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Chapter 252
Emergency Management
Enforceable Policies

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*Sections 252.359, .3569, .3655, .515, .62, .63, .905, .921, and .9335, F.S., are not considered enforceable policies for federal consistency purposes

**Section 252.351 is not proposed as an enforceable policy for federal consistency purposes

Chapter 252--Emergency Management

252.351 Mandatory reporting of certain incidents by political subdivisions.—

(1) For purposes of this section, the term “office” means the State Watch Office established within the division pursuant to s. 14.2016.

(2) The division shall create and maintain a list of reportable incidents. The list shall include, but is not limited to, the following events:

(a) Major fires, including wildfires, commercial or multiunit residential fires, or industrial fires.

(b) Search and rescue operations, including structure collapses or urban search and rescue responses.

(c) Bomb threats or threats to inflict harm on a large number of people or significant infrastructure, suspicious devices, or device detonations.

(d) Natural hazards and severe weather, including earthquakes, landslides, or ground subsidence or sinkholes.

(e) Public health and population protective actions, including public health hazards, evacuation orders, or emergency shelter openings.

(f) Animal or agricultural events, including suspected or confirmed animal diseases, suspected or confirmed agricultural diseases, crop failures, or food supply contamination.

(g) Environmental concerns, including an incident of reportable pollution release as required in s. 403.077(2).

(h) Nuclear power plant events, including events in process or that have occurred which indicate a potential degradation of the level of safety of the plant or which indicate a security threat to facility protection.

(i) Major transportation events, including aircraft or airport incidents, passenger or commercial railroad incidents, major road or bridge closures, or marine incidents involving a blocked navigable channel of a major waterway.

(j) Major utility or infrastructure events, including dam failures or overtopping, drinking water facility breaches, or major utility outages or disruptions involving transmission lines or substations.

(k) Military events, when information regarding such activities is provided to a political subdivision.

(3) As soon as practicable following its initial response to an incident, a political subdivision shall provide notification to the office that an incident specified on the list of reportable incidents has occurred within its geographical boundaries. The division may establish guidelines specifying the method and format a political subdivision must use when reporting an incident.

(4) Beginning December 1, 2020, and by December 1 every year thereafter, the division must provide the list of reportable incidents to each political subdivision.

History.—s. 1, ch. 2020-53.

Chapter 258
State Parks and Preserves
Enforceable Policies

Any additions are underlined and any deletions are struck-through.

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258.0165*	Defibrillators in state parks.
258.017*	Dedication of state park lands for public use.
258.021*	Power of eminent domain; procedure.
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258.041*	Cooperation of division with counties, etc.
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- 258.41 Establishment of aquatic preserves.
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- 258.43* Rules.
- 258.435* Use of aquatic preserves for the accommodation of visitors
- 258.44 Effect of preserves.
- 258.45 Provisions not superseded.
- 258.46* Enforcement; violations; penalty.
- 258.501 Myakka River; wild and scenic segment.
- 258.601* Enforce of prohibited activities

*Sections 258.001, .00142, .004, .014, .0145, .015, .016, .0165, .017, .021, .027, .034, .041, .081, .09, .11, .12, .14, .15, .158, .35, .36, .38, .43, .435, .46, and .601, F.S., are not considered enforceable policies for federal consistency purposes

Chapter 258--State Parks and Preserves

258.3991 Nature Coast Aquatic Preserve.—

(1) DESIGNATION.—The area described in subsection (2) which lies within Citrus, Hernando, and Pasco Counties is designated by the Legislature for inclusion in the aquatic preserve system under the Florida Aquatic Preserve Act of 1975 and as an Outstanding Florida Water pursuant to s. 403.061(27) and shall be known as the “Nature Coast Aquatic Preserve.” It is the intent of the Legislature that the Nature Coast Aquatic Preserve be preserved in an essentially natural condition so that its biological and aesthetic values may endure for the enjoyment of future generations. This section may not be construed to impose additional permitting requirements for county or state projects under the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast Act of 2012 (RESTORE Act) that are funded pursuant to 33 U.S.C. s. 1321(t)(3).

(2) BOUNDARIES.—For purposes of this section, the Nature Coast Aquatic Preserve consists of the state-owned submerged lands lying west of a meandering line following the westernmost shorelines of Citrus, Hernando, and Pasco Counties, excluding artificial waterways, canals, inland rivers, and tributaries. Such state-owned submerged lands include all those lands seaward of the mean high-water line and tidally connected to the Gulf of Mexico, lying south of a line extending westerly approximately 4.5 miles along Latitude 28.910000°, Florida West Zone (NAD83) from the mean high-water line of the corresponding shoreline at Fort Island Gulf Beach Park, Latitude 28.910000°, Longitude -82.690000°, and lying westward of a line extending north approximately 1.8 miles from Latitude 28.909402°, Longitude -82.764° to Latitude 28.9355°, Longitude -82.764°, lying southward of a line extending westerly approximately 2.0 miles to Latitude 28.9355°, Longitude -82.798214°, lying westward of a line extending north approximately 4.5 miles to the easternmost point of the southern boundary of the Big Bend Seagrasses Aquatic Preserve at point Latitude 29.001614°, Longitude -82.798921°, and will be continuous with the eastern shoreline of the northern boundary of the Pinellas County Aquatic Preserve, respectively. The boundary of the Nature Coast Aquatic Preserve designated as the shoreline will be the mean high-water line along such shoreline unless otherwise stated and will not supersede the boundaries of currently designated Outstanding Florida Waters, state parks, national wildlife refuges, or aquatic preserves.

History.—s. 1, ch. 2020-136.

Chapter 339
Transportation Finance and Planning
Enforceable Policies

Any additions are shown underlined and any deletions are struck-through.

- 339.287* Electric vehicle charging stations; infrastructure plan development
- 339.175 Metropolitan planning organization.
- 339.241 Florida Junkyard Control Law.

*Section 339.287 is not proposed as an enforceable policy for federal consistency purposes

Chapter 339--Transportation Finance and Planning

339.287 Electric vehicle charging stations; infrastructure plan development.—

(1) The Legislature finds that:

(a) Climate change may have significant impacts to this state which will require the development of avoidance, adaptation, and mitigation strategies to address these potential impacts on future state projects, plans, and programs;

(b) A significant portion of the carbon dioxide emissions in this state is produced by the transportation sector;

(c) Electric vehicles can help reduce these emissions, thereby helping to reduce the impact of climate change on this state;

(d) The use of electric vehicles for nonlocal driving requires adequate, reliable charging stations to address electric vehicle battery range limitations;

(e) Having adequate, reliable charging stations along the State Highway System will also help with evacuations during hurricanes or other disasters;

(f) Ensuring the prompt installation of adequate, reliable charging stations is in the public interest; and

(g) A recommended plan for electric vehicle charging station infrastructure should be established to address changes in the emerging electric vehicle market and necessary charging infrastructure.

(2)(a) The department shall coordinate, develop, and recommend a master plan for current and future plans for the development of electric vehicle charging station infrastructure along the State Highway System, as defined in s. 334.03(24). The department shall develop the recommended master plan and submit it to the Governor, the President of the Senate, and the Speaker of the House of Representatives by July 1, 2021. The plan must include recommendations for legislation and may include other recommendations as determined by the department.

