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# Natural Resources & Public Lands Subcommittee

October 12, 2017  
8:00 AM – 10:00 AM  
12 HOB

## Meeting Packet

# Committee Meeting Notice

## HOUSE OF REPRESENTATIVES

### Natural Resources & Public Lands Subcommittee

**Start Date and Time:** Thursday, October 12, 2017 08:00 am

**End Date and Time:** Thursday, October 12, 2017 10:00 am

**Location:** 12 HOB

**Duration:** 2.00 hrs

**Consideration of the following bill(s):**

HB 53 Coral Reefs by Jacobs

Update on implementation of chapter 2017-163, Laws of Florida (CS/CS/HB 7043), relating to vessels

Update on implementation of chapter 2017-95, Laws of Florida (CS/CS/SB 1018), relating to pollution


Update on implementation of chapter 2016-1, Laws of Florida (CS/CS/SB 552), relating to environmental resources

**NOTICE FINALIZED on 10/05/2017 4:07PM by Herndon.Angela**



## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 53 Coral Reefs  
**SPONSOR(S):** Jacobs  
**TIED BILLS:** IDEN./SIM. BILLS:

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Natural Resources & Public Lands Subcommittee		Gregory	Shugar <i>XS</i> 
2) Agriculture & Natural Resources Appropriations Subcommittee			
3) Government Accountability Committee			

### SUMMARY ANALYSIS

Coral reefs in southeast Florida support a rich and diverse assemblage of stony corals, octocorals, macroalgae, sponges, and fishes. These ecological communities run parallel along the coast from the northern border of Biscayne National Park in Miami-Dade County north to the St. Lucie Inlet in Martin County. Coral reefs are valuable natural resources. They protect coastlines by reducing wave energy from storms and hurricanes. They serve as a source of food and shelter and provide critical habitat for over 6,000 species, including important commercial fisheries. Further, people use coral reefs as a resource for recreation, education, scientific research, and public inspiration. Millions of tourists and local residents enjoy scuba diving, snorkeling, and fishing on the coral reefs.

Coral reefs are vulnerable to harmful environmental changes, particularly those resulting from human activities. Globally, 10 percent of all coral reefs are degraded beyond recovery and 30 percent are in critical condition and may die within 10 to 20 years, particularly those near human populations.

The bill establishes the Southeast Florida Coral Reef Ecosystem Conservation Area (conservation area). The conservation area includes the sovereign submerged lands and state waters offshore of Broward, Martin, Miami-Dade, and Palm Beach Counties from the St. Lucie Inlet in the north to the northern boundary of the Biscayne National Park in the south.

The bill does not appear to have a fiscal impact on state or local governments.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### PRESENT SITUATION

###### Coral Reefs

Coral reefs in southeast Florida support a rich and diverse assemblage of stony corals, octocorals, macroalgae, sponges, and fishes. These ecological communities run parallel along the coast from the northern border of Biscayne National Park in Miami-Dade County north to the St. Lucie Inlet in Martin County. Coral reefs are valuable natural resources. They protect coastlines by reducing wave energy from storms and hurricanes. They serve as a source of food and shelter and provide critical habitat for over 6,000 species, including commercially important fisheries. Many medicines, as well as other health and beauty products, are derived from marine plants, algae, and animals found on coral reefs.<sup>1</sup>

People use coral reefs as a resource for recreation, education, scientific research, and public inspiration. Millions of tourists and local residents enjoy scuba diving, snorkeling, and fishing on Florida's coral reefs. These activities provide a source of income for the state and its coastal communities. The natural coral reefs in Martin, Palm Beach, Broward, and Miami-Dade counties generate an estimated \$3.4 billion in sales and income and support 36,000 jobs in the region each year.<sup>2</sup>

Unfortunately, coral reefs are vulnerable to harmful environmental changes, particularly those resulting from human activities. Globally, 10 percent of all coral reefs are degraded beyond recovery and 30 percent are in critical condition and may die within 10 to 20 years, particularly those near human populations.<sup>3</sup>

The United States Coral Reef Task Force identified eight specific and widely accepted threats to coral reefs as being particularly important and tractable:

- Pollution, including eutrophication and sedimentation from intensive land use, chemical loading, oil and chemical spills, marine debris, and invasive nonnative species;
- Overfishing and over-exploitation of coral reef species for recreational and commercial purposes, and the collateral damage and degradation to habitats and ecosystems from fishing activities;
- Destructive fishing practices, such as cyanide and dynamite fishing that can destroy large sections of reef;
- Dredging and shoreline modification in connection with coastal navigation or development;
- Vessel groundings and anchoring that directly destroy corals and reef framework;
- Disease outbreaks that are increasing in frequency and are affecting a greater diversity of coral reef species; and
- Global climate change and associated impacts including increased coral bleaching, mortality, storm frequency, and sea level rise.<sup>4</sup>

