The replacement or repair of existing open-trestle foot
327 bridges and vehicular bridges that are 100 feet or less in
328 length and two lanes or less in width, provided that no more
329 dredging or filling of submerged lands is performed other than
330 that which is necessary to replace or repair pilings and that



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331 the structure to be replaced or repaired is the same length, the
332 same configuration, and in the same location as the original
333 bridge. No debris from the original bridge shall be allowed to
334 remain in the waters of the state.

335 (m) The installation of subaqueous transmission and
336 distribution lines laid on, or embedded in, the bottoms of
337 waters in the state, except in Class I and Class II waters and
338 aquatic preserves, provided no dredging or filling is necessary.

339 (n) The replacement or repair of subaqueous transmission
340 and distribution lines laid on, or embedded in, the bottoms of
341 waters of the state.

342 (o) The construction of private seawalls in wetlands or
343 other surface waters where such construction is between and
344 adjoins at both ends existing seawalls; follows a continuous and
345 uniform seawall construction line with the existing seawalls; is
346 no more than 150 feet in length; and does not violate existing
347 water quality standards, impede navigation, or affect flood
348 control. However, in estuaries and lagoons the construction of
349 vertical seawalls is limited to the circumstances and purposes
350 stated in s. 373.414(5)(b)1.-4. This paragraph does not affect
351 the permitting requirements of chapter 161, and department rules
352 must clearly indicate that this exception does not constitute an
353 exception from the permitting requirements of chapter 161.

354 (p) The restoration of existing insect control impoundment
355 dikes which are less than 100 feet in length. Such impoundments
356 shall be connected to tidally influenced waters for 6 months
357 each year beginning September 1 and ending February 28 if
358 feasible or operated in accordance with an impoundment
359 management plan approved by the department. A dike restoration



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360 may involve no more dredging than is necessary to restore the
361 dike to its original design specifications. For the purposes of
362 this paragraph, restoration does not include maintenance of
363 impoundment dikes of operating insect control impoundments.

364 (q) The construction, operation, or maintenance of
365 stormwater management facilities which are designed to serve
366 single-family residential projects, including duplexes,
367 triplexes, and quadruplexes, if they are less than 10 acres
368 total land and have less than 2 acres of impervious surface and
369 if the facilities:

370 1. Comply with all regulations or ordinances applicable to
371 stormwater management and adopted by a city or county;

372 2. Are not part of a larger common plan of development or
373 sale; and

374 3. Discharge into a stormwater discharge facility exempted
375 or permitted by the department under this chapter which has
376 sufficient capacity and treatment capability as specified in
377 this chapter and is owned, maintained, or operated by a city,
378 county, special district with drainage responsibility, or water
379 management district; however, this exemption does not authorize
380 discharge to a facility without the facility owner's prior
381 written consent.

382 (r) The removal of aquatic plants, the removal of tussocks,
383 the associated replanting of indigenous aquatic plants, and the
384 associated removal from lakes of organic detrital material when
385 such planting or removal is performed and authorized by permit
386 or exemption granted under s. 369.20 or s. 369.25, provided
387 that:

388 1. Organic detrital material that exists on the surface of



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389 natural mineral substrate shall be allowed to be removed to a
390 depth of 3 feet or to the natural mineral substrate, whichever
391 is less;

392 2. All material removed pursuant to this paragraph shall be
393 deposited in an upland site in a manner that will prevent the
394 reintroduction of the material into waters in the state except
395 when spoil material is permitted to be used to create wildlife
396 islands in freshwater bodies of the state when a governmental
397 entity is permitted pursuant to s. 369.20 to create such islands
398 as a part of a restoration or enhancement project;

399 3. All activities are performed in a manner consistent with
400 state water quality standards; and

401 4. No activities under this exemption are conducted in
402 wetland areas, as defined in s. 373.019(27), which are supported
403 by a natural soil as shown in applicable United States
404 Department of Agriculture county soil surveys, except when a
405 governmental entity is permitted pursuant to s. 369.20 to
406 conduct such activities as a part of a restoration or
407 enhancement project.

408
409 The department may not adopt implementing rules for this
410 paragraph, notwithstanding any other provision of law.

