

1 A bill to be entitled
 2 An act relating to water quality improvements;
 3 amending s. 375.041, F.S.; providing an appropriation
 4 for certain projects related to the Indian River
 5 Lagoon Comprehensive Conservation and Management Plan;
 6 authorizing the Department of Environmental
 7 Protection, with other specified entities, to provide
 8 grants for such projects; directing the department to
 9 submit an annual report to the Governor and
 10 Legislature; removing an obsolete provision; creating
 11 s. 403.0771, F.S.; requiring each wastewater facility
 12 that unlawfully discharges sewage into a waterway or
 13 aquifer to notify its customers within a specified
 14 period; amending s. 403.141, F.S.; providing penalties
 15 for wastewater treatment facilities that unlawfully
 16 discharge sewage into designated areas; providing an
 17 effective date.

18
 19 Be It Enacted by the Legislature of the State of Florida:

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 21 Section 1. Paragraph (b) of subsection (3) of section
 22 375.041, Florida Statutes, is amended to read:

23 375.041 Land Acquisition Trust Fund.—

24 (3) Funds distributed into the Land Acquisition Trust Fund
 25 pursuant to s. 201.15 shall be applied:

26 (b) Of the funds remaining after the payments required
27 under paragraph (a), but before funds may be appropriated,
28 pledged, or dedicated for other uses:

29 1. A minimum of the lesser of 25 percent or \$200 million
30 shall be appropriated annually for Everglades projects that
31 implement the Comprehensive Everglades Restoration Plan as set
32 forth in s. 373.470, including the Central Everglades Planning
33 Project subject to Congressional authorization; the Long-Term
34 Plan as defined in s. 373.4592(2); and the Northern Everglades
35 and Estuaries Protection Program as set forth in s. 373.4595.
36 From these funds, \$32 million shall be distributed each fiscal
37 year through the 2023-2024 fiscal year to the South Florida
38 Water Management District for the Long-Term Plan as defined in
39 s. 373.4592(2). After deducting the \$32 million distributed
40 under this subparagraph, from the funds remaining, a minimum of
41 the lesser of 76.5 percent or \$100 million shall be appropriated
42 each fiscal year through the 2025-2026 fiscal year for the
43 planning, design, engineering, and construction of the
44 Comprehensive Everglades Restoration Plan as set forth in s.
45 373.470, including the Central Everglades Planning Project, the
46 Everglades Agricultural Area Storage Reservoir Project, the Lake
47 Okeechobee Watershed Project, the C-43 West Basin Storage
48 Reservoir Project, the Indian River Lagoon-South Project, the
49 Western Everglades Restoration Project, and the Picayune Strand
50 Restoration Project. The Department of Environmental Protection

51 and the South Florida Water Management District shall give
52 preference to those Everglades restoration projects that reduce
53 harmful discharges of water from Lake Okeechobee to the St.
54 Lucie or Caloosahatchee estuaries in a timely manner. For the
55 purpose of performing the calculation provided in this
56 subparagraph, the amount of debt service paid pursuant to
57 paragraph (a) for bonds issued after July 1, 2016, for the
58 purposes set forth under paragraph (b) shall be added to the
59 amount remaining after the payments required under paragraph
60 (a). The amount of the distribution calculated shall then be
61 reduced by an amount equal to the debt service paid pursuant to
62 paragraph (a) on bonds issued after July 1, 2016, for the
63 purposes set forth under this subparagraph.

64 2. A minimum of the lesser of 7.6 percent or \$50 million
65 shall be appropriated annually for spring restoration,
66 protection, and management projects. For the purpose of
67 performing the calculation provided in this subparagraph, the
68 amount of debt service paid pursuant to paragraph (a) for bonds
69 issued after July 1, 2016, for the purposes set forth under
70 paragraph (b) shall be added to the amount remaining after the
71 payments required under paragraph (a). The amount of the
72 distribution calculated shall then be reduced by an amount equal
73 to the debt service paid pursuant to paragraph (a) on bonds
74 issued after July 1, 2016, for the purposes set forth under this
75 subparagraph.