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<sup>1</sup> Department of Environmental Protection (DEP), *Coral Reef Conservation Program*, <http://www.dep.state.fl.us/coastal/programs/coral/> (last visited March 15, 2017); *Coral Reef Conservation Program 2011-2016 Strategic Plan*, (July 2011), p. 3, available at: [http://www.dep.state.fl.us/coastal/programs/coral/pub/CRCP\\_Strategic\\_Plan\\_2011-2016.pdf](http://www.dep.state.fl.us/coastal/programs/coral/pub/CRCP_Strategic_Plan_2011-2016.pdf) (last visited September 5, 2017).

<sup>2</sup> *Id.*

<sup>3</sup> U.S. Coral Reef Task Force, *The National Action Plan to Conserve Coral*, p. 3, available at: <http://www.coralreef.gov/about/CRTFAxnPlan9.pdf> (last visited September 5, 2017).

<sup>4</sup> *Id.*

Corals are highly sensitive to even small temperature changes and can react through bleaching, reduced growth rates, reduced reproduction, increased vulnerability to diseases, and die-offs. Corals have a mutually beneficial or symbiotic relationship with a type of algae known as zooxanthellae. Zooxanthellae live inside the coral and provide them with energy derived from photosynthesis. The coral provides the algae with shelter. Corals can tolerate only a relatively narrow temperature range and prefer water between 73-84 degrees. Water temperatures over 86 degrees or under 64 degrees are stressful and are eventually fatal for coral. When the water gets too warm and the coral becomes stressed, they can expel their zooxanthellae, causing bleaching. Although the coral is still alive, just colorless, they will eventually die from starvation if the zooxanthellae do not return.<sup>5</sup>

Recently, massive, region-wide bleaching events have become more common on the Florida Reef Tract. Since 1987, six extensive coral bleaching events have affected the entire Florida Reef Tract. Substantial mass coral mortality occurred during the global bleaching events of 1997/1998 and 2014/2015. Corals at the northern end of their range, such as those found on the Florida Reef Tract, are also vulnerable to cold winter temperatures. A severe cold snap in 2010 resulted in high mortality of certain coral species on shallow-water patch reefs throughout the Florida Reef Tract.<sup>6</sup>

### Coral Reef Conservation Program

The Coral Reef Conservation Program (CRCP) within the Florida Coastal Office of the Department of Environmental Protection oversees several programs and initiatives to coordinate research and monitoring, develop management strategies, and promote partnerships to protect the coral reefs, hard bottom communities, and associated reef resources of southeast Florida.<sup>7</sup> The CRCP implements and coordinates the following:

- *The Southeast Florida Action Network* – This reporting and response system improves the protection and management of southeast Florida's coral reefs by enhancing marine debris clean-up efforts, increasing response to vessel groundings and anchor damage, and providing early detection of potentially harmful biological disturbances.<sup>8</sup>
- *The Southeast Florida Coral Reef Initiative (SEFCRI)* – This program identifies and implements priority action needed to reduce key threats to coral reef resources in southeast Florida using a local action strategy for collaborative action among government and non-governmental partners.<sup>9</sup>
- *The Southeast Florida's Marine Debris Reporting and Removal Program* – Through a partnership with DEP, the FWC and the Palm Beach County Reef Rescue, this program encourages local divers and dive shops to report marine debris. The partnership organizes reef clean-up events to remove the debris.<sup>10</sup>
- *The Reef Injury Prevention and Response Program* – This program leads response to, and management of, coral reef and hard bottom injuries resulting from vessel impacts such as grounding, anchoring, and cable drag events.<sup>11</sup> Section 403.93345, F.S., otherwise known as the Florida Coral Reef Protection Act, requires responsible parties to notify DEP when they run their vessel aground, strike, or otherwise damage coral reefs. The responsible party must remove the vessel and work with DEP to assess the damage and restore the reef.<sup>12</sup> DEP may

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<sup>5</sup> Fish and Wildlife Conservation Commission (FWC), *Long Term Temperature Monitoring*, <http://myfwc.com/research/habitat/coral/cremp/cremp-temp-monitoring/> (last visited September 5, 2017).

<sup>6</sup> *Id.*

<sup>7</sup> DEP, *Coral Reef Conservation Program*, <http://www.dep.state.fl.us/coastal/programs/coral/> (last visited September 5, 2017).

