A bill to be entitled

An act relating to basin management action plans; amending s. 403.067, F.S.; providing additional management strategies for basin management action plans; providing legislative intent regarding enforcement and verification of basin management action plans and management strategies; requiring certain basin management action plans to include certain cooperative regional water quality improvement elements; providing requirements for the Department of Environmental Protection, the Department of Agriculture and Consumer Services, and owners of agricultural operations in developing and implementing such elements; requiring the Department of Agriculture and Consumer Services to work with the Department of Environmental Protection to improve the accuracy of data used to estimate certain agricultural land uses and to work with producers to identify certain agricultural technologies; requiring the University of Florida Institute of Food and Agricultural Sciences to work with the Department of Agriculture and Consumer Services to develop a specified research plan and legislative budget request; requiring the Department of Environmental Protection to work with the University of Florida Institute of Food and

CODING: Words stricken are deletions; words underlined are additions.
Agricultural Sciences to consider the adoption of best management practices for nutrient impacts from golf courses; establishing a nutrient reduction cost-share program within the Department of Environmental Protection; providing requirements for such program; providing legislative intent regarding rural homesteads; providing a definition; exempting such homesteads from certain best management practices under certain conditions; amending s. 403.0675, F.S.; requiring the Department of Environmental Protection and the Department of Agriculture and Consumer Services to include specified information in annual progress reports for basin management action plans; providing an effective date.

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

Section 1. Subsection (7) of section 403.067, Florida Statutes, is amended, and subsections (14) and (15) are added to that section, to read:

403.067 Establishment and implementation of total maximum daily loads.—

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

(a) Basin management action plans.—
1. In developing and implementing the total maximum daily load for a water body, the department, or the department in conjunction with a water management district, may develop a basin management action plan that addresses some or all of the watersheds and basins tributary to the water body. Such plan must integrate the appropriate management strategies available to the state through existing water quality protection programs to achieve the total maximum daily loads and may provide for phased implementation of these management strategies to promote timely, cost-effective, and technically and financially practical actions as provided for in s. 403.151. The plan must establish a schedule implementing the management strategies, establish a basis for evaluating the plan's effectiveness, and identify feasible funding strategies for implementing the plan's management strategies. The management strategies may include:

a. Regional treatment systems or other public works, where appropriate; and

b. Voluntary trading of water quality credits to achieve the needed pollutant load reductions;

c. Interim measures, best management practices, or other measures in paragraph (c);

d. Implementation of cooperative agricultural regional water quality improvement projects or practices in paragraph (e); and

e. Cooperative urban, suburban, commercial, or
institutional regional water quality improvement projects or practices in paragraph (f).

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

3. The basin management action planning process is intended to involve the broadest possible range of interested parties, with the objective of encouraging the greatest amount of cooperation and consensus possible. In developing a basin management action plan, the department shall assure that key stakeholders, including, but not limited to, applicable local governments, water management districts, the Department of Agriculture and Consumer Services, other appropriate state agencies, local soil and water conservation districts,
environmental groups, regulated interests, and affected pollution sources, are invited to participate in the process. The department shall hold at least one public meeting in the 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 not less than 5 days nor 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 shall include:
   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. A list of projects in priority ranking with a planning-level cost estimate and estimated date of completion for each listed project;
d. The source and amount of financial assistance to be made available by the department, a water management district, or other entity for each listed project, if applicable; and

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

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

  6. The basin management action plan must include milestones for implementation and water quality improvement, and an associated water quality monitoring component sufficient to evaluate whether reasonable progress in pollutant load reductions is being achieved over time. An assessment of progress toward these milestones shall be conducted every 5 years, and revisions to the plan shall be made as appropriate. Revisions to the basin management action plan shall be made by the department in cooperation with basin stakeholders. Revisions to the management strategies required for nonpoint sources must follow the procedures set forth in subparagraph (c)4. Revised basin management action plans must be adopted pursuant to subparagraph 5.

