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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/08/2021	.	
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Appropriations Subcommittee on Agriculture, Environment, and General Government (Garcia) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

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



11 administrative support and service to the commission as
12 requested by the commission and within the available resources
13 of the department. The commission shall comply with the
14 requirements of s. 20.052 except as otherwise provided in this
15 section.

16 (2) The commission shall serve as the official coordinating
17 clearinghouse for all public policy and projects related to
18 Biscayne Bay to unite all governmental agencies, businesses, and
19 residents in the area to speak with one voice on bay issues; to
20 develop coordinated plans, priorities, programs, and projects
21 that might substantially improve the bay area; and to act as the
22 principal advocate and watchdog to ensure that bay projects are
23 funded and implemented in a proper and timely manner.

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

26 1. One member appointed by the Governor.

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

29 3. One member of the Miami-Dade County League of Cities,
30 nominated by the league and appointed by the Secretary of
31 Environmental Protection.

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

35 5. One representative of the Department of Environmental
36 Protection, appointed by the Secretary of Environmental
37 Protection.

38 6. One representative of the Fish and Wildlife Conservation
39 Commission, appointed by the commission.



492814

40 7. One representative of the Florida Inland Navigation
41 District, appointed by the district.

42 (b) Members shall serve for a term of 4 years; however, for
43 the purpose of providing staggered terms, the initial
44 appointments of representatives of the South Florida Water
45 Management District Governing Board, the Department of
46 Environmental Protection, the Fish and Wildlife Conservation
47 Commission, and the Florida Inland Navigation District shall be
48 for a term of 2 years. A vacancy shall be filled for the
49 remainder of the unexpired term in the same manner as the
50 initial appointment. Notwithstanding s. 20.052, private citizen
51 members of the commission are not required to be confirmed by
52 the Senate.

53 (c) All members shall be voting members.

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

57 (4) The commission may meet monthly, but shall meet at
58 least quarterly.

59 (5) The commission shall:

60 (a) Consolidate existing plans, programs, and proposals,
61 including the recommendations outlined in the June 2020 Biscayne
62 Bay Task Force report, into a coordinated strategic plan for
63 improvement of Biscayne Bay and the surrounding areas,
64 addressing environmental, economic, social, recreational, and
65 aesthetic issues. The commission shall monitor the progress on
66 each element of such plan and shall revise the plan regularly.

67 (b) Prepare a consolidated financial plan using the
68 projected financial resources available from the different



69 jurisdictional agencies. The commission shall monitor the
70 progress on each element of such plan and revise the plan
71 regularly.

72 (c) Provide technical assistance and support as needed to
73 help implement each element of the strategic and financial
74 plans.

75 (d) Work in consultation with the United States Department
76 of the Interior.

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

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

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

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

91 (8) This act does not affect or supersede the regulatory
92 authority of any governmental agency or any local government,
93 and any responsibilities of any governmental entity relating to
94 Biscayne Bay remain with the respective governmental entity.

95 Section 2. Paragraph (c) of subsection (1) of section
96 403.086, Florida Statutes, is amended to read:

97 403.086 Sewage disposal facilities; advanced and secondary



98 waste treatment.-

99 (1)

100 (c) Notwithstanding this chapter or chapter 373, sewage
101 disposal facilities may not dispose of any wastes into Old Tampa
102 Bay, Tampa Bay, Hillsborough Bay, Boca Ciega Bay, St. Joseph
103 Sound, Clearwater Bay, Sarasota Bay, Little Sarasota Bay,
104 Roberts Bay, Lemon Bay, Charlotte Harbor Bay, Biscayne Bay, or,
105 beginning July 1, 2025, Indian River Lagoon, or into any river,
106 stream, channel, canal, bay, bayou, sound, or other water
107 tributary thereto, without providing advanced waste treatment,
108 as defined in subsection (4), approved by the department. This
109 paragraph does not apply to facilities which were permitted by
110 February 1, 1987, and which discharge secondary treated
111 effluent, followed by water hyacinth treatment, to tributaries
112 of tributaries of the named waters; or to facilities permitted
113 to discharge to the nontidally influenced portions of the Peace
114 River.

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

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

118 And the title is amended as follows:

119 Delete everything before the enacting clause
120 and insert:

121 A bill to be entitled
122 An act relating to Biscayne Bay; creating s. 163.11,
123 F.S.; establishing the Biscayne Bay Commission;
124 providing for commission purpose, membership, duties,
125 and authority; amending s. 403.086, F.S.; prohibiting
126 sewage disposal facilities from disposing of any



492814

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wastes into Biscayne Bay without providing advanced
waste treatment; providing an effective date.