<sup>8</sup> DEP, *Southeast Florida Action Network (SEAFAN)*, <http://www.dep.state.fl.us/coastal/programs/coral/seafan.htm> (last visited September 5, 2017).

<sup>9</sup> SEFCRI, *What is SEFCRI?*, <http://southeastfloridareefs.net/about-us/what-is-sefcri/> (last visited September 5, 2017).

<sup>10</sup> DEP, *Southeast Florida's Marine Debris Reporting and Removal Program*, <http://www.dep.state.fl.us/coastal/programs/coral/debris1.htm> (last visited September 5, 2017).

<sup>11</sup> DEP, *Reef Injury Prevention and Response Program*, <http://www.dep.state.fl.us/coastal/programs/coral/ripr.htm> (last visited September 5, 2017).

<sup>12</sup> Section 403.93345(5), F.S.

require the responsible party to pay the cost of assessment and restoration, as well as pay a fine.<sup>13</sup>

- *The Florida Reef Resilience Program (FRRP)* – The FRRP addresses climate change and coral reefs. Reef managers, scientists, conservation organizations, and reef users across South Florida have developed a *Climate Change Action Plan for the Florida Reef System (2010-2015)* (Action Plan). The goals of the Action Plan are to increase coral reef resilience to climate change impacts through active management of local reef impacts; enhance communication and awareness of climate change impacts on coral reefs and reef users; and conduct targeted research to increase understanding of climate change impacts and develop new intervention measures.<sup>14</sup>
- *The Southeast Marine Event Response Program* – This program responds to potentially harmful biological disturbances along the northern third of the Florida Reef Tract from the northern border of Biscayne National Park in Miami-Dade County to the St. Lucie Inlet in Martin County. Upon notification of an event such as harmful algal blooms, fish kills, coral bleaching, or diseases, DEP coordinates with regional partners to schedule initial site assessments, implement event response protocols, and analyze samples, where possible and appropriate.<sup>15</sup>
- *The Southeast Florida Fisheries-Independent Monitoring Program* – This program builds partnerships and obtains funding to implement fisheries-independent monitoring.<sup>16</sup> Fisheries-independent monitoring is a system-wide approach that evaluates marine communities and the populations of fish and invertebrate species that comprise them. Fisheries-independent monitoring also investigates habitat conditions for purposes of learning more about system-wide trends.<sup>17</sup>

FWC also plays a role in protecting Florida's coral reefs. Through the Coral Reef Evaluation and Monitoring Project (CREMP), FWC has monitored the condition of coral reef and hard bottom habitats annually throughout the Florida Keys since 1996, southeast Florida since 2003, and the Dry Tortugas since 2004. The CREMP was able to document the temporal changes that occurred in recent years.<sup>18</sup>

#### Coral Reef Disease Water Quality Monitoring

During the 2017 legislative session, DEP received \$1,000,000 in nonrecurring funds for the Coral Reef Disease Water Quality Monitoring Program.<sup>19</sup> The intended use of the funds include high resolution monthly water quality sampling throughout the northern Florida Reef Tract; the purchase, installation, and maintenance of Land/Ocean Biogeochemical Observatories, offshore salinity and temperature sensors, acoustic fish stations; laboratory analyses; data storage and processing; reporting and scientific expertise; coral tissue sampling; regular report writing; and the creation of a public outreach

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<sup>13</sup> Sections 403.93345(6), (7), and (8), F.S.

<sup>14</sup> DEP, *Climate Change and Coral Reefs*, [http://www.dep.state.fl.us/coastal/programs/coral/climate\\_change.htm](http://www.dep.state.fl.us/coastal/programs/coral/climate_change.htm) (last visited September 5, 2017).

<sup>15</sup> DEP, *Southeast Marine Event Response Program*, [http://www.dep.state.fl.us/coastal/programs/coral/event\\_response.htm](http://www.dep.state.fl.us/coastal/programs/coral/event_response.htm) (last visited September 5, 2017).

<sup>16</sup> DEP, *Southeast Florida Fisheries-Independent Monitoring Program*, <http://www.dep.state.fl.us/coastal/programs/coral/fisheries-independent.htm> (last visited September 5, 2017).

<sup>17</sup> Sarasota County Wateratlas, *Fisheries Independent Monitoring*,

[http://www.sarasota.wateratlas.usf.edu/shared/learnmore.asp?toolsection=lm\\_fishindep](http://www.sarasota.wateratlas.usf.edu/shared/learnmore.asp?toolsection=lm_fishindep) (last visited September 5, 2017).