411 (s) The construction, installation, operation, or
412 maintenance of floating vessel platforms or floating boat lifts,
413 provided that such structures:

414 1. Float at all times in the water for the sole purpose of
415 supporting a vessel so that the vessel is out of the water when
416 not in use;

417 2. Are wholly contained within a boat slip previously



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418 permitted under ss. 403.91-403.929, 1984 Supplement to the
419 Florida Statutes 1983, as amended, or part IV of chapter 373, or
420 do not exceed a combined total of 500 square feet, or 200 square
421 feet in an Outstanding Florida Water, when associated with a
422 dock that is exempt under this subsection or associated with a
423 permitted dock with no defined boat slip or attached to a
424 bulkhead on a parcel of land where there is no other docking
425 structure;

426 3. Are not used for any commercial purpose or for mooring
427 vessels that remain in the water when not in use, and do not
428 substantially impede the flow of water, create a navigational
429 hazard, or unreasonably infringe upon the riparian rights of
430 adjacent property owners, as defined in s. 253.141;

431 4. Are constructed and used so as to minimize adverse
432 impacts to submerged lands, wetlands, shellfish areas, aquatic
433 plant and animal species, and other biological communities,
434 including locating such structures in areas where seagrasses are
435 least dense adjacent to the dock or bulkhead; and

436 5. Are not constructed in areas specifically prohibited for
437 boat mooring under conditions of a permit issued in accordance
438 with ss. 403.91-403.929, 1984 Supplement to the Florida Statutes
439 1983, as amended, or part IV of chapter 373, or other form of
440 authorization issued by a local government.

441
442 Structures that qualify for this exemption are relieved from any
443 requirement to obtain permission to use or occupy lands owned by
444 the Board of Trustees of the Internal Improvement Trust Fund
445 and, with the exception of those structures attached to a
446 bulkhead on a parcel of land where there is no docking



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447 structure, may ~~shall~~ not be subject to any more stringent
448 permitting requirements, registration requirements, or other
449 regulation by any local government. Local governments may
450 require either permitting or one-time registration of floating
451 vessel platforms to be attached to a bulkhead on a parcel of
452 land where there is no other docking structure as necessary to
453 ensure compliance with local ordinances, codes, or regulations.
454 Local governments may require either permitting or one-time
455 registration of all other floating vessel platforms as necessary
456 to ensure compliance with the exemption criteria in this
457 section; to ensure compliance with local ordinances, codes, or
458 regulations relating to building or zoning, which are no more
459 stringent than the exemption criteria in this section or address
460 subjects other than subjects addressed by the exemption criteria
461 in this section; and to ensure proper installation, maintenance,
462 and precautionary or evacuation action following a tropical
463 storm or hurricane watch of a floating vessel platform or
464 floating boat lift that is proposed to be attached to a bulkhead
465 or parcel of land where there is no other docking structure. The
466 exemption provided in this paragraph shall be in addition to the
467 exemption provided in paragraph (b). The department shall adopt
468 a general permit by rule for the construction, installation,
469 operation, or maintenance of those floating vessel platforms or
470 floating boat lifts that do not qualify for the exemption
471 provided in this paragraph but do not cause significant adverse
472 impacts to occur individually or cumulatively. The issuance of
473 such general permit shall also constitute permission to use or
474 occupy lands owned by the Board of Trustees of the Internal
475 Improvement Trust Fund. No local government shall impose a more



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476 stringent regulation, permitting requirement, registration
477 requirement, or other regulation covered by such general permit.
478 Local governments may require either permitting or one-time
479 registration of floating vessel platforms as necessary to ensure
480 compliance with the general permit in this section; to ensure
481 compliance with local ordinances, codes, or regulations relating
482 to building or zoning that are no more stringent than the
483 general permit in this section; and to ensure proper
484 installation and maintenance of a floating vessel platform or
485 floating boat lift that is proposed to be attached to a bulkhead
486 or parcel of land where there is no other docking structure.

487 (t) The repair, stabilization, or paving of existing county
488 maintained roads and the repair or replacement of bridges that
489 are part of the roadway, within the Northwest Florida Water
490 Management District and the Suwannee River Water Management
491 District, provided:

492 1. The road and associated bridge were in existence and in
493 use as a public road or bridge, and were maintained by the
494 county as a public road or bridge on or before January 1, 2002;

495 2. The construction activity does not realign the road or
496 expand the number of existing traffic lanes of the existing
497 road; however, the work may include the provision of safety
498 shoulders, clearance of vegetation, and other work reasonably
499 necessary to repair, stabilize, pave, or repave the road,
500 provided that the work is constructed by generally accepted
501 engineering standards;

502 3. The construction activity does not expand the existing
503 width of an existing vehicular bridge in excess of that
504 reasonably necessary to properly connect the bridge with the



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505 road being repaired, stabilized, paved, or repaved to safely
506 accommodate the traffic expected on the road, which may include
507 expanding the width of the bridge to match the existing
508 connected road. However, no debris from the original bridge
509 shall be allowed to remain in waters of the state, including
510 wetlands;

