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576-03928-21

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Agriculture, Environment, and
General Government)

A bill to be entitled

An act relating to Biscayne Bay; creating s. 163.11,
F.S.; establishing the Biscayne Bay Commission;
providing for commission purpose, membership, duties,
and authority; amending s. 403.086, F.S.; prohibiting
sewage disposal facilities from disposing of any
wastes into Biscayne Bay without providing advanced
waste treatment; providing an effective date.

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

Section 1. Section 163.11, Florida Statutes, is created to
read:

163.11 Biscayne Bay Commission.—

(1) The Biscayne Bay Commission is hereby established as an
advisory council, as defined in s. 20.03, within the Department
of Environmental Protection. The department shall provide
administrative support and service to the commission as
requested by the commission and within the available resources
of the department. The commission shall comply with the
requirements of s. 20.052 except as otherwise provided in this
section.

(2) The commission shall serve as the official coordinating
clearinghouse for all public policy and projects related to
Biscayne Bay to unite all governmental agencies, businesses, and
residents in the area to speak with one voice on bay issues; to



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27 develop coordinated plans, priorities, programs, and projects
28 that might substantially improve the bay area; and to act as the
29 principal advocate and watchdog to ensure that bay projects are
30 funded and implemented in a proper and timely manner.

31 (3) (a) The Biscayne Bay Commission shall be comprised of
32 the following members:

33 1. One member appointed by the Governor.

34 2. Three members of the Miami-Dade Board of County
35 Commissioners, appointed by the board.

36 3. One member of the Miami-Dade County League of Cities,
37 nominated by the league and appointed by the Secretary of
38 Environmental Protection.

39 4. One member of the South Florida Water Management
40 District Governing Board who resides in Miami-Dade County,
41 appointed by the board.

42 5. One representative of the Department of Environmental
43 Protection, appointed by the Secretary of Environmental
44 Protection.

45 6. One representative of the Fish and Wildlife Conservation
46 Commission, appointed by the commission.

47 7. One representative of the Florida Inland Navigation
48 District, appointed by the district.

49 (b) Members shall serve for a term of 4 years; however, for
50 the purpose of providing staggered terms, the initial
51 appointments of representatives of the South Florida Water
52 Management District Governing Board, the Department of
53 Environmental Protection, the Fish and Wildlife Conservation
54 Commission, and the Florida Inland Navigation District shall be
55 for a term of 2 years. A vacancy shall be filled for the



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56 remainder of the unexpired term in the same manner as the
57 initial appointment. Notwithstanding s. 20.052, private citizen
58 members of the commission are not required to be confirmed by
59 the Senate.

60 (c) All members shall be voting members.

61 (d) Members of the commission shall serve without
62 compensation and are not entitled to reimbursement for per diem
63 and travel expenses pursuant to s. 112.061.

64 (4) The commission may meet monthly, but shall meet at
65 least quarterly.

66 (5) The commission shall:

67 (a) Consolidate existing plans, programs, and proposals,
68 including the recommendations outlined in the June 2020 Biscayne
69 Bay Task Force report, into a coordinated strategic plan for
70 improvement of Biscayne Bay and the surrounding areas,
71 addressing environmental, economic, social, recreational, and
72 aesthetic issues. The commission shall monitor the progress on
73 each element of such plan and shall revise the plan regularly.

74 (b) Prepare a consolidated financial plan using the
75 projected financial resources available from the different
76 jurisdictional agencies. The commission shall monitor the
77 progress on each element of such plan and revise the plan
78 regularly.

79 (c) Provide technical assistance and support as needed to
80 help implement each element of the strategic and financial
81 plans.

82 (d) Work in consultation with the United States Department
83 of the Interior.

84 (e) Provide a forum for exchange of information.



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85 (f) Act as a clearinghouse for public information.

86 (6) The commission may establish subcommittees as necessary
87 to carry out its responsibilities.

88 (7) The commission shall submit a semiannual report
89 describing the accomplishments of the commission and each member
90 agency, as well as the status of each pending task, to the Miami
91 City Commission, the Miami-Dade County Board of County
92 Commissioners, the Mayor of Miami, the Mayor of Miami-Dade
93 County, the Governor, and the chair of the Miami-Dade County
94 Legislative Delegation. The first report shall be submitted by
95 January 15, 2022. The report shall also be made available on the
96 Department of Environmental Protection's website and Miami-Dade
97 County's website.

98 (8) This act does not affect or supersede the regulatory
99 authority of any governmental agency or any local government,
100 and any responsibilities of any governmental entity relating to
101 Biscayne Bay remain with the respective governmental entity.

102 Section 2. Paragraph (c) of subsection (1) of section
103 403.086, Florida Statutes, is amended to read:

104 403.086 Sewage disposal facilities; advanced and secondary
105 waste treatment.—

106 (1)

107 (c) Notwithstanding this chapter or chapter 373, sewage
108 disposal facilities may not dispose of any wastes into Old Tampa
109 Bay, Tampa Bay, Hillsborough Bay, Boca Ciega Bay, St. Joseph
110 Sound, Clearwater Bay, Sarasota Bay, Little Sarasota Bay,
111 Roberts Bay, Lemon Bay, Charlotte Harbor Bay, Biscayne Bay, or,
112 beginning July 1, 2025, Indian River Lagoon, or into any river,
113 stream, channel, canal, bay, bayou, sound, or other water



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114 tributary thereto, without providing advanced waste treatment,
115 as defined in subsection (4), approved by the department. This
116 paragraph does not apply to facilities which were permitted by
117 February 1, 1987, and which discharge secondary treated
118 effluent, followed by water hyacinth treatment, to tributaries
119 of tributaries of the named waters; or to facilities permitted
120 to discharge to the nontidally influenced portions of the Peace
121 River.

122 Section 3. This act shall take effect upon becoming a law.