<sup>18</sup> FWC, *Coral Reef Evaluation and Monitoring Project (CREMP)*, <http://myfwc.com/research/habitat/coral/cremp/> (last visited September 5, 2017).

<sup>19</sup> Chapter 2017-70, specific appropriation 1708, Laws of Fla.

and education program.<sup>20</sup> The recommendations from the Our Florida Reefs program and the Southeast Florida Intergovernmental Coastal Ocean Task Force are the basis for these activities.<sup>21</sup>

## EFFECT OF THE PROPOSED CHANGES

The bill establishes the Southeast Florida Coral Reef Ecosystem Conservation Area (conservation area). The conservation area includes the sovereign submerged lands and state waters<sup>22</sup> offshore of Broward, Martin, Miami-Dade, and Palm Beach Counties from St. Lucie Inlet in the north to the northern boundary of the Biscayne National Park in the south.<sup>23</sup>

### B. SECTION DIRECTORY:

**Section 1.** Creates the Southeast Florida Coral Reef Ecosystem Conservation Area.

**Section 2.** Provides an effective date of July 1, 2018.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

None.

#### 2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

#### 1. Revenues:

None.

#### 2. Expenditures:

None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

None.

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<sup>20</sup> Second Revised Meeting Packet Part 4 & 5, p. 128, Agriculture and Natural Resources Appropriations Subcommittee, March 21, 2017, available at:

<http://www.myfloridahouse.gov/Sections/Documents/loadoc.aspx?PublicationType=Committees&CommitteeId=2893&Session=2017&DocumentType=Meeting%20Packets&FileName=anr%203-21-17%202nd%20REVISED.pdf>.

<sup>21</sup> Id.; Our Florida Reefs, *Recommended Management Actions*, <http://ourfloridareefs.org/rmacomment/> (last visited September 5, 2017); Broward County, *Southeast Florida Intergovernmental Coastal Ocean Task Force Final Recommendation Report*, [http://cragenda.broward.org/docs/2016/CCCM/20161206\\_525/23351\\_Exhibit%201%20-%20COTF%20Report.pdf](http://cragenda.broward.org/docs/2016/CCCM/20161206_525/23351_Exhibit%201%20-%20COTF%20Report.pdf) p. 31 (last visited September 5, 2017).

<sup>22</sup> “Water” or “waters in the state” are defined in s. 373.019(22), F.S.

<sup>23</sup> Florida’s seaward boundary extends three nautical miles in the Atlantic; Fla. Const. art. II, s. 1.



### III. COMMENTS

#### A. CONSTITUTIONAL ISSUES:

##### 1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal government.

##### 2. Other:

None.

#### B. RULE-MAKING AUTHORITY:

The bill does not provide rulemaking authority or require executive branch rulemaking.

#### C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

### IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not applicable.



## Vessels Update

1. [Faint text]

2. [Faint text]

3. [Faint text]

4. [Faint text]

5. [Faint text]

6. [Faint text]

# Update on the Implementation of HB 7043 & Hurricane Irma Displaced Vessel Response



House Natural Resources and Public Lands

October 12, 2017



Florida Fish and Wildlife Conservation Commission

# Training

In July 2017, FWC implemented an extensive training campaign to educate FWC Officers and partner agencies on the implementation of HB 7043 and Derelict Vessels. This training included:

1. A legislative update explaining the statutory changes from HB 7043 and FWC's enforcement philosophy regarding these changes
2. A statewide re-training on the definition and elements of the derelict vessel law
3. A new derelict vessel process addressing due process rights
4. An overview of the use of the derelict vessel database



# Training

- Training is complete in 4 out of 6 regions (green) for 400+ officers and investigators.
- We are in the process of rescheduling the trainings for the North Central and South B regions. (gray)



# At-Risk Vessel Implementation

Rulemaking for Effective Means of Propulsion for Safe Navigation



## A Field Test Must Be Developed

- A team is being assembled to develop a field test to determine the effectiveness of propulsion systems
- Test should be specific for each vessel type with attention given to hull type, propulsion system, and steering mechanism

## On Hold

- Due to Hurricane Irma the development of a test is on hold until FWC recovery response is complete
- Rulemaking is on hold until the test has been developed



# Moorings

Setbacks for Mooring Fields and Maritime Infrastructure



FWC Officers have been instructed to take an educational approach to addressing issues related to setback violations





## Seagrass Protection Zones

Notice for Rule Development has been filed to initiate rulemaking for this addition to section 327.46, *Florida Statutes*

- Rule language is currently being developed
- FWC intends to present this rule at the February 2018 Commission meeting



## Department of Highway Safety and Motor Vehicles (DHSMV) Title Hold

- DHSMV created a process to request title holds to prevent the sale of a derelict vessel to another party
- This process will also be used to release the hold once the vessel has been either removed from the waters of the state or brought out of a derelict condition



## Vessel Proof of Pumpout Requirement

- FWC has reviewed and approved Monroe County's proof of pumpout ordinance
- While other local governments have expressed interest, no other ordinances have been submitted for review



# Hurricane Irma

Hurricane Irma created the worst storm-related maritime disaster that Florida has seen in recent times.