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

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

(b) Total maximum daily load implementation.—

1. The department shall be the lead agency in coordinating the implementation of the total maximum daily loads through existing water quality protection programs. Application of a total maximum daily load by a water management district must be consistent with this section and does not require the issuance
of an order or a separate action pursuant to s. 120.536(1) or s. 120.54 for the adoption of the calculation and allocation previously established by the department. Such programs may include, but are not limited to:

a. Permitting and other existing regulatory programs, including water-quality-based effluent limitations;

b. Nonregulatory and incentive-based programs, including best management practices, cost sharing, waste minimization, pollution prevention, agreements established pursuant to s. 403.061(21), and public education;

c. Other water quality management and restoration activities, for example surface water improvement and management plans approved by water management districts or basin management action plans developed pursuant to this subsection;

d. Trading of water quality credits or other equitable economically based agreements;

e. Public works including capital facilities; or

f. Land acquisition.

2. For a basin management action plan adopted pursuant to paragraph (a), any management strategies and pollutant reduction requirements associated with a pollutant of concern for which a total maximum daily load has been developed, including effluent limits set forth for a discharger subject to NPDES permitting, if any, must be included in a timely manner in subsequent NPDES permits or permit modifications for that discharger. The
department may not impose limits or conditions implementing an
adopted total maximum daily load in an NPDES permit until the
permit expires, the discharge is modified, or the permit is
reopened pursuant to an adopted basin management action plan.

a. Absent a detailed allocation, total maximum daily loads
must be implemented through NPDES permit conditions that provide
for a compliance schedule. In such instances, a facility's NPDES
permit must allow time for the issuance of an order adopting the
basin management action plan. The time allowed for the issuance
of an order adopting the plan may not exceed 5 years. Upon
issuance of an order adopting the plan, the permit must be
reopened or renewed, as necessary, and permit conditions
consistent with the plan must be established. Notwithstanding
the other provisions of this subparagraph, upon request by an
NPDES permittee, the department as part of a permit issuance,
renewal, or modification may establish individual allocations
before the adoption of a basin management action plan.

b. For holders of NPDES municipal separate storm sewer
system permits and other stormwater sources, implementation of a
total maximum daily load or basin management action plan must be
achieved, to the maximum extent practicable, through the use of
best management practices or other management measures.

c. The basin management action plan does not relieve the
discharger from any requirement to obtain, renew, or modify an
NPDES permit or to abide by other requirements of the permit.
d. Management strategies set forth in a basin management action plan to be implemented by a discharger subject to permitting by the department must be completed pursuant to the schedule set forth in the basin management action plan. This implementation schedule may extend beyond the 5-year term of an NPDES permit.

e. Management strategies and pollution reduction requirements set forth in a basin management action plan for a specific pollutant of concern are not subject to challenge under chapter 120 at the time they are incorporated, in an identical form, into a subsequent NPDES permit or permit modification.

f. For nonagricultural pollutant sources not subject to NPDES permitting but permitted pursuant to other state, regional, or local water quality programs, the pollutant reduction actions adopted in a basin management action plan must be implemented to the maximum extent practicable as part of those permitting programs.

g. A nonpoint source discharger included in a basin management action plan must demonstrate compliance with the pollutant reductions established under subsection (6) by implementing the appropriate best management practices established pursuant to paragraph (c) or conducting water quality monitoring prescribed by the department or a water management district. A nonpoint source discharger may, in accordance with department rules, supplement the implementation
of best management practices with water quality credit trades in order to demonstrate compliance with the pollutant reductions established under subsection (6).

h. A nonpoint source discharger included in a basin management action plan may be subject to enforcement action by the department or a water management district based upon a failure to implement the responsibilities set forth in subparagraph g.

i. A landowner, discharger, or other responsible person who is implementing applicable management strategies specified in an adopted basin management action plan may not be required by permit, enforcement action, or otherwise to implement additional management strategies, including water quality credit trading, to reduce pollutant loads to attain the pollutant reductions established pursuant to subsection (6) and shall be deemed to be in compliance with this section. This subparagraph does not limit the authority of the department to amend a basin management action plan as specified in subparagraph (a)6.