(b) The department, in consultation with the Public Service Commission and the Office of Energy within the Department of Agriculture and Consumer Services, and any other public or private entities as necessary or appropriate, shall be primarily responsible for the following goals and objectives in developing the plan:

1. Identifying the types or characteristics of possible locations for electric vehicle charging station infrastructure along the State Highway System to support a supply of electric vehicle charging stations that will:

a. Accomplish the goals and objectives of this section;

b. Support both short-range and long-range electric vehicle travel;

c. Encourage the expansion of electric vehicle use in this state; and

d. Adequately serve evacuation routes in this state.

2. Identifying any barriers to the use of electric vehicles and electric vehicle charging station infrastructure both for short-range and long-range electric vehicle travel along the State Highway System.

3. Identifying an implementation strategy for expanding electric vehicle and charging station infrastructure use in this state.

4. Quantifying the loss of revenue to the State Transportation Trust Fund due to the current and projected future use of electric vehicles in this state and summarizing efforts of other states to address such revenue loss.

(c) The Public Service Commission, in consultation with the department and the Office of Energy within the Department of Agriculture and Consumer Services, and any other public or private entities as necessary or appropriate, shall be primarily responsible for the following goals and objectives in developing the plan:

1. Projecting the increase in the use of electric vehicles in this state over the next 20 years and determining how to ensure an adequate supply of reliable electric vehicle charging stations to support and encourage this growth in a manner supporting a competitive market with ample consumer choice.

2. Evaluating and comparing the types of electric vehicle charging stations available at present and which may become available in the future, including the technology and infrastructure incorporated in such stations, along with the circumstances within which each type of station and infrastructure is typically used, including fleet charging, for the purpose of identifying any advantages to developing particular types or uses of these stations.

3. Considering strategies to develop this supply of charging stations, including, but not limited to, methods of building partnerships with local governments, other state and federal entities, electric utilities, the business community, and the public in support of electric vehicle charging stations.

4. Identifying the type of regulatory structure necessary for the delivery of electricity to electric vehicles and charging station infrastructure, including competitive neutral policies and the participation of public utilities in the marketplace.

(d) The Public Service Commission, in consultation with the Office of Energy within the Department of Agriculture and Consumer Services, shall review emerging technologies in the electric and alternative vehicle market, including alternative fuel sources.

(e) The department, the Public Service Commission, and the Office of Energy within the Department of Agriculture and Consumer Services may agree to explore other issues deemed necessary or appropriate for purposes of the report required in paragraph (a).

(f) By December 1, 2020, the department shall file a status report with the Governor, the President of the Senate, and the Speaker of the House of Representatives containing any preliminary recommendations, including recommendations for legislation.

History.—s. 3, ch. 2020-21.

Chapter 373
Water Resources
Enforceable Policies

Any additions are underlined and any deletions are struck-through.

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- 373.013 Short title.
- 373.016 Declaration of policy.
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- 373.042 Minimum flows and minimum water levels.
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- 373.047 Cooperation between districts.
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- 373.069 Creation of water management districts.
- 373.0691 Transfer of areas.
- 373.0693 Basins; basin boards.
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- 373.083 General powers and duties of the governing board.
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- 373.086 Providing for district works.
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- 373.088 Application fees for certain real estate transactions.

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- 373.185 Local xeriscape ordinances.
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- 373.199 Florida Forever Water Management District Work Plan.
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*Sections 373.037, .044, .0465, .103, .1135, .171, .246, .308, .4143, .4144, .4146, .459, .4598, .462, .463, .472, .475, .535, .536, .584 .59, .5905, .701, .703, and .813, F.S., are not considered enforceable policies for federal consistency purposes.

Chapter 373--Water Resources

~~373.467 The Harris Chain of Lakes Restoration Council.—~~

~~There is created within the St. Johns River Water Management District, with assistance from the Fish and Wildlife Conservation Commission and the Lake County Water Authority, the Harris Chain of Lakes Restoration Council.~~

~~(1)(a) The council shall consist of nine voting members which shall include a representative of waterfront property owners, a representative of the sport fishing industry, a person with experience in environmental science or regulation, a person with training in biology or another scientific discipline, an attorney, a physician, an engineer, and two residents of the county who are not required to meet any additional qualifications for membership, each to be appointed by the Lake County legislative delegation. The Lake County legislative delegation may waive the qualifications for membership on a case-by-case basis if good cause is shown. A person serving on the council may not be appointed to a council, board, or commission of any council advisory group agency. The council members shall serve as advisors to the governing board of the St. Johns River Water Management District. The council is subject to chapters 119 and 120.~~

~~(b) There shall be an advisory group to the council which shall consist of one representative each from the St. Johns River Water Management District, the Department of Environmental Protection, the Department of Transportation, the Fish and Wildlife Conservation Commission, the Lake County Water Authority, the United States Army Corps of Engineers, and the University of Florida, each of whom shall be appointed by his or her respective agency, and each of whom, with the exception of the representatives from the Lake County Water Authority and the University of Florida, shall have had training in biology or another scientific discipline.~~

~~(2) Immediately after appointment, the council shall meet and organize by electing a chair, a vice chair, and a secretary, whose terms shall be for 2 years each. Council officers shall not serve consecutive terms. Each council member shall be a voting member.~~

~~(3) The council shall meet at the call of its chair, at the request of six of its members, or at the request of the chair of the governing board of the St. Johns River Water Management District. Resignation by a council member, or failure by a council member to attend three consecutive meetings without an excuse approved by the chair, results in a vacancy on the council.~~

~~(4) The council shall have the powers and duties to:~~

~~(a) Review audits and all data specifically related to lake restoration techniques and sport fish population recovery strategies, including data and strategies for shoreline restoration, sediment control and removal, exotic species management, floating tussock management or removal, navigation, water quality, and fish and wildlife habitat improvement, particularly as they may apply to the Harris Chain of Lakes.~~

~~(b) Evaluate whether additional studies are needed.~~

~~(c) Explore all possible sources of funding to conduct the restoration activities.~~

~~(d) Report to the President of the Senate and the Speaker of the House of Representatives before November 25 of each year on the progress of the Harris Chain of Lakes restoration program and any recommendations for the next fiscal year.~~

~~(5) The St. Johns River Water Management District shall provide staff to assist the council in carrying out the provisions of this act.~~

~~(6) Members of the council shall receive no compensation for their services, but are entitled to be reimbursed for per diem and travel expenses incurred during execution of their official duties, as provided in s. 112.061. State and federal agencies shall be responsible for the per diem and travel expenses of their respective appointees to the council, and the St. Johns River Water Management District shall be responsible for per diem and travel expenses of other appointees to the council.~~

~~History.—s. 1, ch. 2001-246; s. 16, ch. 2016-1.~~

Chapter 376
Pollutant Discharge Prevention and Removal
Enforceable Policies

Any additions are underlined and any deletions are struck-through.