Over 1,500 vessels were displaced upon the waters of the state, with hundreds more washed upon dry land by storm surge and flooding



## Storm Related Displaced Vessels

- Displaced Vessels will be processed using a modified derelict vessel protocol.
- Due to the humanitarian hardship associated with these vessels, owners will not be charged.
- State, Federal, and Local Government agencies have partnered to deal with the monumental environmental impacts.



### Displaced Vessel Removal Process

An agreement between FWC, EPA, and U.S. Coast Guard is being used to decontaminate and remove vessels. Once removed, these vessels will be properly stored in temporary storage locations. FWC will make a diligent effort to find the owners and return the vessels.



## Displaced Vessel Response

The vessel is properly placed in a storage location and FWC takes possession of the vessel from the U.S. Coast Guard.



### Vessel Return Procedures

- Owners will have 30 days to claim their vessel
- Vessels not claimed by their owners or if owner is unidentified after specified period of time, will be destroyed
- Understanding that some vessel owners will not have the financial resources to claim and repair their vessels, FWC will offer owners the opportunity to release all interest in the vessel and all property within, by signing a waiver of ownership



# Displaced Vessel Response

## Obstacles to Vessel Assessment and Recovery



- Identification of storage locations in Monroe County has been slow due to a lack of available vacant land
- Marine debris mixed with displaced vessels has slowed removal due to the complex nature of the response in canals and narrow waterways
- Submerged debris is creating significant hazards to navigation for responders



# Contact Information

Major Robert Rowe  
Boating and Waterways Section Leader  
(850) 481-3324  
[robert.rowe@myfwc.com](mailto:robert.rowe@myfwc.com)



Florida Fish and Wildlife Conservation Commission



## Pollution Update

1. 2. 3. 4. 5.



**Florida Department of Environmental Protection**

# **Implementation of Pollution Notification Chapter 2017-95, Laws of Florida (Senate Bill 1018)**

**John J. Truitt  
Deputy Secretary for Regulatory Programs**

**October 12, 2017**





# DEP Reportable Incidents

## **403.077 Public notification of pollution.—**

(1) DEFINITION.—As used in this section, the term “reportable pollution release” means the release or discharge of a substance from an installation to the air, land, or waters of the state which is discovered by the owner or operator of the installation, which is not authorized by law, and which is reportable to the State Watch Office within the Division of Emergency Management pursuant to any department rule, permit, order, or variance.



# Florida Disaster

Florida Division of Emergency Management

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## Response - Florida State Watch Office

Our mission at the State Watch Office is to provide the people of the State of Florida and the Division of Emergency Management with efficient and effective communications during normal periods as well as pre-and-post disaster periods and to serve as the contact point in Florida for communications between local Governments and Emergency Agencies, State Government Agencies and the Federal Government.

## Contact Us

Emergencies Only  
**1-800-320-0519**

Non-Emergencies  
850-815-4001

## Information

- [Emergency Operations Center](#)

## Weather Links

- [National Weather Service](#)
- [All Florida Watches](#)
- [Special Marine Warnings](#)
- [All Florida Warnings](#)
- [Hazardous Weather Outlooks](#)

## Quick Links

- [Staff Listings](#)
- [Emergency Management Institute](#)
- [FEMA](#)
- [DHS](#)
- [Florida Department of Law Enforcement](#)
- [County EOC Listings](#)
- [Florida Department of Environmental Protection](#)

Updated: <http://www.floridadisaster.org/Response/Operations/swp.htm>  
March 21, 2017 10:32

## Organization

- [About the Division](#)
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# SWO Reportable Incidents

- Hazardous Materials
- Petroleum based Spills
- Chemical Spills
- Wastewater Releases
- Radiological
- Nuclear Power Plants
- Other Incidents to report
  - Any incident involving medical or biological waste
  - Any incident involving biological contamination of plants or livestock
  - General incidents requiring a response from a state agency

<http://www.floridadisaster.org/documents/SWO/SWO%20Reporting%20Guidelines%202011.pdf>