511 4. Best management practices for erosion control shall be
512 employed as necessary to prevent water quality violations;

513 5. Roadside swales or other effective means of stormwater
514 treatment must be incorporated as part of the project;

515 6. No more dredging or filling of wetlands or water of the
516 state is performed than that which is reasonably necessary to
517 repair, stabilize, pave, or repave the road or to repair or
518 replace the bridge, in accordance with generally accepted
519 engineering standards; and

520 7. Notice of intent to use the exemption is provided to the
521 department, if the work is to be performed within the Northwest
522 Florida Water Management District, or to the Suwannee River
523 Water Management District, if the work is to be performed within
524 the Suwannee River Water Management District, 30 days before
525 ~~prior to~~ performing any work under the exemption.

526
527 Within 30 days after this act becomes a law, the department
528 shall initiate rulemaking to adopt a no fee general permit for
529 the repair, stabilization, or paving of existing roads that are
530 maintained by the county and the repair or replacement of
531 bridges that are part of the roadway where such activities do
532 not cause significant adverse impacts to occur individually or
533 cumulatively. The general permit shall apply statewide and, with



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534 no additional rulemaking required, apply to qualified projects
535 reviewed by the Suwannee River Water Management District, the
536 St. Johns River Water Management District, the Southwest Florida
537 Water Management District, and the South Florida Water
538 Management District under the division of responsibilities
539 contained in the operating agreements applicable to part IV of
540 chapter 373. Upon adoption, this general permit shall, pursuant
541 to ~~the provisions of~~ subsection (2), supersede and replace the
542 exemption in this paragraph.

543 (u) Notwithstanding any provision to the contrary in this
544 subsection, a permit or other authorization under chapter 253,
545 chapter 369, chapter 373, or this chapter is not required for an
546 individual residential property owner for the removal of organic
547 detrital material from freshwater rivers or lakes that have a
548 natural sand or rocky substrate and that are not Aquatic
549 Preserves or for the associated removal and replanting of
550 aquatic vegetation for the purpose of environmental enhancement,
551 providing that:

552 1. No activities under this exemption are conducted in
553 wetland areas, as defined in s. 373.019(27), which are supported
554 by a natural soil as shown in applicable United States
555 Department of Agriculture county soil surveys.

556 2. No filling or peat mining is allowed.

557 3. No removal of native wetland trees, including, but not
558 limited to, ash, bay, cypress, gum, maple, or tupelo, occurs.

559 4. When removing organic detrital material, no portion of
560 the underlying natural mineral substrate or rocky substrate is
561 removed.

562 5. Organic detrital material and plant material removed is



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563 deposited in an upland site in a manner that will not cause
564 water quality violations.

565 6. All activities are conducted in such a manner, and with
566 appropriate turbidity controls, so as to prevent any water
567 quality violations outside the immediate work area.

568 7. Replanting with a variety of aquatic plants native to
569 the state shall occur in a minimum of 25 percent of the
570 preexisting vegetated areas where organic detrital material is
571 removed, except for areas where the material is removed to bare
572 rocky substrate; however, an area may be maintained clear of
573 vegetation as an access corridor. The access corridor width may
574 not exceed 50 percent of the property owner's frontage or 50
575 feet, whichever is less, and may be a sufficient length
576 waterward to create a corridor to allow access for a boat or
577 swimmer to reach open water. Replanting must be at a minimum
578 density of 2 feet on center and be completed within 90 days
579 after removal of existing aquatic vegetation, except that under
580 dewatered conditions replanting must be completed within 90 days
581 after reflooding. The area to be replanted must extend waterward
582 from the ordinary high water line to a point where normal water
583 depth would be 3 feet or the preexisting vegetation line,
584 whichever is less. Individuals are required to make a reasonable
585 effort to maintain planting density for a period of 6 months
586 after replanting is complete, and the plants, including
587 naturally recruited native aquatic plants, must be allowed to
588 expand and fill in the revegetation area. Native aquatic plants
589 to be used for revegetation must be salvaged from the
590 enhancement project site or obtained from an aquatic plant
591 nursery regulated by the Department of Agriculture and Consumer



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592 Services. Plants that are not native to the state may not be
593 used for replanting.

594 8. No activity occurs any farther than 100 feet waterward
595 of the ordinary high water line, and all activities must be
596 designed and conducted in a manner that will not unreasonably
597 restrict or infringe upon the riparian rights of adjacent upland
598 riparian owners.

599 9. The person seeking this exemption notifies the
600 applicable department district office in writing at least 30
601 days before commencing work and allows the department to conduct
602 a preconstruction site inspection. Notice must include an
603 organic-detrital-material removal and disposal plan and, if
604 applicable, a vegetation-removal and revegetation plan.