- 376.011* Pollutant Discharge Prevention and Control Act; short title.
- 376.021 Legislative intent with respect to pollution of coastal waters and lands.
- 376.031 Definitions.
- 376.041 Pollution of waters and lands of the state prohibited.
- 376.051 Powers and duties of the Department of Environmental Protection.
- 376.065 Operation of terminal facility without discharge prevention and response certificate prohibited; penalty.
- 376.07 Regulatory powers of department; penalties for inadequate booming by terminal facilities.
- 376.0705 Development of training programs and educational materials.
- 376.071 Discharge contingency plan for vessels.
- 376.09 Removal of prohibited discharges.
- 376.10 Personnel and equipment.
- 376.11 Florida Coastal Protection Trust Fund.
- 376.12 Liabilities and defenses of responsible parties; liabilities of third parties; financial security requirements for vessels; liability of cargo owners; notification requirements.
- 376.121 Liability for damage to natural resources.
- 376.123 Claims against the Florida Coastal Protection Trust Fund.
- 376.13 Emergency proclamation; Governor's powers.
- 376.14 Vessels; financial responsibility; claims against providers of financial responsibility; service of process against responsible parties.
- 376.15 Derelict vessels; removal from public waters.
- 376.16 Enforcement and penalties.
- 376.165 "Hold-harmless" agreements prohibited.
- 376.19 County and municipal ordinances; powers limited.
- 376.20 Limitation on application.
- 376.205 Individual cause of action for damages under ss. 376.011-376.21.
- 376.207 Traps impregnated with pollutants prohibited.
- 376.21 Construction of ss. 376.011-376.21.
- 376.30 Legislative intent with respect to pollution of surface and ground waters.
- 376.301 Definitions of terms used in ss. 376.30-376.319, 376.70, and 376.75.
- 376.302 Prohibited acts; penalties.
- 376.303 Powers and duties of the Department of Environmental Protection.
- 376.304 Review and analysis of disposal materials or byproducts; disposal at designated local government solid waste disposal facilities.
- 376.305 Removal of prohibited discharges.
- 376.306 Cattle-dipping vats; legislative findings; liability.
- 376.307 Water Quality Assurance Trust Fund.

- 376.30701 Application of risk-based corrective action principles to contaminated sites; applicability; legislative intent; rulemaking authority; contamination cleanup criteria; limitations; reopeners.
- 376.30702 Contamination notification.
- 376.3071 Inland Protection Trust Fund; creation; purposes; funding.
- 376.30713 Advanced cleanup.
- 376.30714 Site rehabilitation agreements.
- 376.30715 Innocent victim petroleum storage system restoration.
- 376.30716 Cleanup of certain sites.
- 376.3072 Florida Petroleum Liability and Restoration Insurance Program.
- 376.3073* Local programs and state agency programs for control of contamination.
- 376.3075* Inland Protection Financing Corporation.
- 376.3077 Unlawful to deposit motor fuel in tank required to be registered, without proof of registration display.
- 376.3078 Drycleaning facility restoration; funds; uses; liability; recovery of expenditures.
- 376.30781 Partial tax credits for rehabilitation of drycleaning-solvent-contaminated sites and brownfield sites in designated brownfield areas; application process; rulemaking authority; revocation authority.
- 376.3079 Third-party liability insurance.
- 376.308 Liabilities and defenses of facilities.
- 376.309 Facilities, financial responsibility.
- 376.311 Penalties for a discharge.
- 376.313 Nonexclusiveness of remedies and individual cause of action for damages under ss. 376.30-376.319.
- 376.315 Construction of ss. 376.30-376.319.
- 376.317* Superseded laws; state preemption.
- 376.320 Applicability.
- 376.321 Definitions.
- 376.322 Powers and duties of the department.
- 376.323 Registration.
- 376.324 Containment and integrity plan.
- 376.325 Alternative to containment and integrity plan requirements.
- 376.326 Application of s. 376.317.
- 376.40 Petroleum exploration and production; purposes; funding.
- 376.41* Minerals Trust Fund
- 376.60 Asbestos removal program inspection and notification fee.
- 376.70 Tax on gross receipts of drycleaning facilities.
- 376.71 Registration fee and gross receipts tax; exemptions.
- 376.75 Tax on production or importation of perchloroethylene.
- 376.77 Short title.
- 376.78 Legislative intent.
- 376.79 Definitions relating to Brownfields Redevelopment Act.
- 376.80 Brownfield program administration process.
- 376.81 Brownfield site and brownfield areas contamination cleanup criteria.
- 376.82 Eligibility criteria and liability protection.

- 376.83 Violation; penalties.
- 376.84 Brownfield redevelopment economic incentives.
- 376.85 Annual report.
- ~~376.86 Brownfield Areas Loan Guarantee Program.~~

*Sections 376.011, .3073, .3075, .317, and .41, F.S., are not considered enforceable policy for federal consistency purposes

Chapter 376--Pollution Discharge Prevention and Removal

~~376.86 Brownfield Areas Loan Guarantee Program.—~~

~~(1) The Brownfield Areas Loan Guarantee Council is created to review and approve or deny, by a majority vote of its membership, the situations and circumstances for participation in partnerships by agreements with local governments, financial institutions, and others associated with the redevelopment of brownfield areas pursuant to the Brownfields Redevelopment Act for a limited state guaranty of up to 5 years of loan guarantees or loan loss reserves issued pursuant to law. The limited state loan guaranty applies only to 50 percent of the primary lenders loans for redevelopment projects in brownfield areas. If the redevelopment project is for affordable housing, as defined in s. 420.0004, in a brownfield area, the limited state loan guaranty applies to 75 percent of the primary lender's loan. If the redevelopment project includes the construction and operation of a new health care facility or a health care provider, as defined in s. 408.032 or s. 408.07, on a brownfield site and the applicant has obtained documentation in accordance with s. 376.30781 indicating that the construction of the health care facility or health care provider by the applicant on the brownfield site has received a certificate of occupancy or a license or certificate has been issued for the operation of the health care facility or health care provider, the limited state loan guaranty applies to 75 percent of the primary lender's loan. A limited state guaranty of private loans or a loan loss reserve is authorized for lenders licensed to operate in the state upon a determination by the council that such an arrangement would be in the public interest and the likelihood of the success of the loan is great.~~

~~(2) The council shall consist of the secretary of the Department of Environmental Protection or the secretary's designee, the State Surgeon General or the State Surgeon General's designee, the executive director of the State Board of Administration or the executive director's designee, the executive director of the Florida Housing Finance Corporation or the executive director's designee, and the executive director of the Department of Economic Opportunity or the director's designee. The executive director of the Department of Economic Opportunity or the director's designee shall serve as chair of the council. Staff services for activities of the council shall be provided as needed by the member agencies.~~

~~(3) The council may enter into an investment agreement with the Department of Environmental Protection and the State Board of Administration concerning the investment of the balance of funds maintained in the Inland Protection Trust Fund. The investment must be limited as follows:~~

~~(a) Not more than \$5 million of the balance of the Inland Protection Trust Fund in a fiscal year may be at risk at any time on loan guarantees or as loan loss reserves. Of that amount, 15 percent shall be reserved for investment agreements involving predominantly minority-owned businesses which meet the requirements of subsection (4).~~

~~(b) Such funds at risk at any time may not be used to guarantee any loan guaranty or loan loss reserve agreement for a period longer than 5 years.~~

~~(4) A lender seeking a limited state guaranty for a loan from the Brownfield Areas Loan Guarantee Council must first provide to the council a report demonstrating that the lender has reviewed the project for redevelopment of the brownfield area and~~

determined its feasibility in accordance with its standard procedures. The procedures include, but are not limited to:

(a) Obtaining a satisfactory credit report from a source deemed reliable by the lender;
(b) Reviewing a report of environmental conditions at the project and determining that actions are underway to comply with specific recommendations;

(c) Investigating the background and experience of the entity to receive the loan and manage the project and determining that the managing entity appears to possess the experience, competence, and capacity to manage the project;

(d) Determining that conditions exist to establish a financially sound redevelopment project that exposes the state loan guarantee program to a reasonable or acceptable level of risk; and

(e) Determining that the local government with jurisdiction over the area where the brownfield redevelopment project is located has committed in-kind resources, local financial incentives, or local financial resources to the total project cost.