# Required Information

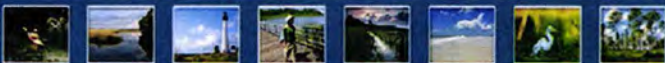
The required information when a report is placed to the State Watch Office (SWO) within the Florida Division of Emergency Management is:

- Name
- Contact information of reporting party
- Location of incident
- Synopsis of the current situation

Pollution Notification law added:

- The owner or operator of the installation at which the reportable pollution release occurred must provide a notice to DEP within 24 hours of discovery. FDEP must notify the public within 24 hours of notice.
- In addition, if an owner or operator determines that a release has migrated outside the property boundaries of the installation, additional notice must be provided to the department within 24 hours after such discovery. FDEP must notify the public within 24 hours of notice.

<http://www.floridadisaster.org/documents/SWO/SWO%20Reporting%20Guidelines%202011.pdf>



## Public Notice of Pollution

## Quick Links

### Resources for

- Citizens
- Businesses
- Government
- Regulatory Plans
- Public Notices, Outreach & Education Calendar
- Contact Us

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Protecting Florida's pristine environment is the Department of Environmental Protection's top priority. Pursuant to Section 403.077, F.S., the Department is establishing a method for regulated entities to submit Public Notices of Pollution for reportable releases. Additionally, the Department is making available to the public all Notices received to date as well as offering an e-mail subscription service for interested parties to be informed of Notices submitted for their area of interest.

Reporting entities should be aware that, while submission of a Notice through this website complies with the requirements of Section 403.077, F.S., it does not relieve them of any obligation to report to the [State Watch Office](#).

[Submit or Update Notice](#)

While the preferred method for reporting is to use the link above, you may also report via e-mail using the [Pollution Notice Form](#) and e-mailing it to [pollution.notice@dep.state.fl.us](mailto:pollution.notice@dep.state.fl.us).

If you wish to receive notifications whenever a Notice is submitted to the Department, you may sign up for our notification list below.

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To view any notices that have been submitted under this statute, please click the link below.

[View Submitted Notices](#)

An archived listing of all Notices submitted prior to July 1, 2017 can be found below:

- [01-01-2017 - 06-30-2017](#)
- [09-26-2016 - 12-31-2016](#)

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<http://dep.state.fl.us/pollutionnotice/>

3900 Commonwealth Boulevard M.S. 49 Tallahassee, Florida 32399 | 850-245-2118 (phone) / 850-245-2128 (fax)

Please enter or update the requested information about the Incident.

Please enter a name for the Incident :

State Watch Office Incident Number or Case ID :

Incident Report (Please enter the information provided to the State Watch Office. If you have a summary e-mail from the State Watch Office, you may copy that and paste it here) :

Please select all counties directly affected by the Incident :

<input type="checkbox"/> Alachua	<input type="checkbox"/> Duval	<input type="checkbox"/> Holmes	<input type="checkbox"/> Miami-Dade	<input type="checkbox"/> Seminole
<input type="checkbox"/> Baker	<input type="checkbox"/> Escambia	<input type="checkbox"/> Indian River	<input type="checkbox"/> Monroe	<input type="checkbox"/> St. Johns
<input type="checkbox"/> Bay	<input type="checkbox"/> Flagler	<input type="checkbox"/> Jackson	<input type="checkbox"/> Nassau	<input type="checkbox"/> St. Lucia
<input type="checkbox"/> Bradford	<input type="checkbox"/> Franklin	<input type="checkbox"/> Jefferson	<input type="checkbox"/> Okaloosa	<input type="checkbox"/> Sumter
<input type="checkbox"/> Brevard	<input type="checkbox"/> Gadsden	<input type="checkbox"/> Lafayette	<input type="checkbox"/> Okeechobee	<input type="checkbox"/> Suwannee
<input type="checkbox"/> Broward	<input type="checkbox"/> Gilchrist	<input type="checkbox"/> Lake	<input type="checkbox"/> Orange	<input type="checkbox"/> Taylor
<input type="checkbox"/> Calhoun	<input type="checkbox"/> Glades	<input type="checkbox"/> Lee	<input type="checkbox"/> Osceola	<input type="checkbox"/> Union
<input type="checkbox"/> Charlotte	<input type="checkbox"/> Gulf	<input type="checkbox"/> Leon	<input type="checkbox"/> Palm Beach	<input type="checkbox"/> Volusia
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<input type="checkbox"/> Clay	<input type="checkbox"/> Hardee	<input type="checkbox"/> Liberty	<input type="checkbox"/> Pinellas	<input type="checkbox"/> Walton
<input type="checkbox"/> Collier	<input type="checkbox"/> Hendry	<input type="checkbox"/> Madison	<input type="checkbox"/> Polk	<input type="checkbox"/> Washington
<input type="checkbox"/> Columbia	<input type="checkbox"/> Hernando	<input type="checkbox"/> Manatee	<input type="checkbox"/> Putnam	
<input type="checkbox"/> DeSoto	<input type="checkbox"/> Highlands	<input type="checkbox"/> Marion	<input type="checkbox"/> Santa Rosa	
<input type="checkbox"/> Dixie	<input type="checkbox"/> Hillsborough	<input type="checkbox"/> Martin	<input type="checkbox"/> Sarasota	