76 3. The sum of \$5 million shall be appropriated annually
 77 each fiscal year through the 2025-2026 fiscal year to the St.
 78 Johns River Water Management District for projects dedicated to
 79 the restoration of Lake Apopka. This distribution shall be
 80 reduced by an amount equal to the debt service paid pursuant to
 81 paragraph (a) on bonds issued after July 1, 2016, for the
 82 purposes set forth in this subparagraph.

83 4. The sum of \$64 million is appropriated and shall be
 84 transferred to the Everglades Trust Fund for the 2018-2019
 85 fiscal year, and each fiscal year thereafter, for the EAA
 86 reservoir project pursuant to s. 373.4598. Any funds remaining
 87 in any fiscal year shall be made available only for Phase II of
 88 the C-51 reservoir project or projects identified in
 89 subparagraph 1. and must be used in accordance with laws
 90 relating to such projects. Any funds made available for such
 91 purposes in a fiscal year are in addition to the amount
 92 appropriated under subparagraph 1. This distribution shall be
 93 reduced by an amount equal to the debt service paid pursuant to
 94 paragraph (a) on bonds issued after July 1, 2017, for the
 95 purposes set forth in this subparagraph.

96 5. A minimum of the lesser of 7.6 percent or \$50 million
 97 shall be appropriated annually each fiscal year for projects
 98 dedicated to the conservation and management of the Indian River
 99 Lagoon. This distribution shall be reduced by an amount equal to
 100 the debt service paid pursuant to paragraph (a) on bonds issued

101 after July 1, 2019, for the purposes set forth in this
102 subparagraph. The Department of Environmental Protection shall
103 use the funds to provide grants for the following categories of
104 projects that implement the updated Indian River Lagoon
105 Comprehensive Conservation and Management Plan, including
106 multiyear grants for construction of such projects:

107 a. The upgrade of existing facilities that provide
108 advanced waste treatment, as defined in s. 403.086(4).

109 b. The expansion of existing wastewater treatment
110 facilities to bring services to homes and businesses that are
111 not connected to an existing wastewater treatment facility.

112 c. The connection of an onsite sewage treatment and
113 disposal systems to central sewer systems.

114
115 Each grant shall require a minimum 50 percent local match. The
116 department shall coordinate with the South Florida Water
117 Management District, the St. Johns River Water Management
118 District, and other water management districts, as necessary, to
119 identify grant recipients. Beginning January 1, 2020, and each
120 January 1 thereafter, the department shall submit a report
121 regarding the projects funded pursuant to this subparagraph to
122 the Governor, the President of the Senate, and the Speaker of
123 the House of Representatives ~~Notwithstanding subparagraph 3.,~~
124 ~~for the 2018-2019 fiscal year, funds shall be appropriated as~~
125 ~~provided in the General Appropriations Act. This subparagraph~~

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2019

126 | ~~expires July 1, 2019.~~

127 | Section 2. Section 403.0771, Florida Statutes, is created
128 | to read:

129 | 403.0771 Sewage Spill Notification.—In addition to the
130 | public notification requirements of s. 403.077, a wastewater
131 | treatment facility that unlawfully discharges raw or partially
132 | treated sewage into any waterway or aquifer must, within 24
133 | hours after discovering the discharge, notify its customers that
134 | the discharge has occurred.

135 | Section 3. Subsection (4) of section 403.141, Florida
136 | Statutes, is renumbered as subsection (5), and a new subsection
137 | (4) is added to that section, to read:

138 | 403.141 Civil liability; joint and several liability.—

139 | (4) Notwithstanding the civil penalty limitation set forth
140 | in subsection (1), a wastewater treatment facility that
141 | unlawfully discharges raw or partially treated sewage into any
142 | waterway or aquifer shall:

143 | (a) Remit to the department an amount equal to \$1 for each
144 | gallon of sewage discharged; or

145 | (b) Calculate the amount of gallons of sewage discharged,
146 | and, with the department's approval, spend \$2 for each gallon to
147 | upgrade or remediate the problems which gave rise to the
148 | unlawful discharge.

149 | Section 4. This act shall take effect July 1, 2019.