(5) A lender covered by a limited state guaranty for a loan is not entitled to file a claim for loss pursuant to the guaranty unless all reasonable and normal remedies available and customary for lending institutions for resolving problems of loan repayments are exhausted. If the lender has received collateral security in connection with the loan, the lender must first exhaust all available remedies against the collateral security.

(6) The council may, by rule, establish requirements for the issuance of loan guarantees, including contractual provisions to foster reimbursement, in the event of default, to the guarantee fund.

(7) The council may receive public and private funds, federal grants, and private donations in carrying out its responsibilities.

(8) The council shall provide an annual report to the Legislature by February 1 of each year describing its activities and agreements approved relating to redevelopment of brownfield areas. This section shall be reviewed by the Legislature by January 1, 2007, and a determination made related to the need to continue or modify this section. New loan guarantees may not be approved in 2007 until the review by the Legislature has been completed and a determination has been made as to the feasibility of continuing the use of the Inland Protection Trust Fund to guarantee portions of loans under this section.

History.—s. 10, ch. 98-75; s. 7, ch. 2000-153; ss. 55, 56, ch. 2003-399; s. 4, ch. 2004-40; s. 8, ch. 2006-291; s. 7, ch. 2008-239; s. 253, ch. 2011-142; s. 46, ch. 2012-5; s. 5, ch. 2018-24.

Chapter 379
Fish and Wildlife Conservation
Enforceable Policies

Any additions are underlined and any deletions are struck-through.

- 379.101 Definitions.
- 379.102 Fish and Wildlife Conservation Commission.
- 379.1025 Powers, duties, and authority of commission; rules, regulations, and orders.
- 379.10255 Headquarters of commission.
- 379.1026*** Site-specific location information for endangered and threatened species;
public records exemption
- 379.103 Duties of executive director.
- 379.104 Right to hunt and fish.
- 379.105 Harassment of hunters, trappers, or fishers.
- 379.106 Administration of commission grant programs.
- 376.107* Residential conservation programs
- 379.201 Administrative Trust Fund.
- 379.203 Dedicated License Trust Fund.
- 379.204 Federal Grants Trust Fund.
- 379.205 Florida Panther Research and Management Trust Fund.
- 379.206* Grants and Donations Trust Fund.
- 379.207* Lifetime Fish and Wildlife Trust Fund.
- 379.208 Marine Resources Conservation Trust Fund; purposes.
- 379.209 Nongame Wildlife Trust Fund.
- 379.211 State Game Trust Fund.
- 379.212* Land Acquisition Trust
- 379.213* Save the Manatee Trust Fund
- 379.214* Invasive Plant Control Trust Fund
- 379.2201 Deposit of license fees; allocation of federal funds.
- 379.2202* Expenditure of funds.
- 379.2203 Disposition of fines, penalties, and forfeitures.
- 379.2213 Management area permit revenues.
- 379.2222 Acquisition of state game lands.
- 379.2223 Control and management of state game lands.
- 379.2224 Preserves, refuges, etc., not tax-exempt.
- 379.2225 Everglades recreational sites; definitions.
- 379.223* Citizen support organizations; use of state property; audit.
- 379.2231* Additional assessment; Wildlife Alert Reward Association, Inc.
- 379.224 Memorandum of agreement relating to Fish and Wildlife Research Institute.
- 379.2251** Agreements with Federal Government for the preservation of saltwater fisheries; authority of commission.
- 379.2252 Compacts and agreements; generally.
- 379.2253 Atlantic States Marine Fisheries Compact; implementing legislation.

- 379.2254 Gulf States Marine Fisheries Compact; implementing legislation.
- 379.2255* Wildlife Violator Compact Act.
- 379.2256* Compact licensing and enforcement authority; administrative review.
- 379.2257 Cooperative agreements with U. S. Forest Service; penalty.
- 379.2258 Assent to provisions of Act of Congress of September 2, 1937.
- 379.2259 Assent to federal acts.
- 379.226 Florida Territorial Waters Act; alien-owned commercial fishing vessels; prohibited acts; enforcement.
- 379.2271 Harmful-Algal-Bloom Task Force.
- 379.2272 Harmful-algal-bloom program; implementation; goals; funding.
- 379.2273* Florida Red Tide Mitigation and Technology Development Initiative; Initiative Technology Advisory Council
- 379.2281 Jim Woodruff Dam; reciprocity agreements.
- 379.2282 St. Marys River; reciprocity agreements.
- 379.2291 Endangered and Threatened Species Act.
- 379.2292 Endangered and Threatened Species Reward Program.
- 379.2293* Airport activities within the scope of a federally approved wildlife hazard management plan or a federal or state permit or other authorization for depredation or harassment.
- 379.23 Federal conservation of fish and wildlife; limited jurisdiction.
- 379.231 Regulation of foreign animals.
- 379.2311* Nonnative animal management
- 379.232 Water bottoms.
- 379.233 Release of balloons.
- 379.2341 Publications by the commission.
- 379.2342 Private publication agreements; advertising; costs of production.
- 379.2351 Land-based commercial and recreational fishing activities; legislative findings and purpose; definitions; legal protection; local ordinances; prohibited activity.
- 379.2352 State employment; priority consideration for qualified displaced employees of the saltwater fishing industry.
- 379.236 Retention, destruction, and reproduction of commission records.
- 379.237 Courts of equity may enjoin.
- 379.2401 Marine fisheries; policy and standards.
- 379.2402 Marine information system.
- 379.2411 Saltwater fish; regulations.
- 379.2412 State preemption of power to regulate.
- 379.2413 Catching food fish for the purposes of making oil.
- 379.2421 Fishers and equipment; regulation.
- 379.2422 Illegal use of nets.
- 379.2423 Carriage of proscribed nets across Florida waters.
- 379.2424 Retrieval of spiny lobster, stone crab, blue crab, and black sea bass traps during closed season; commission authority.
- 379.2425 Spearfishing; definition; limitations; penalty.
- 379.2426 Possession of separated shark fins on the water prohibited; penalties.
- 379.2431 Marine animals; regulation.