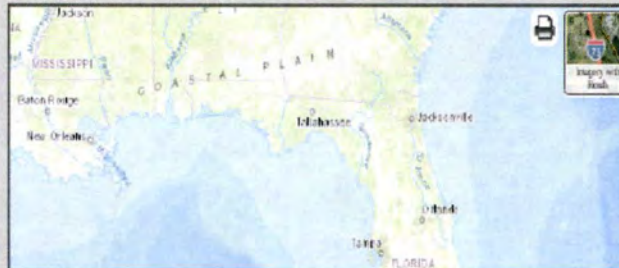
Start Date and Time of the Incident :

Is the Incident on-going :

- Yes  
 No

End Date and Time of the Incident :

Please select the location where the Incident occurred :





Please enter or update the requested information about the facility/installation at which the incident occurred.

Facility/Installation Name : \*

Address Line 1 :

Address Line 2 :

Directions :

City :

State :

Zip Code :

### Reporter Details

Please enter or update the requested information about the person reporting the incident.

Name : \*

Title : \*

E-mail Address : \*

Phone Number : \*

Ext. :

- I am the : \*
- Operator of the Facility/Installation
  - Owner of the Facility/Installation
  - Other

### Contact Details

Please enter or update the requested information about the person to be contacted for further information concerning the incident.

Name : \*

Phone : \*

Ext. :

E-mail Address : \*



In compliance with Section 403.077, F.S. and the public interest, the Department of Environmental Protection is making available any Notices of Pollution that it has received. This information is available below. This information is presented as provided by the reporting entity. The Department of Environmental Protection is not responsible for the accuracy of any information submitted.

[Export Data to Excel](#)

An archived listing of all Notices submitted prior to July 1, 2017 can be found below:

- [01-01-2017 - 06-30-2017](#)
- [09-26-2016 - 12-31-2016](#)

[First/Prev] 1, 2, 3, 4, 5, 6, 7, 8 [Next/Last]

Incident Name	Incident Report	Report Date/Time	Facility Name	Facility Address	Affected Counties	Reporter Name	Reporter Title	Reporter E-mail	Reporter Phone	Reporter Role
Miller Street WWTP MCL Violation	The Miller Street WWTP chlorine feed to the plant effluent failed. Plant personnel discovered the failure and took corrective action when returning to work the next shift. 65,052 gallons of partially treated effluent was discharged to the St Johns River.	09/29/2017 13:45 EDT	Miller Street WWTP	1600 Bartlett; Orange Park FL; 32073	Clay	Dennis R Martin	Wastewater Superintendent	dmartin@cityutility.org	(904) 626-3893	Plant Manager
Lake Carlton Arms Waste Water Incident	#2017-8498	09/29/2017 11:51 EDT	Lake Carlton Arms	17701 Lake Carlton Drive; Lutz FL; 33558	Hillsborough	Rob Wolfson	Operations Manager	RobWolfson@MahaffeyCompany.com	(727) 224-3737	Operations Man- owns communit
	The suspected cause of the incident was a malfunctioning mechanical valve. An internal part failure caused the valve to block effluent flow subsequently backing up into plant clarifiers and aeration basin. Additionally the valve									

<http://prodenv.dep.state.fl.us/DepPNP/reports/viewIncidentDetails?page=1>



# Record of Notices

## List of sortable columns:

Incident Name	Reporter Title	Contact E-mail
SWO Incident Number	Reporter E-mail	Release Start Date/Time
Incident Report	Reporter Phone	Release End Date/Time
Report Date/Time	Reporter Phone Extension	Affected Counties
Facility Name	Reporter Role	Migrated Counties
Facility Address	Contact Name	Latitude
Facility Directions	Contact Phone	Longitude
Reporter Name	Contact Phone Extension	Map Direct Link



# Questions?

John J. Truitt

Deputy Secretary for Regulatory Programs

Florida Department of Environmental Protection

[John.Truitt@dep.state.fl.us](mailto:John.Truitt@dep.state.fl.us)