605 10. The department is provided written certification of
606 compliance with the terms and conditions of this paragraph
607 within 30 days after completion of any activity occurring under
608 this exemption.

609 (v) Notwithstanding any other provision in this chapter,
610 chapter 373, or chapter 161, a permit or other authorization is
611 not required for the following exploratory activities associated
612 with beach restoration and nourishment projects and inlet
613 management activities:

614 1. The collection of geotechnical, geophysical, and
615 cultural resource data, including surveys, mapping, acoustic
616 soundings, benthic and other biologic sampling, and coring.

617 2. Oceanographic instrument deployment, including temporary
618 installation on the seabed of coastal and oceanographic data
619 collection equipment.

620 3. Incidental excavation associated with any of the



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621 activities listed under subparagraph 1. or subparagraph 2.

622 Section 6. Paragraph (b) of subsection (1) of section
623 373.4135, Florida Statutes, is amended to read:

624 373.4135 Mitigation banks and offsite regional mitigation.-

625 (1) The Legislature finds that the adverse impacts of
626 activities regulated under this part may be offset by the
627 creation, maintenance, and use of mitigation banks and offsite
628 regional mitigation. Mitigation banks and offsite regional
629 mitigation can enhance the certainty of mitigation and provide
630 ecological value due to the improved likelihood of environmental
631 success associated with their proper construction, maintenance,
632 and management. Therefore, the department and the water
633 management districts are directed to participate in and
634 encourage the establishment of private and public mitigation
635 banks and offsite regional mitigation. Mitigation banks and
636 offsite regional mitigation should emphasize the restoration and
637 enhancement of degraded ecosystems and the preservation of
638 uplands and wetlands as intact ecosystems rather than alteration
639 of landscapes to create wetlands. This is best accomplished
640 through restoration of ecological communities that were
641 historically present.

642 (b) Notwithstanding the provisions of this section, a
643 governmental entity may not create or provide mitigation for a
644 project other than its own unless the governmental entity uses
645 land that was not previously purchased for conservation and
646 unless the governmental entity provides the same financial
647 assurances as required for mitigation banks permitted under s.
648 373.4136. This paragraph does not apply to:

649 1. Mitigation banks permitted before December 31, 2011,



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650 under s. 373.4136;

651 2. Offsite regional mitigation areas established before
652 December 31, 2011, under subsection (6) or, when credits are not
653 available at a mitigation bank permitted under s. 373.4136,
654 mitigation areas created by a local government which were
655 awarded mitigation credits pursuant to the uniform mitigation
656 assessment method as provided in chapter 62-345, Florida
657 Administrative Code, under a permit issued before December 31,
658 2011;

659 3. Mitigation for transportation projects under ss.
660 373.4137 and 373.4139;

661 4. Mitigation for impacts from mining activities under s.
662 373.41492;

663 5. Mitigation provided for single-family lots or homeowners
664 under subsection (7);

665 6. Entities authorized in chapter 98-492, Laws of Florida;

666 7. Mitigation provided for electric utility impacts
667 certified under part II of chapter 403; or

668 8. Mitigation provided on sovereign submerged lands under
669 subsection (6).

670 Section 7. Paragraph (d) of subsection (9) of section
671 373.4598, Florida Statutes, is amended and paragraph (f) is
672 added to that subsection to read:

673 373.4598 Water storage reservoirs.—

674 (9) C-51 RESERVOIR PROJECT.—

675 (d) If state funds are appropriated for Phase I or Phase II
676 of the C-51 reservoir project:

677 1. The district, to the extent practicable, must ~~shall~~
678 operate either Phase I or Phase II of the reservoir project to



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679 maximize the reduction of high-volume Lake Okeechobee regulatory
680 releases to the St. Lucie or Caloosahatchee estuaries, in
681 addition to maximizing the reduction of harmful discharges
682 ~~providing relief~~ to the Lake Worth Lagoon. However, the
683 operation of Phase I of the C-51 reservoir project must be in
684 accordance with any operation and maintenance agreement adopted
685 by the district;

686 2. Water made available by Phase I or Phase II of the
687 reservoir must ~~shall~~ be used for natural systems in addition to
688 any permitted allocated amounts for water supply; and

689 3. ~~Any~~ Water received from Lake Okeechobee may only ~~not~~ be
690 available to support consumptive use permits if such use is in
691 accordance with district rules.