(c) Best management practices.—

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

2. The Department of Agriculture and Consumer Services may develop and adopt by rule pursuant to ss. 120.536(1) and 120.54 suitable interim measures, best management practices, or other measures necessary to achieve the level of pollution reduction established by the department for agricultural pollutant sources in allocations developed pursuant to subsection (6) and this subsection or for programs implemented pursuant to paragraph (12)(b). These practices and measures may be implemented by those parties responsible for agricultural pollutant sources and the department, the water management districts, and the Department of Agriculture and Consumer Services shall assist with implementation. In the process of developing and adopting rules for interim measures, best management practices, or other measures, the Department of Agriculture and Consumer Services shall consult with the department, the Department of Health, the water management districts, representatives from affected farming groups, and environmental group representatives. Such rules must also incorporate provisions for a notice of intent to implement the practices and a system to assure the implementation of the practices, including site inspection and
recordkeeping requirements.

3. When interim measures, best management practices, or other measures are adopted by rule, the effectiveness of such practices in achieving the levels of pollution reduction established in allocations developed by the department pursuant to subsection (6) and this subsection or in programs implemented pursuant to paragraph (12)(b) must be verified at representative sites by the department. The department shall use best professional judgment in making the initial verification that the best management practices are reasonably expected to be effective and, where applicable, must notify the appropriate water management district or the Department of Agriculture and Consumer Services of its initial verification before the adoption of a rule proposed pursuant to this paragraph.

Implementation, in accordance with rules adopted under this paragraph, of practices that have been initially verified to be effective, or verified to be effective by monitoring at representative sites, by the department, shall provide a presumption of compliance with state water quality standards and release from the provisions of s. 376.307(5) for those pollutants addressed by the practices, and the department is not authorized to institute proceedings against the owner of the source of pollution to recover costs or damages associated with the contamination of surface water or groundwater caused by those pollutants. Research projects funded by the department, a
water management district, or the Department of Agriculture and Consumer Services to develop or demonstrate interim measures or best management practices shall be granted a presumption of compliance with state water quality standards and a release from the provisions of s. 376.307(5). The presumption of compliance and release is limited to the research site and only for those pollutants addressed by the interim measures or best management practices. Eligibility for the presumption of compliance and release is limited to research projects on sites where the owner or operator of the research site and the department, a water management district, or the Department of Agriculture and Consumer Services have entered into a contract or other agreement that, at a minimum, specifies the research objectives, the cost-share responsibilities of the parties, and a schedule that details the beginning and ending dates of the project.

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

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

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

(d) Enforcement and verification of basin management
action plans and management strategies.—

1. Basin management action plans are enforceable pursuant to this section and ss. 403.121, 403.141, and 403.161.

Management strategies, including best management practices and water quality monitoring, are enforceable under this chapter.

2. No later than January 1, 2017:

a. The department, in consultation with the water management districts and the Department of Agriculture and Consumer Services, shall initiate rulemaking to adopt procedures to verify implementation of water quality monitoring required in lieu of implementation of best management practices or other measures pursuant to sub-subparagraph (b)2.g.;

b. The department, in consultation with the water management districts and the Department of Agriculture and Consumer Services, shall initiate rulemaking to adopt procedures to verify implementation of nonagricultural interim measures, best management practices, or other measures adopted by rule pursuant to subparagraph (c)1.; and

   c. The Department of Agriculture and Consumer Services, in consultation with the water management districts and the department, shall initiate rulemaking to adopt procedures to verify implementation of agricultural interim measures, best management practices, or other measures adopted by rule pursuant to subparagraph (c)2.
The rules required under this subparagraph shall include enforcement procedures applicable to the landowner, discharger, or other responsible person required to implement applicable management strategies, including best management practices or water quality monitoring as a result of noncompliance.

