

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Truenow offered the following:

Amendment (with title amendment)

Remove lines 266-315 and insert:

(j) Notwithstanding any other law, this section does not limit or restrict the authority of the department to deny the use of enhancement credits when the department is not reasonably assured that the use of the credits will not cause or contribute to a violation of water quality standards, even if the project being implemented by the governmental entity is within the enhancement service area. The department may allow the use of enhancement credits if the department receives a request for the

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13 use of enhancement credits and determines that such use will not
14 cause or contribute to a violation of water quality standards.

15 (8) AUTHORITY.—The authority granted to the department
16 under this section is supplemental to the authority granted
17 under s. 403.067(8).

18 (9) RULES.—The department shall adopt rules to implement
19 this section. This section may not be implemented until the
20 department adopts such rules.

21 Section 2. Paragraph (b) of subsection (1) and paragraphs
22 (a), (b), and (d) of subsection (3) of section 403.892, Florida
23 Statutes, are amended, and subsection (6) is added to that
24 section, to read:

25 403.892 Incentives for the use of graywater technologies.—

26 (1) As used in this section, the term:

27 (b) "Graywater" has the same meaning as in s.
28 381.0065(2)(f) ~~s. 381.0065(2)(e)~~.

29 (3) To qualify for the incentives under subsection (2),
30 the developer or homebuilder must certify to the applicable
31 governmental entity as part of its application for development
32 approval or amendment of a development order that all of the
33 following conditions are met:

34 (a) The proposed or existing development has at least 25
35 detached single-family residential homes ~~that are either~~
36 ~~detached~~ or 25 multifamily dwelling units, which may include

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37 ~~apartments dwellings. This paragraph does not apply to~~
38 ~~multifamily projects over five stories in height.~~

39 (b) Each single-family residential home or residence will
40 have its own residential graywater system ~~that is~~ dedicated for
41 its use. Each residence forming part of a multifamily project
42 will be serviced by its own residential graywater system
43 dedicated for its use or by a master graywater collection and
44 reuse system for the entire project.

45 (d) The required maintenance of the graywater system will
46 be the responsibility of the owner ~~residential homeowner.~~

47 (6) This section does not apply to multifamily projects
48 more than five stories in height. Whether a dwelling is occupied
49 by an owner is not an eligibility criterion for a developer or
50 homebuilder to receive the incentives authorized under this
51 section.

52 Section 3. The Department of Environmental Protection
53 shall adopt and modify rules adopted pursuant to ss. 373.4136
54 and 373.414, Florida Statutes, to ensure that required financial
55 assurances are equivalent and sufficient to provide for the
56 long-term management of mitigation permitted under ss. 373.4136
57 and 373.414, Florida Statutes. The department, in consultation
58 with the water management districts, shall include the
59 rulemaking required by this section in existing active
60 rulemaking, or shall complete rule development by June 30, 2023.

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

Remove lines 12-22 and insert:
construction; providing that the authority of the act
is supplemental; directing the department to maintain
enhancement credit ledgers; authorizing the department
to adopt rules; providing amending s. 403.892, F.S.;
correcting a cross-reference; revising requirements
for developers and homebuilders to qualify for
graywater technology incentives; providing that
certain occupancy is not eligibility criterion for
such incentives; requiring the department to adopt and
modify specified rules; providing rulemaking
requirements; providing an