692 (f) The district may enter into a capacity allocation
693 agreement with a water supply entity for a pro rata share of
694 unreserved capacity in the water storage facility and may
695 request the department to waive repayment of all or a portion of
696 the loan issued pursuant to s. 373.475. The department may
697 authorize such waiver if the department determines it has
698 received reasonable value for such waiver. The district is not
699 responsible for repaying any portion of a loan issued pursuant
700 to s. 373.475 which is waived pursuant to this paragraph.

701 Section 8. Section 403.1839, Florida Statutes, is created
702 to read:

703 403.1839 Blue star collection system assessment and
704 maintenance program.—

705 (1) DEFINITIONS.—As used in this section, the term:

706 (a) "Domestic wastewater" has the same meaning as provided
707 in s. 367.021.



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708 (b) "Domestic wastewater collection system" has the same
709 meaning as provided in s. 403.866.

710 (c) "Program" means the blue star collection system
711 assessment and maintenance program.

712 (d) "Sanitary sewer overflow" means the unauthorized
713 overflow, spill, release, discharge or diversion of untreated or
714 partially treated domestic wastewater.

715 (2) LEGISLATIVE FINDINGS.—The Legislature finds that:

716 (a) The implementation of domestic wastewater collection
717 system assessment and maintenance practices has been shown to
718 effectively limit sanitary sewer overflows and the unauthorized
719 discharge of pathogens.

720 (b) The voluntary implementation of domestic wastewater
721 collection system assessment and maintenance practices beyond
722 those required by law has the potential to further limit
723 sanitary sewer overflows.

724 (c) The unique geography, community, growth, size, and age
725 of domestic wastewater collection systems across the state
726 require diverse responses, using the best professional judgment
727 of local utility operators, to ensure that programs designed to
728 limit sanitary sewer overflows are effective.

729 (3) ESTABLISHMENT AND PURPOSE.—There is established in the
730 department a blue star collection system assessment and
731 maintenance program. The purpose of this voluntary incentive
732 program is to assist public and private utilities in limiting
733 sanitary sewer overflows and the unauthorized discharge of
734 pathogens.

735 (4) APPROVAL AND STANDARDS.—

736 (a) The department shall adopt rules to administer the



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737 program, including the certification standards for the program
738 in paragraph (b), and shall review and approve public and
739 private domestic wastewater utilities that apply for
740 certification or renewal under the program and that demonstrate
741 maintenance of program certification pursuant to paragraph (c)
742 based upon the certification standards.

743 (b) A utility must provide reasonable documentation of the
744 following certification standards in order to be certified under
745 the program:

746 1. The implementation of periodic collection system and
747 pump station structural condition assessments and the
748 performance of as-needed maintenance and replacements.

749 2. The rate of reinvestment determined necessary by the
750 utility for its collection system and pump station structural
751 condition assessment and maintenance and replacement program.

752 3. The implementation of a program designed to limit the
753 presence of fats, roots, oils, and grease in the collection
754 system.

755 4. If the applicant is a public utility, a local law or
756 building code requiring the private pump stations and lateral
757 lines connecting to the public system to be free of:

758 a. Cracks, holes, missing parts, or similar defects; and

759 b. Direct stormwater connections that allow the direct
760 inflow of stormwater into the private system and the public
761 domestic wastewater collection system.

762 5. A power outage contingency plan that addresses
763 mitigation of the impacts of power outages on the utility's
764 collection system and pump stations.

765 (c) Program certifications shall expire after 5 years. A



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766 utility shall document its implementation of the program on an
767 annual basis with the department and must demonstrate that the
768 utility meets all program standards in order to maintain its
769 program certification. The approval of an application for
770 renewal certification must be based on the utility demonstrating
771 maintenance of program standards. A utility applying for renewal
772 certification must demonstrate maintenance of program standards
773 and progress in implementing the program.

774 (5) PUBLICATION.—The department shall annually publish on
775 its website a list of certified blue star utilities beginning on
776 January 1, 2020.

777 (6) FEDERAL PROGRAM PARTICIPATION.—The department shall
778 allow public and private, nonprofit utilities to participate in
779 the Clean Water State Revolving Fund Program for any purpose of
780 the program that is consistent with federal requirements for
781 participating in the Clean Water State Revolving Fund Program.

782 (7) REDUCED PENALTIES.—In the calculation of penalties
783 pursuant to s. 403.161 for a sanitary sewer overflow, the
784 department may reduce the penalty based on a utility's status as
785 a certified blue star utility in accordance with this section.
786 The department may also reduce a penalty based on a certified
787 blue star utility's investment in assessment and maintenance
788 activities to identify and address conditions that may cause
789 sanitary sewer overflows or interruption of service to customers
790 due to a physical condition or defect in the system.

