WHAT HOMEOWNERS & REALTORS NEED TO KNOW

Meeting the Septic Requirements Under the Springs and Aquifer Protection Act

Why are the requirements for septic systems changing?

To build on the state's existing springs protection and restoration efforts, the Springs and Aquifer Protection Act was passed into law in 2016. This statute requires the Department to evaluate the water quality of all Outstanding Florida Springs. For springs that are not meeting water quality standards, the statute requires specific actions to reduce nitrogen pollution where water from septic systems are a significant contributor to nitrogen pollution in springs. The plan must address both existing and new septic systems for homes located within identified Primary Focus Areas in the adopted BMAPs where they have been determined to have a significant impact.

Why are these changes important?

Nitrogen pollution is impacting the water quality of many of Florida's Outstanding Florida Springs. Water from conventional septic systems is high in nitrogen and that water leaves the septic system drainfield, reaches the aquifer and emerges in springs. To restore spring water quality, contributing septic tanks need to be either removed or upgraded to include enhanced nitrogen reducing technology.

Why are septic systems only being addressed in certain areas?

Septic systems pose the highest threat to springs water quality in areas where they are located near spring or areas with highly permeable soil. These vulnerable areas are identified as Primary Focus Areas in the restoration plans.

Both the legislation, and the restoration plans being developed, address septic systems as a critical component for reducing nitrogen pollution in the springs systems to reach the state's water-quality restoration goals.

How will I be affected if I have an existing septic tank?

In the areas where the department has identified septic tanks as contributing degrading water quality, a remediation plan has been adopted to include projects that address septic tanks in new development.

Replacing failing systems with nitrogen removing technology or connection to central sewers shall be required after the following:

- Completion of a wastewater master plan by the local government that identifies where sewering is feasible and planned
- DOH updates their septic system permitting rules, and
- The establishment of a grant program to assist homeowners to offset the cost of the replacement system is in place.

A searchable map of Primary Focus Areas can be found by visiting FloridaDEP.gov/PFAMap.

What are the requirements if I am buying or building a new home?

Under the Spring and Aquifer Protection Act, installation of new septic systems on lots of less than 1 acre within all Primary Focus Areas is prohibited unless the system includes enhanced treatment of nitrogen under the Springs and Aquifer Protection Act. The installation or replacement of an enhanced system in these areas will not be required if central sewer connection is planned by the local government and identified as a BMAP-listed project.

A searchable map of Primary Focus Areas can be found by visiting FloridaDEP.gov/PFAMap.

Residents who are purchasing a newly built home or building are encouraged to confirm with their builder or realtor if the property lies within in an area where advanced system or central sewer connection is required.

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What is considered a new system?

New septic systems will be defined in the Florida Department of Health's rule as part of their current rulemaking effort as the installation of a system where a permitted system has never been installed, or the installation of a system where the previous system was abandoned. This does not apply to a system that has failed and needs to be replaced. It is recommended that builders or homeowners contact their local county health department for specific guidance and information.

What is the effective date of these requirements?

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Replacing failing systems with nitrogen removing technology or connection to central sewers shall be required after the following:

- Completion of a wastewater master plan by the local government that identifies where sewering is feasible and planned
- DOH updates their septic system permitting rules, and
- The establishment of a grant program to assist homeowners to offset the cost of the replacement system is in place.

How can I find out if I am affected by these new requirements?

A searchable map of Primary Focus Areas can be found by visiting FloridaDEP.gov/PFAMap.

How can I find out if central sewer is planned for a specific area?

Residents can find out if central sewer is planned for their community by contacting the public works or utility department of their local city or county government.

What funding assistance is available to help me meet these requirements?

DEP is working with the water management districts, DOH and local governments to develop grant programs to provide funding assistance directly to local homeowners. This funding will be available to help homeowners to cover the difference in costs for upgrading their septic system to enhanced nitrogen treatment systems to reduce nutrient impacts to springs.

In these areas that are connecting to central sewer, DEP and the water management districts are providing funding to the local utilities to offset a portion of homeowner connection costs.

What are the requirements for a property owner buying or building a new home?

The law prohibits the installation of new septic systems on lots of less than 1 acre within all Priority Focus Areas. This will not be required if central sewer connection is planned by the local government and identified as a BMAP-listed project.