- 379.2432 Manatee protection; intent; conduct of studies; initiatives and plans.
- 379.2433* Enhanced manatee protection study.
- 379.244 Crustacea, marine animals, fish; regulations; general provisions.
- 379.245 Spiny lobster reports by dealers during closed season required.
- 379.246 Tortugas shrimp beds; gifted and loan property.
- 379.247 Regulation of shrimp fishing; Clay, Duval, Nassau, Putnam, Flagler, and St. Johns Counties.
- 379.248 Sponges; regulation.
- 379.249 Artificial reef program; grants and financial and technical assistance to local governments.
- 379.2495 Florida Ships-2-Reefs Program; matching grant requirements.
- 379.25 Sale of unlawfully landed product; jurisdiction.
- 379.2511 Lease of state-owned water bottoms for growing oysters and clams.
- 379.2512 Oyster bottom land grants made pursuant to ch. 3293.
- 379.2521 Rulemaking authority with respect to marine life.
- 379.2522 Oysters produced in and outside state; labeling; tracing; rules.
- 379.2523 Aquaculture definitions; marine aquaculture products, producers, and facilities.
- ~~379.2524 Commercial production of sturgeon.~~
- 379.2525 Noncultured shellfish harvesting.
- 379.26 Illegal importation or possession of nonindigenous marine plants and animals; rules and regulations.
- 379.28 Imported fish.
- 379.29 Contaminating fresh waters.
- 379.295 Use of explosives and other substances or force prohibited.
- 379.3001 No net loss of hunting lands.
- 379.3002 J. W. Corbett and Cecil M. Webb Wildlife Management Areas.
- 379.3003 Required clothing for persons hunting deer.
- 379.3004 Voluntary Authorized Hunter Identification Program.
- 379.3012 Alligator management program implementation; commission authority.
- 379.3014 Unlawful sale, possession, or transporting of alligators or alligator skins.
- 379.3015 Prima facie evidence of intent to violate laws protecting alligators.
- 379.302 Private game preserves and farms; regulations; penalties.
- 379.303 Classification of wildlife; seizure of captive wildlife.
- 379.304 Exhibition or sale of wildlife.
- 379.305 Rules and regulations; penalties.
- 379.33 Enforcement of commission rules.
- 379.3311 Police powers of commission and its agents.
- 379.3312 Powers of arrest by agents of Department of Environmental Protection or Fish and Wildlife Conservation Commission.
- 379.3313 Powers of commission law enforcement officers.
- 379.332 Prosecutions; state attorney to represent state.
- 379.333 Arrest by officers of the Fish and Wildlife Conservation Commission; recognizance; cash bond; citation.
- 379.334 Search and seizure authorized and limited.
- 379.335 Issuance of warrant for search of private dwelling.

- 379.336 Venue for proceedings against citizens and residents charged with violations outside state boundaries.
- 379.337 Confiscation, seizure, and forfeiture of property and products.
- 379.338 Confiscation and disposition of illegally taken game.
- 379.3381 Photographic evidence of illegally taken wildlife, freshwater fish, and saltwater.
- 379.339 Seizure of illegal hunting devices; disposition; notice; forfeiture.
- 379.3395 Seizure of illegal transportation devices; disposition; appraisal; forfeiture.
- 379.341 Disposition of illegal fishing devices; exercise of police power.
- 379.342 Applicability of ss. 379.339, 379.3395, 379.404, and 379.406.
- 379.343 Rewards.
- 379.35 Review of fees for licenses and permits; review of exemptions.
- 379.3501 Expiration of licenses and permits.
- 379.3502 License and permit not transferable.
- 379.3503 False statement in application for license or permit.
- 379.3504 Entering false information on licenses or permits.
- 379.3511 Appointment of subagents for the sale of hunting, fishing, and trapping licenses and permits.
- 379.3512 Competitive bidding for certain sale of licenses and permits and the issuance of authorization numbers.
- 379.352 Recreational licenses, permits, and authorization numbers to take wild animal life, freshwater aquatic life, and marine life; issuance; costs; reporting.
- 379.353 Recreational licenses and permits; exemptions from fees and requirements.
- 379.354 Recreational licenses, permits, and authorization numbers; fees established.
- 379.356 Fish pond license.
- 379.357 Fish and Wildlife Conservation Commission license program for tarpon; fees; penalties.
- 379.3581 Hunter safety course; requirements; penalty.
- 379.3582 Hunter safety course for juveniles.
- 379.359* License application provision for voluntary contribution to Southeastern Guide Dogs, Inc.
- 379.361 Licenses.
- 379.362** Wholesale and retail saltwater products dealers; regulation.
- 379.363 Freshwater fish dealer's license.
- 379.364 License required for fur and hide dealers.
- 379.365 Stone crab; regulation.
- 379.366 Blue crab; regulation.
- 379.367 Spiny lobster; regulation.
- 379.3671 Spiny lobster trap certificate program.
- 379.368 Fees for the retrieval of spiny lobster, stone crab, blue crab, and blacksea bass traps during closed season.
- 379.369 Fees for shrimp fishing in Tampa Bay.
- 379.3711 License fee for private game preserves and farms.

- 379.3712 Private hunting preserve license fees; exception.
- 379.372 Capturing, keeping, possessing, transporting, or exhibiting venomous reptiles or reptiles of concern; license required.
- 379.373 License fee; renewal, revocation.
- 379.374 Bond required, amount.
- 379.3751 Taking and possession of alligators; trapping licenses; fees.
- 379.3752 Required tagging of alligators and hides; fees; revenues.
- 379.3761 Exhibition or sale of wildlife; fees; classifications.
- 379.3762 Personal possession of wildlife.
- 379.377 Tag fees for sale of Lake Okeechobee game fish.
- 379.401 Penalties and violations; civil penalties for noncriminal infractions; criminal penalties; suspension and forfeiture of licenses and permits.
- 379.4015 Captive wildlife penalties.
- 379.402 Definition; possession of certain licensed traps prohibited; penalties; exceptions; consent.
- 379.404 Illegal taking and possession of deer and wild turkey; evidence; penalty.
- 379.4041*** Illegal taking, possession, and sale of bears
- 379.405 Illegal molestation of or theft from freshwater fishing gear.
- 379.406 Illegal possession or transportation of freshwater game fish in commercial quantities; penalty.
- 379.407 Administration; rules, publications, records; penalties; injunctions.
- 379.408 Forfeiture or denial of licenses and permits.
- 379.409 Illegal killing, possessing, or capturing of alligators or other crocodilia or eggs; confiscation of equipment.
- 379.411 Intentional killing or wounding of any species designated as endangered, threatened, or of special concern; penalties.
- 379.4115 Florida or wild panther; killing prohibited; penalty.
- 379.412 Penalties for feeding wildlife and freshwater fish
- 379.413 Bonefish; penalties.
- 379.414 Additional penalties for saltwater products dealers violating records requirements.
- 379.501 Aquatic weeds and plants; prohibitions; violations; penalties; intent.
- 379.502 Enforcement; procedures; remedies.
- 379.503 Civil action.
- 379.504 Civil liability; joint and several liability.

*Sections 379.107, .206, .207, .212, .213, .214, .2202, .223, .2231, .2255, .2256, .2293, .2311, .2433, and .359, F.S., are not considered enforceable policies for federal consistency purposes.

**Sections 379.2251 and .362, F.S., are not included in the approved FCMP.

***Sections 379.1026 and 379.4041 are not proposed as enforceable policies for federal consistency purposes

Chapter 379--Fish and Wildlife Conservation

379.1026 Site-specific location information for endangered and threatened species; public records exemption.—

The site-specific location information held by an agency as defined in s. 119.011 concerning an endangered species as defined in s. 379.2291(3)(b), a threatened species as defined in s. 379.2291(3)(c), or a species listed by a federal agency as endangered or threatened, is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This exemption does not apply to the site-specific location information of animals held in captivity. This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2025, unless reviewed and saved from repeal by the Legislature.

History.—s. 1, ch. 2020-129.

