

26 | to read:

27 | 373.464 St. Johns River Upper Basin Watershed Pollutant
28 | Control Program.—The St. Johns River Upper Basin Watershed
29 | Pollutant Control Program shall consist of the St. Johns River
30 | Upper Basin Watershed Basin Management Action Plan adopted
31 | pursuant to s. 403.067, and shall be designed to be a
32 | multifaceted approach to reducing pollutant loads by improving
33 | the management of pollutant sources within the St. Johns River
34 | Upper Basin watershed through implementation of regulations and
35 | best management practices, development and implementation of
36 | improved best management practices, improvement and restoration
37 | of the hydrologic function of natural and managed systems, and
38 | use of alternative technologies for pollutant reduction, such as
39 | cost-effective biologically based, hybrid wetland/chemical and
40 | other innovative nutrient control technologies. As provided in
41 | s. 403.067(7) (a)6., the St. Johns River Upper Basin Watershed
42 | Basin Management Action Plan must include milestones for
43 | implementation and water quality improvement, and an associated
44 | water quality monitoring component sufficient to evaluate
45 | whether reasonable progress in pollutant load reductions is
46 | being achieved over time. An assessment of progress toward these
47 | milestones shall be conducted every 5 years and shall be
48 | provided to the Governor, the President of the Senate, and the
49 | Speaker of the House of Representatives. Revisions to the basin
50 | management action plan shall be made, as appropriate, as a

51 result of each 5-year review. Revisions to the plan shall be
52 made by the Department of Environmental Protection in
53 cooperation with the basin stakeholders. Revisions to best
54 management practices or other measures must follow the
55 procedures set forth in s. 403.067(7)(c)4. The revised plan must
56 be adopted pursuant to s. 403.067(7)(a)5. The department shall
57 develop an implementation schedule establishing 5-year, 10-year,
58 and 15-year measurable milestones and targets to achieve the
59 total maximum daily load no more than 20 years after adoption of
60 the plan. The initial implementation schedule shall be used to
61 provide guidance for planning and funding purposes and is exempt
62 from chapter 120. Upon the first 5-year review, the
63 implementation schedule shall be adopted as part of the plan. If
64 achieving the total maximum daily load within 20 years is not
65 practicable, the implementation schedule must contain an
66 explanation of the constraints that prevent achievement of the
67 total maximum daily load within 20 years, an estimate of the
68 time needed to achieve the total maximum daily load, and
69 additional 5-year measurable milestones, as necessary. The
70 coordinating agencies shall facilitate the use of federal
71 programs that offer opportunities for water quality treatment,
72 including preservation, restoration, or creation of wetlands on
73 agricultural lands.

74 (1) Nonpoint source best management practices consistent
75 with s. 403.067, designed to achieve the objectives of the St.

76 Johns River Upper Basin Watershed Pollutant Control Program,
77 shall be implemented on an expedited basis. The coordinating
78 agencies may develop an intergovernmental agreement with local
79 governments to implement the nonagricultural nonpoint source
80 best management practices within their respective geographic
81 boundaries.

82 (2) This section does not preclude the Department of
83 Environmental Protection or the St. Johns River Water Management
84 District from requiring compliance with water quality standards,
85 adopted total maximum daily loads, or current best management
86 practices requirements set forth in any applicable regulatory
87 program authorized by law for the purpose of protecting water
88 quality. This section applies only to the extent that it does
89 not conflict with any rules adopted by the department or the
90 district which are necessary to maintain a federally delegated
91 or approved program.

92 (3) Projects that make use of private lands, or lands held
93 in trust for Indian tribes, to reduce pollutant loadings or
94 concentrations within a basin, or that reduce the volume of
95 harmful discharges by one or more of the following methods are
96 eligible for grants under this section from coordinating
97 agencies:

98 (a) Restoring the natural hydrology of the basin;

99 (b) Restoring wildlife habitat or impacted wetlands;

100 (c) Reducing peak flows after storm events; or

101 (d) Increasing aquifer recharge.

102 (4) The St. Johns River Upper Basin Watershed Basin
103 Management Action Plan shall require assessment of current water
104 management practices within the watershed and shall require
105 development of recommendations for structural, nonstructural,
106 and operational improvements. Such recommendations shall
107 consider and balance water supply, flood control, estuarine
108 salinity, aquatic habitat, and water quality considerations.

109 (5) The Department of Environmental Protection may not
110 authorize the disposal of domestic wastewater biosolids within
111 the St. Johns River Upper Basin watershed, including Blue
112 Cypress Lake, unless the applicant can affirmatively demonstrate
113 that the nutrients in the biosolids will not add to nutrient
114 loadings in the watershed. This demonstration shall be based on
115 achieving a net balance between nutrient imports relative to
116 exports on the permitted application site. Exports shall include
117 only nutrients removed from the St. Johns River Upper Basin
118 watershed through products generated on the permitted
119 application site. This subsection does not apply to Class AA
120 biosolids that are marketed and distributed as fertilizer
121 products in accordance with department rule.

122 (6) The Department of Health shall require all entities
123 disposing of septage within the St. Johns River Upper Basin
124 watershed to develop and submit to the department an
125 agricultural use plan that limits applications based upon

126 nutrient loading consistent with any basin management action
127 plan adopted pursuant to s. 403.067.

128 (7) The Department of Agriculture and Consumer Services
129 shall initiate rulemaking requiring entities within the St.
130 Johns River Upper Basin watershed which land-apply animal manure
131 to develop a resource management system level conservation plan,
132 according to United States Department of Agriculture criteria,
133 which limit such application. Such rules shall include criteria
134 and thresholds for the requirement to develop a conservation or
135 nutrient management plan, requirements for plan approval, site
136 inspection requirements, and recordkeeping requirements.

137 (8) The St. Johns River Water Management District shall
138 initiate rulemaking to provide for a monitoring program for
139 nonpoint source dischargers required to monitor water quality
140 pursuant to s. 403.067(7)(b)2.g. or (c)3. The results of such
141 monitoring must be reported to the coordinating agencies.

142 Section 2. This act shall take effect July 1, 2019.