791 Section 9. Paragraph (c) of subsection (7) of section
792 403.067, Florida Statutes, is amended to read:

793 403.067 Establishment and implementation of total maximum
794 daily loads.—



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

797 (c) *Best management practices.*—

798 1. The department, in cooperation with the water management
799 districts and other interested parties, as appropriate, may
800 develop suitable interim measures, best management practices, or
801 other measures necessary to achieve the level of pollution
802 reduction established by the department for nonagricultural
803 nonpoint pollutant sources in allocations developed pursuant to
804 subsection (6) and this subsection. These practices and measures
805 may be adopted by rule by the department and the water
806 management districts and, where adopted by rule, shall be
807 implemented by those parties responsible for nonagricultural
808 nonpoint source pollution.

809 2. The Department of Agriculture and Consumer Services may
810 develop and adopt by rule pursuant to ss. 120.536(1) and 120.54
811 suitable interim measures, best management practices, or other
812 measures necessary to achieve the level of pollution reduction
813 established by the department for agricultural pollutant sources
814 in allocations developed pursuant to subsection (6) and this
815 subsection or for programs implemented pursuant to paragraph
816 (12)(b). These practices and measures may be implemented by
817 those parties responsible for agricultural pollutant sources and
818 the department, the water management districts, and the
819 Department of Agriculture and Consumer Services shall assist
820 with implementation. In the process of developing and adopting
821 rules for interim measures, best management practices, or other
822 measures, the Department of Agriculture and Consumer Services
823 shall consult with the department, the Department of Health, the



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824 water management districts, representatives from affected
825 farming groups, and environmental group representatives. Such
826 rules must also incorporate provisions for a notice of intent to
827 implement the practices and a system to assure the
828 implementation of the practices, including site inspection and
829 recordkeeping requirements.

830 3. Where interim measures, best management practices, or
831 other measures are adopted by rule, the effectiveness of such
832 practices in achieving the levels of pollution reduction
833 established in allocations developed by the department pursuant
834 to subsection (6) and this subsection or in programs implemented
835 pursuant to paragraph (12)(b) must be verified at representative
836 sites by the department. The department shall use best
837 professional judgment in making the initial verification that
838 the best management practices are reasonably expected to be
839 effective and, where applicable, must notify the appropriate
840 water management district or the Department of Agriculture and
841 Consumer Services of its initial verification before the
842 adoption of a rule proposed pursuant to this paragraph.
843 Implementation, in accordance with rules adopted under this
844 paragraph, of practices that have been initially verified to be
845 effective, or verified to be effective by monitoring at
846 representative sites, by the department, shall provide a
847 presumption of compliance with state water quality standards and
848 release from the provisions of s. 376.307(5) for those
849 pollutants addressed by the practices, and the department is not
850 authorized to institute proceedings against the owner of the
851 source of pollution to recover costs or damages associated with
852 the contamination of surface water or groundwater caused by



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853 those pollutants. Research projects funded by the department, a
854 water management district, or the Department of Agriculture and
855 Consumer Services to develop or demonstrate interim measures or
856 best management practices shall be granted a presumption of
857 compliance with state water quality standards and a release from
858 the provisions of s. 376.307(5). The presumption of compliance
859 and release is limited to the research site and only for those
860 pollutants addressed by the interim measures or best management
861 practices. Eligibility for the presumption of compliance and
862 release is limited to research projects on sites where the owner
863 or operator of the research site and the department, a water
864 management district, or the Department of Agriculture and
865 Consumer Services have entered into a contract or other
866 agreement that, at a minimum, specifies the research objectives,
867 the cost-share responsibilities of the parties, and a schedule
868 that details the beginning and ending dates of the project.

869 4. Where water quality problems are demonstrated, despite
870 the appropriate implementation, operation, and maintenance of
871 best management practices and other measures required by rules
872 adopted under this paragraph, the department, a water management
873 district, or the Department of Agriculture and Consumer
874 Services, in consultation with the department, shall institute a
875 reevaluation of the best management practice or other measure.
876 Should the reevaluation determine that the best management
877 practice or other measure requires modification, the department,
878 a water management district, or the Department of Agriculture
879 and Consumer Services, as appropriate, shall revise the rule to
880 require implementation of the modified practice within a
881 reasonable time period as specified in the rule.



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882 5. Agricultural records relating to processes or methods of
883 production, costs of production, profits, or other financial
884 information held by the Department of Agriculture and Consumer
885 Services pursuant to subparagraphs 3. and 4. or pursuant to any
886 rule adopted pursuant to subparagraph 2. are confidential and
887 exempt from s. 119.07(1) and s. 24(a), Art. I of the State
888 Constitution. Upon request, records made confidential and exempt
889 pursuant to this subparagraph shall be released to the
890 department or any water management district provided that the
891 confidentiality specified by this subparagraph for such records
892 is maintained.