379.2524 Commercial production of sturgeon.—

~~(1) INTENT.—The Legislature finds and declares that there is a need to encourage the continuation and advancement of work being done on aquaculture sturgeon production in keeping with the state's legislative public policy regarding aquaculture provided in chapter 597. It also finds that it is in the state's economic interest to promote the commercial production and stock enhancement of sturgeon. It is therefore the intent of the Legislature to hereby create a Sturgeon Production Working Group.~~

~~(2) CREATION.—The Sturgeon Production Working Group is created within the Department of Agriculture and Consumer Services and shall be composed of seven members as follows:~~

~~(a) The head of the sturgeon research program or designee from the University of Florida, Institute of Food and Agricultural Sciences. Such member shall be appointed by the University of Florida's Vice President for Agricultural Affairs.~~

~~(b) One representative from the Department of Environmental Protection to be appointed by the Secretary of Environmental Protection.~~

~~(c) One representative from the Fish and Wildlife Conservation Commission to be appointed by the executive director of the Fish and Wildlife Conservation Commission.~~

~~(d) One representative from the Department of Agriculture and Consumer Services to be appointed by the Commissioner of Agriculture.~~

~~(e) Two representatives from the aquaculture industry to be appointed by the Aquaculture Review Council.~~

~~(f) One representative from a private nonprofit organization involved in sturgeon production work, to be appointed by the Commissioner of Agriculture.~~

~~(3) MEETINGS; PROCEDURES; RECORDS.—The working group shall meet at least twice a year and elect, by a quorum, a chair and vice chair.~~

~~(a) The chair of the working group shall preside at all meetings and shall call a meeting as often as necessary to carry out the provisions of this section.~~

~~(b) The Department of Agriculture and Consumer Services shall keep a complete record of the proceedings of each meeting, which includes the names of the members present at each meeting and the actions taken. The records shall be public records pursuant to chapter 119.~~

~~(c) A quorum shall consist of a majority of the group members.~~

~~(4) PURPOSE AND RESPONSIBILITIES.—The purpose of the Sturgeon Production Working Group is to coordinate the implementation of a state sturgeon production management plan to promote the commercial production and stock enhancement of sturgeon in Florida. In carrying out this purpose, the working group shall:~~

~~(a) Establish a state sturgeon production management plan to inform public or private interested parties of how to aquaculturally produce sturgeon for commercial purposes and for stock enhancement. The sturgeon production management plan shall:~~

~~1. Provide the regulatory policies for the commercial production of sturgeon meat and roe, including a strategy for obtaining the required permits, licenses, authorizations, or certificates.~~

~~2. Provide the management practices for culturing sturgeon and ensure that aquacultural development does not impede the recovery and conservation of wild sturgeon populations.~~

~~3. Establish priorities for research needed to support the commercial production of sturgeon and the recovery of native stocks in the state.~~

~~(b) Support management strategies to permit the commercial production of native and nonnative sturgeon, including the distribution of captive-bred Gulf sturgeon to approved certified aquaculture facilities.~~

~~(c) Support the development of a cooperative sturgeon conservation program to coordinate conservation, habitat, and resource management programs for native sturgeon, including an evaluation of how stock enhancement can facilitate the conservation and recovery of native sturgeon populations.~~

~~(d) Seek federal cooperation to implement the sturgeon production management plan, including federal designation of captive-bred sturgeon as distinct population segments to distinguish cultivated stocks from wild native populations.~~

~~(e) Develop enforcement guidelines to ensure continued protection of wild native sturgeon populations.~~

~~(f) In furtherance of the purposes and responsibilities of the Sturgeon Production Working Group, the state shall:~~

~~1. Establish a program to coordinate conservation and aquaculture activities for native sturgeon.~~

~~2. Develop a conservation plan for native sturgeon.~~

~~3. Initiate the process to petition for delisting captive-bred shortnose sturgeon.~~

~~4. Initiate the process to petition for delisting captive-bred Gulf sturgeon.~~

~~(g) Establish a sturgeon broodstock committee composed of fishery scientists, fish farmers, and agency representatives to manage the taking of wild sturgeon for brood fish and spawning.~~

~~(h) Establish the Cooperative Broodstock Development and Husbandry Board composed of fishery scientists, fish farmers, and agency representatives to establish standards and criteria for the management and maintenance of captive-reared sturgeon, to collect biological data, and to administer the Cooperative Broodstock Development and Husbandry Program.~~

~~History.—s. 1, ch. 96-313; s. 6, ch. 99-390; s. 12, ch. 2002-295; s. 88, ch. 2008-247; s. 4, ch. 2012-190.~~

~~Note.—Former s. 370.31.~~

379.4041 Illegal taking, possession, and sale of bears.—

(1) Unless a person is acting under the authority of rule 68A-4.009, Florida Administrative Code, a person who takes a bear or possesses a freshly killed bear during the closed season prescribed by law or rules of the commission commits a Level Three violation under s. 379.401 and forfeits any license or permit issued to him or her under this chapter for 3 years after the date of the violation. A person who commits a subsequent offense of such taking or possession is permanently ineligible for issuance of any license or permit under this chapter.

(2) A person who possesses for sale or sells a bear taken in violation of this section or rules of the commission commits a Level Four violation under s. 379.401.

History.—s. 2, ch. 2020-66.

Chapter 381
Public Health; General Provisions
Enforceable Policies

Any additions are underlined and any deletes are struck-through.

- 381.001 Public health system.
- 381.0011 Duties and powers of the Department of Health.
- 381.0012 Enforcement authority.
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- 381.0061 Administrative fees.
- 381.0065 Onsite sewage treatment and disposal systems; regulation.
- 381.00651 Periodic evaluation and assessment of onsite sewage treatment and disposal systems.
- 381.00652* Onsite sewage treatment and disposal systems technical advisory committee.
- 381.0066 Onsite sewage treatment and disposal systems; fees
- 381.0067 Corrective orders; private and certain public water systems and onsite sewage treatment and disposal systems.

*Section 381.00652 is not proposed as an enforceable policy for federal consistency purposes

Chapter 381--Public Health: General Provisions

381.00652 Onsite sewage treatment and disposal systems technical advisory committee.—

(1) As used in this section, the term “department” means the Department of Environmental Protection.

(2) An onsite sewage treatment and disposal systems technical advisory committee, a committee as defined in s. 20.03(8), is created within the department. The committee shall:

(a) Provide recommendations to increase the availability of enhanced nutrient-reducing onsite sewage treatment and disposal systems in the marketplace, including such systems that are cost-effective, low maintenance, and reliable.

(b) Consider and recommend regulatory options, such as fast-track approval, prequalification, or expedited permitting, to facilitate the introduction and use of enhanced nutrient-reducing onsite sewage treatment and disposal systems that have been reviewed and approved by a national agency or organization, such as the American National Standards Institute 245 systems approved by the NSF International.

(c) Provide recommendations for appropriate setback distances for onsite sewage treatment and disposal systems from surface water, groundwater, and wells.

(3) The department shall use existing and available resources to administer and support the activities of the committee.

(4)(a) By August 1, 2021, the department, in consultation with the Department of Health, shall appoint no more than 10 members to the committee, as follows:

1. A professional engineer.

2. A septic tank contractor.

3. Two representatives from the home building industry.

4. A representative from the real estate industry.

5. A representative from the onsite sewage treatment and disposal system industry.

6. A representative from local government.

7. Two representatives from the environmental community.

8. A representative of the scientific and technical community who has substantial expertise in the areas of the fate and transport of water pollutants, toxicology, epidemiology, geology, biology, or environmental sciences.

(b) Members shall serve without compensation and are not entitled to reimbursement for per diem or travel expenses.

(5) By January 1, 2022, the committee shall submit its recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(6) This section expires August 15, 2022.

History.—s. 8, ch. 2020-150.

Chapter 403
Environmental Control
Enforceable Policies

Any additions are underlined and any deletions are struck-through.