3. A nonagricultural and agricultural nonpoint source owner or operator who discharges into a basin included in an adopted basin management action plan must comply with the following, as applicable, within 5 years after the date of the adoption of the basin management action plan or an amendment thereto that imposes new requirements:

a. For a nonagricultural nonpoint source discharger, nonagricultural interim measures, nonagricultural best management practices, or other measures adopted by rule pursuant to subparagraph (c)1. or management measures adopted in a basin management action plan.

b. For an agricultural nonpoint source discharger, agricultural interim measures, agricultural best management practices, or other measures adopted by rule pursuant to subparagraph (c)2. and implemented according to a notice of intent filed by the agricultural nonpoint source discharger.

c. For an agricultural and nonagricultural nonpoint source discharger who opts to implement water quality monitoring in lieu of compliance with sub-subparagraph a. or sub-subparagraph b., water quality monitoring required under subparagraph (b)2.g.
4. Implementation of actions in subparagraph 3. shall be verified by a site visit at least once every 2 years by the responsible agency as follows:
   a. For nonagricultural interim measures, nonagricultural best management practices, or other measures adopted by rule pursuant to subparagraph (c)1., verification by the department or water management district, as appropriate.
   b. For agricultural interim measures, agricultural best management practices, or other measures adopted by rule pursuant to subparagraph (c)2., verification by the Department of Agriculture and Consumer Services.
   c. For management measures adopted in a basin management action plan, verification by the department.

If verification pursuant to this subparagraph cannot be accomplished every 2 years, the responsible agency shall include recommendations for meeting the intent of the verification along with a budget request as part of the progress report required under s. 403.0675.

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

1. The department, the Department of Agriculture and Consumer Services, and owners of agricultural operations in the basin shall develop a cooperative agricultural regional water quality improvement element as part of a basin management action
plan only if:
   a. Agricultural measures have been adopted by the
      Department of Agriculture and Consumer Services pursuant to
      subparagraph (c)2. and have been implemented and the waterbody
      remains impaired;
   b. Agricultural nonpoint sources contribute to at least 20
      percent of nonpoint source nutrient discharges; and
   c. The department determines that additional measures, in
      combination with state-sponsored regional projects and other
      management strategies included in the basin management action
      plan, are necessary to achieve the total maximum daily load.

2. The element will be implemented through a cost-sharing
   program as provided by law. The element must include cost-
   effective and technically and financially practical cooperative
   regional agricultural nutrient reduction projects that can be
   implemented on private properties on a site-specific,
   cooperative basis if funding is made available as provided by
   law. Such cooperative regional agricultural nutrient reduction
   projects may include land acquisition in fee or conservation
   easements on the lands of willing sellers and site-specific
   water quality improvement or dispersed water management projects
   on the lands of program participants.

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

(f) Cooperative urban, suburban, commercial, or institutional regional water quality improvement element.—

1. The department, the Department of Health, local governments, and water management districts with jurisdiction in the basin shall develop a cooperative urban, suburban, commercial, or institutional regional water quality improvement element as part of a basin management action plan in which:
   a. Nonagricultural interim measures and nonagricultural best management practices have been implemented and the waterbody remains impaired;
   b. Nonagricultural nonpoint sources contribute to at least 20 percent of nonpoint source nutrient discharges; and
   c. The department determines that additional measures, in combination with state-sponsored regional projects and other management strategies included in the basin management action plan, are necessary to achieve the total maximum daily load.

2. The element shall be implemented through a cost-sharing program as provided by general law. The element must include cost-effective and technically and financially practical cooperative regional nutrient reduction projects that can be
implemented on urban, suburban, commercial, or institutional properties if funding is made available as provided by general law. The element must be included in the basin management action plan as a part of the next 5-year assessment under subparagraph (a)6.