893 6. The provisions of subparagraphs 1. and 2. do not
894 preclude the department or water management district from
895 requiring compliance with water quality standards or with
896 current best management practice requirements set forth in any
897 applicable regulatory program authorized by law for the purpose
898 of protecting water quality. Additionally, subparagraphs 1. and
899 2. are applicable only to the extent that they do not conflict
900 with any rules adopted by the department that are necessary to
901 maintain a federally delegated or approved program.

902 7. The department must provide a domestic wastewater
903 utility with a presumption of compliance with state water
904 quality standards for pathogens when the utility demonstrates a
905 history of compliance with wastewater disinfection requirements
906 incorporated in the utility's operating permit for any discharge
907 into the impaired surface water, and the utility implements and
908 maintains a program as a certified blue star utility in
909 accordance with s. 403.1839.

910 Section 10. Subsection (11) is added to section 403.087,



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911 Florida Statutes, to read:

912 403.087 Permits; general issuance; denial; revocation;
913 prohibition; penalty.—

914 (11) Subject to the permit duration limits for a utility
915 permitted pursuant to s. 403.0885, a blue star utility certified
916 pursuant to s. 403.1839 shall be issued a 10-year permit for the
917 same fee and under the same conditions as a 5-year permit upon
918 approval of its application for permit renewal by the department
919 if the certified blue star utility demonstrates that it:

920 (a) Is in compliance with any consent order or an
921 accompanying administrative order to its permit;

922 (b) Does not have any pending enforcement action against it
923 by the United States Environmental Protection Agency, the
924 department, or a local program; and

925 (c) If applicable, has submitted annual program
926 implementation reports demonstrating progress in the
927 implementation of the program.

928 Section 11. Subsection (6) of section 403.161, Florida
929 Statutes, is renumbered as subsection (7), and a new subsection
930 (6) is added to that section, to read:

931 403.161 Prohibitions, violation, penalty, intent.—

932 (6) Notwithstanding any other law, the department may
933 reduce the amount of a penalty based on the person's investment
934 in the assessment, maintenance, rehabilitation, or expansion of
935 the permitted facility.

936 Section 12. Subsection (2) and paragraphs (a) and (b) of
937 subsection (3) of section 403.1838, Florida Statutes, are
938 amended to read:

939 403.1838 Small Community Sewer Construction Assistance



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940 Act.—

941 (2) The department shall use funds specifically
942 appropriated to award grants under this section to assist
943 financially disadvantaged small communities with their needs for
944 adequate sewer facilities. The department may use funds
945 specifically appropriated to award grants under this section to
946 assist private, nonprofit utilities providing wastewater
947 services to financially disadvantaged small communities. For
948 purposes of this section, the term "financially disadvantaged
949 small community" means a county, municipality, or special
950 district that has a population of 10,000 or fewer, according to
951 the latest decennial census, and a per capita annual income less
952 than the state per capita annual income as determined by the
953 United States Department of Commerce. For purposes of this
954 subsection, the term "special district" has the same meaning as
955 provided in s. 189.012 and includes only those special districts
956 whose public purpose includes water and sewer services, utility
957 systems and services, or wastewater systems and services. The
958 department may waive the population requirement for an
959 independent special district that serves fewer than 10,000
960 wastewater customers, is located within a watershed with an
961 adopted total maximum daily load or basin management action plan
962 for pollutants associated with domestic wastewater pursuant to
963 s. 403.067, and is wholly located within a rural area of
964 opportunity as defined in s. 288.0656.

965 (3) (a) In accordance with rules adopted by the
966 Environmental Regulation Commission under this section, the
967 department may provide grants, from funds specifically
968 appropriated for this purpose, to financially disadvantaged



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969 small communities and to private, nonprofit utilities serving
970 financially disadvantaged small communities for up to 100
971 percent of the costs of planning, assessing, designing,
972 constructing, upgrading, or replacing wastewater collection,
973 transmission, treatment, disposal, and reuse facilities,
974 including necessary legal and administrative expenses. Grants
975 issued pursuant to this section may also be used for planning
976 and implementing domestic wastewater collection system
977 assessment programs to identify conditions that may cause
978 sanitary sewer overflows or interruption of service to customers
979 due to a physical condition or defect in the system.