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403.0615	Water resources restoration and preservation.
<u>403.0616***</u>	<u>Real-time water quality monitoring program</u>
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403.0623	Environmental data; quality assurance.
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403.0645	Reclaimed water use at state facilities.
403.067	Establishment and implementation of total maximum daily loads.
<u>403.0671***</u>	<u>Basin management action plan wastewater reports.</u>
<u>403.0673***</u>	<u>Wastewater grant program</u>
403.0675*	Progress reports
403.072	Pollution Prevention Act.
403.073	Pollution prevention; state goal; agency programs; public education.
403.074	Technical assistance by the department.
403.075	Legislative findings.
403.0752	Ecosystem management agreements.
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403.081	Performance by other state agencies.
403.085	Sanitary sewage disposal units; advanced and secondary waste treatment; industrial waste, ocean outfall, inland outfall, or disposal well waste treatment.
<u>403.0855</u>	<u>Biosolids management</u>
403.086	Sewage disposal facilities; advanced and secondary waste treatment.
403.08601*	Leah Schad Memorial Ocean Outfall Program.
403.0862	Discharge of waste from state groundwater cleanup operations to publicly owned treatment works.
403.087	Permits; general issuance; denial; revocation; prohibition; penalty.

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403.0873	Florida Air-Operation License Fee Account.
403.08735	Air emissions trading.
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403.0877	Certification by professionals regulated by the Department of Business and Professional Regulation.
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403.0885	Establishment of federally approved state National Pollutant Discharge Elimination System (NPDES) Program.
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- 403.5066 Determination of completeness.
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403.532	Revocation or suspension of certification.
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403.536	Superseded laws, regulations, and certification power.
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- 403.7063 Use of private services in solid waste management.
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403.9409	Determination of sufficiency.
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- 403.9415 Final disposition of application.
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- 403.9418 Modification of certification.
- 403.9419 Enforcement of compliance.
- 403.942 Superseded laws, regulations, and certification power.
- 403.9421 Fees; disposition.
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- 403.9423 Certification admissible in eminent domain proceedings; attorney's fees and costs.
- 403.9424 Local governments; informational public meetings.
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*Sections 403.061(40); .0617, .0675, .076, .078, .08601, .1832, .414, .50663; .70611, .709, .7095, .7264, .763, .805, .8055, .871, .873, .874, .885, .928, and .941, F.S., are not considered enforceable policy for federal consistency purposes.

**Section 403.7125(2) and (3), F.S., are not approved as enforceable policy.

***Sections 403.0616, .0671, and .0673 are not proposed as enforceable policies for federal consistency purposes

Chapter 403--Environmental Control

403.0616 Real-time water quality monitoring program.—

(1) Subject to appropriation, the department shall establish a real-time water quality monitoring program to assist in the restoration, preservation, and enhancement of impaired water bodies and coastal resources.

(2) In order to expedite the creation and implementation of the program, the department is encouraged to form public-private partnerships with established scientific entities that have proven existing real-time water quality monitoring equipment and experience in deploying the equipment.

History.—s. 11, ch. 2020-150.

403.0671 Basin management action plan wastewater reports.—

(1) By July 1, 2021, the department, in coordination with the county health departments, wastewater treatment facilities, and other governmental entities, shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives evaluating the costs of wastewater projects identified in the basin management action plans developed pursuant to ss. 373.807 and 403.067(7) and the onsite sewage treatment and disposal system remediation plans and other restoration plans developed to meet the total maximum daily loads required under s. 403.067. The report must include:

(a) Projects to:

1. Replace onsite sewage treatment and disposal systems with enhanced nutrient-reducing onsite sewage treatment and disposal systems.

2. Install or retrofit onsite sewage treatment and disposal systems with enhanced nutrient-reducing technologies.

3. Construct, upgrade, or expand domestic wastewater treatment facilities to meet the wastewater treatment plan required under s. 403.067(7)(a)9.

4. Connect onsite sewage treatment and disposal systems to domestic wastewater treatment facilities;

(b) The estimated costs, nutrient load reduction estimates, and other benefits of each project;

(c) The estimated implementation timeline for each project;

(d) A proposed 5-year funding plan for each project and the source and amount of financial assistance the department, a water management district, or other project partner will make available to fund the project; and

(e) The projected costs of installing enhanced nutrient-reducing onsite sewage treatment and disposal systems on buildable lots in priority focus areas to comply with s. 373.811.

(2) By July 1, 2021, the department shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives that provides an assessment of the water quality monitoring being conducted for each basin management action plan implementing a nutrient total maximum daily load. In developing the report, the department may coordinate with water management districts and any applicable university. The report must:

- (a) Evaluate the water quality monitoring prescribed for each basin management action plan to determine if it is sufficient to detect changes in water quality caused by the implementation of a project.
 - (b) Identify gaps in water quality monitoring.
 - (c) Recommend water quality monitoring needs.
 - (3) Beginning January 1, 2022, and each January 1 thereafter, the department shall submit to the Office of Economic and Demographic Research the cost estimates for projects required in s. 403.067(7)(a)9. The office shall include the project cost estimates in its annual assessment conducted pursuant to s. 403.928.
- History.—s. 14, ch. 2020-150.

403.0673 Wastewater grant program.—

A wastewater grant program is established within the Department of Environmental Protection.

(1) Subject to the appropriation of funds by the Legislature, the department may provide grants for the following projects within a basin management action plan, an alternative restoration plan adopted by final order, or a rural area of opportunity under s. 288.0656 which will individually or collectively reduce excess nutrient pollution:

(a) Projects to retrofit onsite sewage treatment and disposal systems to upgrade such systems to enhanced nutrient-reducing onsite sewage treatment and disposal systems.

(b) Projects to construct, upgrade, or expand facilities to provide advanced waste treatment, as defined in s. 403.086(4).

(c) Projects to connect onsite sewage treatment and disposal systems to central sewer facilities.

(2) In allocating such funds, priority must be given to projects that subsidize the connection of onsite sewage treatment and disposal systems to wastewater treatment facilities. First priority must be given to subsidize the connection of onsite sewage treatment and disposal systems to existing infrastructure. Second priority must be given to any expansion of a collection or transmission system that promotes efficiency by planning the installation of wastewater transmission facilities to be constructed concurrently with other construction projects occurring within or along a transportation facility right-of-way. Third priority must be given to all other connections of onsite sewage treatment and disposal systems to wastewater treatment facilities. The department shall consider the estimated reduction in nutrient load per project; project readiness; the cost-effectiveness of the project; the overall environmental benefit of a project; the location of a project; the availability of local matching funds; and projected water savings or quantity improvements associated with a project.

(3) Each grant for a project described in subsection (1) must require a minimum of a 50-percent local match of funds. However, the department may, at its discretion, waive, in whole or in part, this consideration of the local contribution for proposed projects within an area designated as a rural area of opportunity under s. 288.0656.

(4) The department shall coordinate with each water management district, as necessary, to identify grant recipients in each district.

(5) Beginning January 1, 2021, and each January 1 thereafter, the department shall submit a report regarding the projects funded pursuant to this section to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

History.—s. 15, ch. 2020-150.

403.0855 Biosolids management.—

(1) The Legislature finds that it is in the best interest of this state to regulate biosolids management in order to minimize the migration of nutrients that impair water bodies. The Legislature further finds that permitting according to site-specific application conditions, an increased inspection rate, groundwater and surface water monitoring protocols, and nutrient management research will improve biosolids management and assist in protecting this state’s water resources and water quality.