(g) Data collection and research.—

1. The Department of Agriculture and Consumer Services shall work with the department to improve the accuracy of data used to estimate agricultural land uses in the basin management action plan and work with producers to identify agricultural technologies that are cost effective and technically and financially practical and could be implemented on agricultural lands if funding is made available as provided by general law.

2. The University of Florida Institute of Food and Agricultural Sciences shall work with the Department of Agriculture and Consumer Services to develop a research plan and a legislative budget request to:

   a. Evaluate and, if cost effective and technically and financially practical, suggest enhancements to adopted best management practices;

   b. Develop new best management practices that are cost effective and technically and financially practical and that, when proven, can be considered by the Department of Agriculture and Consumer Services for rule adoption pursuant to paragraph (c); and
c. Develop technically and financially practical cooperative agricultural nutrient reduction projects to be considered by water management districts for inclusion in a basin management action plan pursuant to paragraph (e) that will reduce the nutrient impacts from agricultural operations on surface and groundwater quality.

3. The department shall work with the University of Florida Institute of Food and Agricultural Sciences and regulated entities to consider the adoption by rule of best management practices for nutrient impacts from golf courses. Such adopted best management practices are subject to the requirements of paragraph (c).

(14) NUTRIENT REDUCTION COST-SHARE PROGRAM.—A nutrient reduction cost-share program is established within the department.

(a) Subject to appropriation, the department may provide funding for the following projects in a basin management action plan or an alternative restoration plan that will individually or collectively reduce nutrient pollution:

1. Projects to retrofit onsite sewage treatment and disposal systems.

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

3. Projects to connect onsite sewage treatment and disposal systems to central sewer facilities.
4. Projects identified in the cooperative urban, suburban, commercial, or institutional regional water quality improvement element pursuant to paragraph (7)(f).

5. Projects identified in the cooperative agricultural regional water quality improvement element pursuant to paragraph (7)(e).

6. Data collection and research activities identified in paragraph (7)(g).

(b) In allocating funds for projects, the department shall prioritize projects identified in subparagraphs (a)1.-5. For projects identified in subparagraphs (a)1.-4., priority must be given to projects that subsidize the connection of onsite sewage treatment and disposal systems to a wastewater treatment plant or that subsidize inspections and assessments of onsite sewage treatment and disposal systems.

(c) In determining the priority of projects pursuant to paragraph (b), the department shall consider the following for each project:

1. The estimated reduction in nutrient load.
2. Readiness.
4. Overall environmental benefit.
5. The location within the plan area.
6. The availability of local matching funds.
7. Projected water savings or water quantity improvements.
(d) Each project described in subparagraphs (a)1.-3. must require a minimum of a 50-percent local matching funds. However, the department may, at its discretion, waive, in whole or in part, consideration of the local contribution for proposed projects within an area designated as a rural area of opportunity as defined in s. 288.0656(2).

(e) The department shall coordinate with the Department of Agricultural and Consumer Services, the University of Florida Institute of Food and Agricultural Sciences, and each water management district, as necessary, in allocating funds appropriated pursuant to paragraph (a).

(f) Beginning January 1, 2021, and each January 1 thereafter, the department shall submit a report regarding the projects funded pursuant to this subsection to the Governor, the President of the Senate, and the Speaker of the House of the Representatives.

(g) The nutrient reduction cost-share program is in addition to, and does not replace, existing funding authorizations.

(15) RURAL HOMESTEADS.-

(a) The Legislature recognizes that lands classified as agricultural by property appraisers may include rural homesteads in addition to producing agricultural lands. It is the intent of the Legislature to support those who seek to establish and maintain rural homesteads and focus on a sustainable, self-
supporting lifestyle.

(b) As used in this subsection, the term "rural homesteads" means low-density rural residential properties up to 50 acres in size which are homesites and noncommercial in nature that include single-family homes and accessory structures together with the keeping of livestock, horses, traditional farm animals and poultry, and the planting and maintenance of groves and gardens for the primary purpose of serving the needs and interests of those living on the property.