980 (b) The rules of the Environmental Regulation Commission
981 must:

982 1. Require that projects to plan, assess, design,
983 construct, upgrade, or replace wastewater collection,
984 transmission, treatment, disposal, and reuse facilities be cost-
985 effective, environmentally sound, permittable, and
986 implementable.

987 2. Require appropriate user charges, connection fees, and
988 other charges sufficient to ensure the long-term operation,
989 maintenance, and replacement of the facilities constructed under
990 each grant.

991 3. Require grant applications to be submitted on
992 appropriate forms with appropriate supporting documentation, and
993 require records to be maintained.

994 4. Establish a system to determine eligibility of grant
995 applications.

996 5. Establish a system to determine the relative priority of
997 grant applications. The system must consider public health



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998 protection and water pollution abatement.

999 6. Establish requirements for competitive procurement of
1000 engineering and construction services, materials, and equipment.

1001 7. Provide for termination of grants when program
1002 requirements are not met.

1003 Section 13. This act shall take effect upon becoming a law.

1004

1005 ===== T I T L E A M E N D M E N T =====

1006 And the title is amended as follows:

1007 Delete lines 7 - 68

1008 and insert:

1009 amending s. 373.413, F.S.; directing the Department of
1010 Environmental Protection and water management
1011 districts to reissue the construction phase of an
1012 expired environmental resource permit under certain
1013 conditions; providing requirements for requesting
1014 reissuance of such permit; authorizing the department,
1015 in coordination with the water management districts,
1016 to adopt rules; amending s. 403.064, F.S.; encouraging
1017 the development of aquifer recharge for reuse
1018 implementation; requiring the department and water
1019 management districts to develop and enter into a
1020 memorandum of agreement providing for a coordinated
1021 review of any reclaimed water project requiring a
1022 reclaimed water facility permit, an underground
1023 injection control permit, and a consumptive use
1024 permit; specifying the required provisions of such
1025 memorandum; specifying the date by which the
1026 memorandum must be developed and executed; amending s.



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1027 403.706, F.S.; requiring counties and municipalities
1028 to address contamination of recyclable material in
1029 specified contracts; prohibiting counties and
1030 municipalities from requiring the collection or
1031 transport of contaminated recyclable material by
1032 residential recycling collectors; defining the term
1033 "residential recycling collector"; specifying required
1034 contract provisions in residential recycling collector
1035 and materials recovery facility contracts with
1036 counties and municipalities; providing applicability;
1037 amending s. 403.813, F.S.; prohibiting a local
1038 government from requiring further department
1039 verification for certain projects; revising the types
1040 of dock and pier replacements and repairs that are
1041 exempt from such verification and certain permitting
1042 requirements; amending s. 373.4135, F.S.; providing an
1043 exemption from certain requirements for mitigation
1044 areas created by a local government under a permit
1045 issued before a specified date and for certain
1046 mitigation banks; amending s. 373.4598, F.S.; revising
1047 requirements related to the operation of water storage
1048 and use for Phase I and Phase II of the C-51 reservoir
1049 project if state funds are appropriated for such
1050 phases; authorizing the South Florida Water Management
1051 District to enter into certain capacity allocation
1052 agreements and to request a waiver for repayment of
1053 certain loans; authorizing the Department of
1054 Environmental Protection to waive such loan repayment
1055 under certain conditions; providing that the district



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1056 is not responsible for repayment of such loans;
1057 creating s. 403.1839, F.S.; providing definitions;
1058 providing legislative findings; establishing the blue
1059 star collection system assessment and maintenance
1060 program and providing its purpose; requiring the
1061 Department of Environmental Protection to adopt rules
1062 and review and approve program applications for
1063 certification; specifying the documentation utilities
1064 must submit to qualify for certification; providing
1065 for certification expiration and renewal; requiring
1066 the department to publish an annual list of certified
1067 blue star utilities; requiring the department to allow
1068 public and private, nonprofit utilities to participate
1069 in the Clean Water State Revolving Fund Program under
1070 certain conditions; authorizing the department to
1071 reduce penalties for sanitary sewer overflows at
1072 certified utilities and for investments in certain
1073 assessment and maintenance activities; amending s.
1074 403.067, F.S.; creating a presumption of compliance
1075 for certain total maximum daily load requirements for
1076 certified utilities; amending s. 403.087, F.S.;
1077 requiring the department to issue extended operating
1078 permits to certified utilities under certain
1079 conditions; amending s. 403.161, F.S.; authorizing the
1080 department to reduce penalties based on certain system
1081 investments for permitted facilities; amending s.
1082 403.1838, F.S.; authorizing additional recipients and
1083 uses of Small Community Sewer Construction grants;
1084 providing an effective date.