(2) The department shall adopt rules for biosolids management. Rules adopted by the department pursuant to this section may not take effect until ratified by the Legislature.

(3) For a new land application site permit or a permit renewal issued after July 1, 2020, the permittee of a biosolids land application site shall:

(a) Ensure a minimum unsaturated soil depth of 2 feet between the depth of biosolids placement and the water table level at the time the Class A or Class B biosolids are applied to the soil. Biosolids may not be applied on soils that have a seasonal high-water table less than 6 inches from the soil surface or within 6 inches of the intended depth of biosolids placement, unless a department-approved nutrient management plan and water quality monitoring plan provide reasonable assurances that the land application of biosolids at the site will not cause or contribute to a violation of the state’s surface water quality standards or groundwater standards. As used in this subsection, the term “seasonal high water” means the elevation to which the ground and surface water may be expected to rise due to a normal wet season.

(b) Be enrolled in the Department of Agriculture and Consumer Services best management practices program or be within an agricultural operation enrolled in the program for the applicable commodity type.

(4) All permits shall comply with the requirements of subsection (3) by July 1, 2022.

(5) New or renewed biosolids land application site or facility permits issued after July 1, 2020, must comply with this section and include a permit condition that requires the permit to be reopened to insert a compliance date of no later than 1 year after the effective date of the rules adopted pursuant to subsection (2). All permits must meet the requirements of the rules adopted pursuant to subsection (2) no later than 2 years after the effective date of such rules.

(6) A municipality or county may enforce or extend a local ordinance, regulation, resolution, rule, moratorium, or policy, any of which was adopted before November 1, 2019, relating to the land application of Class A or Class B biosolids until the ordinance, regulation, resolution, rule, moratorium, or policy is repealed by the municipality or county.

History.—s. 16, ch. 2020-150.

403.42 Florida Clean Fuel Act.—

(1) SHORT TITLE AND PURPOSE.—

(a) This section may be cited as the “Florida Clean Fuel Act.”

(b) The purposes of this act are to establish the Clean Fuel Florida Advisory Board under the Department of Environmental Protection to study the implementation of alternative-fuel vehicles and to formulate and provide to the Secretary of Environmental

Protection recommendations on expanding the use of alternative fuel vehicles in this state and make funding available for implementation.

(2) DEFINITIONS.—For purposes of this act:

(a) “Alternative fuels” include electricity, biodiesel, natural gas, propane, and any other fuel that may be deemed appropriate in the future by the Department of Environmental Protection with guidance from the Clean Fuel Florida Advisory Board.

(b) “Alternative fuel vehicles” include on-road and off-road transportation vehicles and light-duty, medium-duty, and heavy-duty vehicles that are powered by an alternative fuel or a combination of alternative fuels.

(3) CLEAN FUEL FLORIDA ADVISORY BOARD ESTABLISHED; MEMBERSHIP; DUTIES AND RESPONSIBILITIES.—

(a) The Clean Fuel Florida Advisory Board is established within the Department of Environmental Protection.

(b)1. The advisory board shall consist of the Executive Director of the Department of Economic Opportunity, the Secretary of Environmental Protection, or a designee from that department, the Commissioner of Education, or a designee from that department, the Secretary of Transportation, or a designee from that department, the Commissioner of Agriculture, or a designee from that department, the Secretary of Management Services, or a designee from that department, and a representative of each of the following, who shall be appointed by the Secretary of Environmental Protection:

- a. The Florida biodiesel industry.
- b. The Florida electric utility industry.
- c. The Florida natural gas industry.
- d. The Florida propane gas industry.
- e. An automobile manufacturers’ association.
- f. A Florida Clean Cities Coalition designated by the United States Department of Energy.
- g. Enterprise Florida, Inc.
- h. EV Ready Broward.
- i. The Florida petroleum industry.
- j. The Florida League of Cities.
- k. The Florida Association of Counties.
- l. Floridians for Better Transportation.
- m. A motor vehicle manufacturer.
- n. Florida Local Environment Resource Agencies.
- o. Project for an Energy Efficient Florida.
- p. Florida Transportation Builders Association.

2. The purpose of the advisory board is to serve as a resource for the department and to provide the Governor, the Legislature, and the Secretary of Environmental Protection with private sector and other public agency perspectives on achieving the goal of increasing the use of alternative fuel vehicles in this state.

3. Members shall be appointed to serve terms of 1 year each, with reappointment at the discretion of the Secretary of Environmental Protection. Vacancies shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

4. The board shall annually select a chairperson.

~~5.a. The board shall meet at least once each quarter or more often at the call of the chairperson or the Secretary of Environmental Protection.~~

~~b. Meetings are exempt from the notice requirements of chapter 120, and sufficient notice shall be given to afford interested persons reasonable notice under the circumstances.~~

~~6. Members of the board are entitled to travel expenses while engaged in the performance of board duties.~~

~~7. The board shall terminate 5 years after the effective date of this act.~~

~~(c) The board shall review the performance of the state with reference to alternative fuel vehicle implementation in complying with federal laws and maximizing available federal funding and may:~~

~~1. Advise the Governor, Legislature, and the Secretary of Environmental Protection and make recommendations regarding implementation and use of alternative fuel vehicles in this state.~~

~~2. Identify potential improvements in this act and the state's alternative fuel policies.~~

~~3. Request from all state agencies any information the board determines relevant to board duties.~~

~~4. Regularly report to the Secretary of Environmental Protection, the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the board's findings and recommendations.~~

~~(d)1. The advisory board shall make recommendations to the Department of Environmental Protection for establishing pilot programs in this state that provide experience and support the best use expansion of the alternative fuel vehicle industry in this state. No funds shall be released for a project unless there is at least a 50-percent private or local match.~~

~~2. In addition to the pilot programs, the advisory board shall assess federal, state, and local initiatives to identify incentives that encourage successful alternative fuel vehicle programs; obstacles to alternative fuel vehicle use including legislative, regulatory, and economic obstacles; and programs that educate and inform the public about alternative fuel vehicles.~~

~~3. The advisory board is charged with determining a reasonable, fair, and equitable way to address current motor fuel taxes as they apply to alternative fuels and at what threshold of market penetration.~~

~~4. Based on its findings, the advisory board shall develop recommendations to the Legislature on future alternative fuel vehicle programs and legislative changes that provide the best use of state and other resources to enhance the alternative fuel vehicle market in this state and maximize the return on that investment in terms of job creation, economic development, and emissions reduction.~~

~~(e) The advisory board, working with the Department of Environmental Protection, shall develop a budget for the department's approval, and all expenditures shall be approved by the department. At the conclusion of the first year, the department shall conduct an audit of the board and board programs.~~

~~History.—s. 72, ch. 99-248; s. 28, ch. 2000-153; s. 17, ch. 2004-243; s. 286, ch. 2011-142.~~

~~403.87 Technical advisory council for water and domestic wastewater operator certification.—~~

~~Within 90 days of the effective date of this act, the secretary of the department shall appoint a technical advisory council as necessary for the purposes of ss. 403.865-403.876. The technical advisory council shall meet upon the request of the chair, upon request of a majority of its members, or upon request of the secretary. Members shall provide for their own expenses. The council shall consist of not less than five persons who, collectively, are expert in domestic wastewater and drinking water treatment, facilities operation, public health, and environmental protection, including at least one licensed wastewater treatment plant operator and one licensed water treatment plant operator.~~

~~History.—s. 10, ch. 97-236.~~