



WHAT LOCAL GOVERNMENT NEEDS TO KNOW

Meeting the Septic System Permitting Requirements Under the Springs and Aquifer Protection Act

Why are the permitting requirements for septic systems changing?

In 2016, the Florida Legislature identified 30 “Outstanding Florida Springs” that require additional protections to ensure their conservation and restoration for future generations. These protections will be outlined in restoration plans, known as Basin Management Action Plans (BMAPs), focused on reducing nitrogen pollution that is impacting the water quality of these springs.

In some areas, the water leaving septic tanks has been identified as a major contributor to nitrogen pollution. Where this occurs, the law requires the Florida Department of Environmental Protection to include a septic system remediation plan within that spring’s BMAP. The law requires specific actions regarding both existing and new septic systems located near impacted springs within areas known as Priority Focus Areas.

Why are these changes to septic system permitting important?

Nitrogen pollution is impacting the water quality of many of Florida’s Outstanding 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. While conventional septic systems are good at removing many pollutants from wastewater, they are not designed to remove nitrogen. To restore spring water quality, contributing septic systems need to be either removed or upgraded to include enhanced nitrogen-reducing technology.

Why are septic systems being addressed only in certain areas?

Septic systems pose the highest threat to water quality in areas where they are located near springs with highly permeable (sandy) soil. These vulnerable areas are identified as Priority Focus Areas in the remediation plans.

What are the permitting requirements for septic systems for new and existing septic systems? Are they different?

New and existing septic system requirements are different. Requirements for installation of new septic systems on new home or business lots of less than one acre within Priority Focus Areas will change. They will be required to include enhanced treatment of nitrogen. The installation of these enhanced nitrogen-reducing systems will not be required if a central sewer connection project is planned by the local government and the project has been included in the remediation plan.

For existing systems within the Priority Focus Areas, nothing will immediately change. However, in the future, failing systems may need to be enhanced with nitrogen-removing technology or the home or business may need to connect to central sewer. These requirements will be put in place after certain programs, such as homeowner grant programs to assist with offsetting the cost of replacement systems, are established and the Florida Department of Health has completed rulemaking for septic systems. These requirements will be phased in no later than five years after the adoption of the restoration plans.

What is considered a “new” septic system?

New system installations are defined by current Department of Health (DOH) rules. In general, new is defined as an installation of a system where a system has never been installed. For a more information on which septic systems are considered new, please visit www.FloridaHealth.gov.

When will new permitting requirements for new homes or businesses with systems go into effect?

The permitting requirements for new septic systems on lots less than one acre within the Priority Focus Area of an adopted BMAP. You can find out if your home lies within an adopted BMAP’s Priority Focus Area by visiting FloridaDEP.gov/PFAMap.

When will the requirements for replacing failing existing septic systems go into effect?

For existing systems within the Priority Focus Areas, nothing will immediately change. However, in the future, failing systems may need to be enhanced with nitrogen-removing technology or the home or business may need to connect to central sewer. These requirements will be put in place after certain programs, such as homeowner grant programs to assist with offsetting the cost of replacement systems, are established and the Florida Department of Health has completed rulemaking for septic systems. These requirements will be phased in no later than five years after the adoption of the restoration plans.

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How can a local government or homeowner find out if they are affected by these new requirements?

Requirements for new septic system permits apply to lots less than one acre within the Priority Focus Area of an adopted BMAP. You can find out if your home lies within an adopted BMAP's Priority Focus Area by visiting [FloridaDEP.gov/PFAMap](https://floridadep.gov/PFAMap).

How can residents find out if central sewer is planned for a specific area and included as project in the remediation plan?

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 utilities to help meet these requirements?

There are multiple state grant and cost-share funding assistance programs available to local governments from DEP and the water management districts. Interested local governments are encouraged to reach out to DEP's Division of Water Restoration Assistance at 850-245-2836, or contact their local water management district. Additional information about funding opportunities can also be found here: https://floridadep.gov/sites/default/files/DWRA_Brochure.pdf

What funding assistance is available to homeowners to help 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 for replacement of existing systems. DEP will administer the grant program to help homeowners cover the difference in costs for upgrading their existing septic system to enhanced nitrogen treatment systems to nutrient impacts to springs.

In areas that are connecting to central sewer, DEP and the water management districts will continue to provide funding to the local governments and utilities to offset a portion of connection costs for homeowners.