(c) Rural homesteads are not subject to the requirements of paragraph (7)(c). However, if any activity on a rural homestead rises to the level of bona fide agricultural activity and is classified as agricultural use pursuant to s. 193.461, the land owner must comply with the requirements of paragraph (7)(c).

Section 2. Section 403.0675, Florida Statutes, is amended to read:

403.0675 Progress reports.—On or before July 1 of each year, beginning in 2018:

(1)(a) The department, in conjunction with the water management districts, shall post on its website and submit electronically an annual progress report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the status of each total maximum daily load, basin management action plan, minimum flow or minimum water
level, and recovery or prevention strategy adopted pursuant to s. 403.067 or parts I and VIII of chapter 373. The report must include the status of each project identified to achieve a total maximum daily load or an adopted minimum flow or minimum water level, as applicable. If a report indicates that any of the 5-year, 10-year, or 15-year milestones, or the 20-year target date, if applicable, for achieving a total maximum daily load or a minimum flow or minimum water level will not be met, the report must include an explanation of the possible causes and potential solutions. If applicable, the report must include project descriptions, estimated costs, proposed priority ranking for project implementation, and funding needed to achieve the total maximum daily load or the minimum flow or minimum water level by the target date. Each water management district shall post the department's report on its website.

(b) Beginning on July 1, 2020, and each July 1 thereafter, the department shall include in the report:

1. The status of the results of verification of the stormwater systems and nonagricultural best management practices.

2. The number of landowners, dischargers, or other responsible persons required to implement applicable management strategies, including best management practices or water quality monitoring, who did not comply with such requirements.

(2)(a) The Department of Agriculture and Consumer Services
shall post on its website and submit electronically an annual progress report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the status of the implementation of the agricultural nonpoint source best management practices, including an implementation assurance report summarizing survey responses and response rates, site inspections, and other methods used to verify implementation of and compliance with best management practices pursuant to basin management action plans.

(b) Beginning July 1, 2020, and each July 1 thereafter, the Department of Agriculture and Consumer Services shall include in the report a status of the results of implementation of agricultural nonpoint source best management practices in the following categories:

1. Irrigated and nonirrigated agricultural acres.
2. Fallow agricultural acres.
3. Agricultural parcels of fewer than 50 acres, excluding rural homesteads as defined in s. 403.067(15).

(c) Beginning July 1, 2020, and each July 1 thereafter, the department shall include in the report the number of landowners, dischargers, or other responsible persons required to implement applicable management strategies, including best management practices or water quality monitoring, who did not comply with such requirements.

(3) A nonagricultural and agricultural nonpoint source
owner and operator who discharges into a basin included in an
adopted basin management action plan must comply with the
following, as applicable, within 5 years after the date of the
adoption of the basin management action plan or an amendment
thereof:

(a) For a nonagricultural nonpoint source discharger,
nonagricultural interim measures, nonagricultural best
management practices, other measures adopted by rule pursuant to
s. 403.067(7)(c)1., or management measures adopted in a basin
management action plan.

(b) For an agricultural nonpoint source discharger,
agricultural interim measures, agricultural best management
practices, or other measures adopted by rule pursuant to s.
403.067(7)(c)2. and implemented according to a notice of intent
filed by the agricultural nonpoint source discharger.

(c) For an agricultural and nonagricultural nonpoint
source discharger who opts to implement water quality monitoring
in lieu of compliance with paragraph (a) or paragraph (b), water
quality monitoring required under s. 403.067(7)(b)2.g.

(4) For the annual report submitted July 1, 2020, July 1,
2021, and July 1, 2022, the department and the Department of
Agriculture and Consumer Services shall focus on the priority
areas identified in the basin management action plans.

Section 3. This act shall take effect July 1, 2020.