(850) 245-2037





# Florida Department of Environmental Protection

## Implementation of the Water Bill (SB 552)

### Rulemaking & Springs

October 12, 2017

House Natural Resources & Public Lands Subcommittee

Drew Bartlett  
Deputy Secretary





# Rulemaking

## Statutory Requirement:

- Adopt procedures to verify implementation of water quality monitoring in lieu of BMPs. Adopt rules for verification of ag and non-ag BMPs.
- Create Treated Potable Water Classification
- Establish quality assurance standards for water quality, quantity, and related data
- Adopt rule for innovative nutrient and sediment reduction and conservation pilot project program
- Adopt Rules for Central Florida Water Initiative
- Adopt groundwater withdrawal rules for Outstanding Florida Springs

## Current Status:

- Notice of Rule Development published on Oct. 25, 2016; Notice of Proposed Rule imminent
- Approved by ERC on July 26, 2016
- Notice of Proposed Rule published Mar. 14, 2017
- Rule Adopted on July 17 , 2017
- Notice of Rule Development published on Dec. 30, 2016. Four workshops conducted.
- Notice of rule Development published on Nov. 1, 2016. Two workshops conducted.



# Florida Springs and Aquifer Protection Act

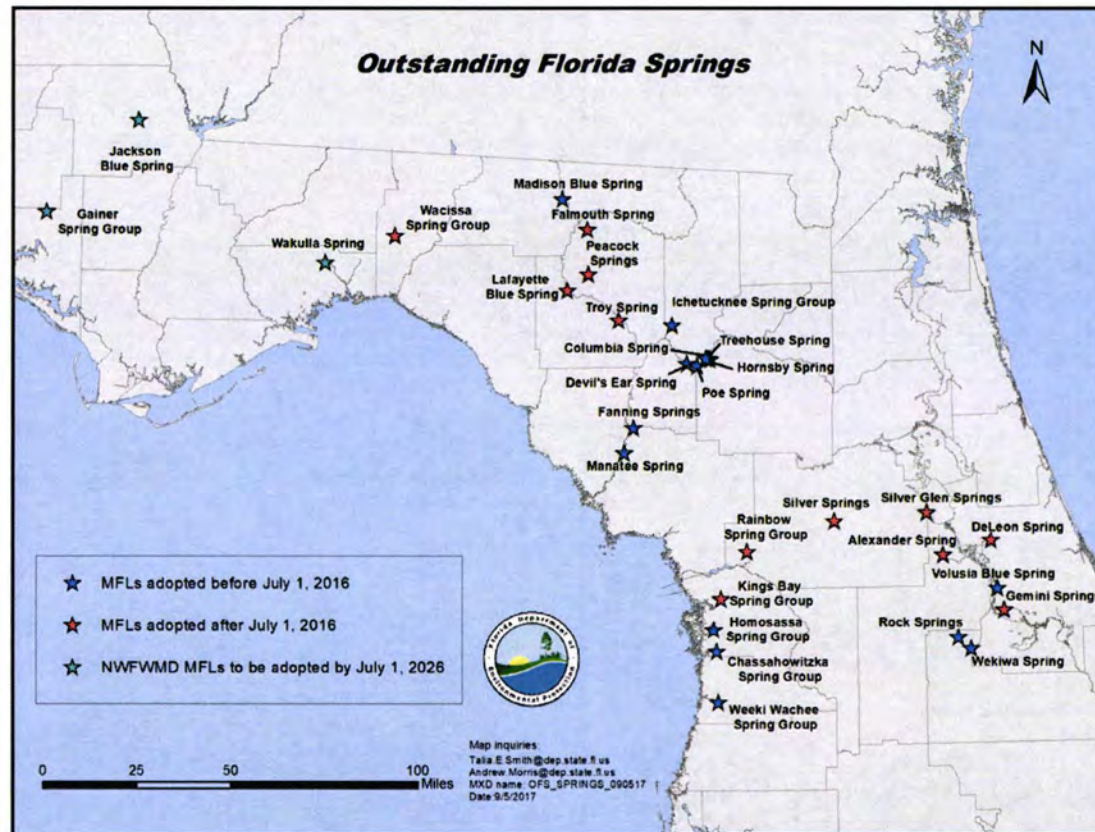
**The Act is being implemented through the following categories:**

- Water Quantity
  - Establishment of Minimum Flows and Minimum Levels and any necessary Recovery and Prevention Strategies
- Water Quality
  - Establishment of Basin Management Action Plans where necessary



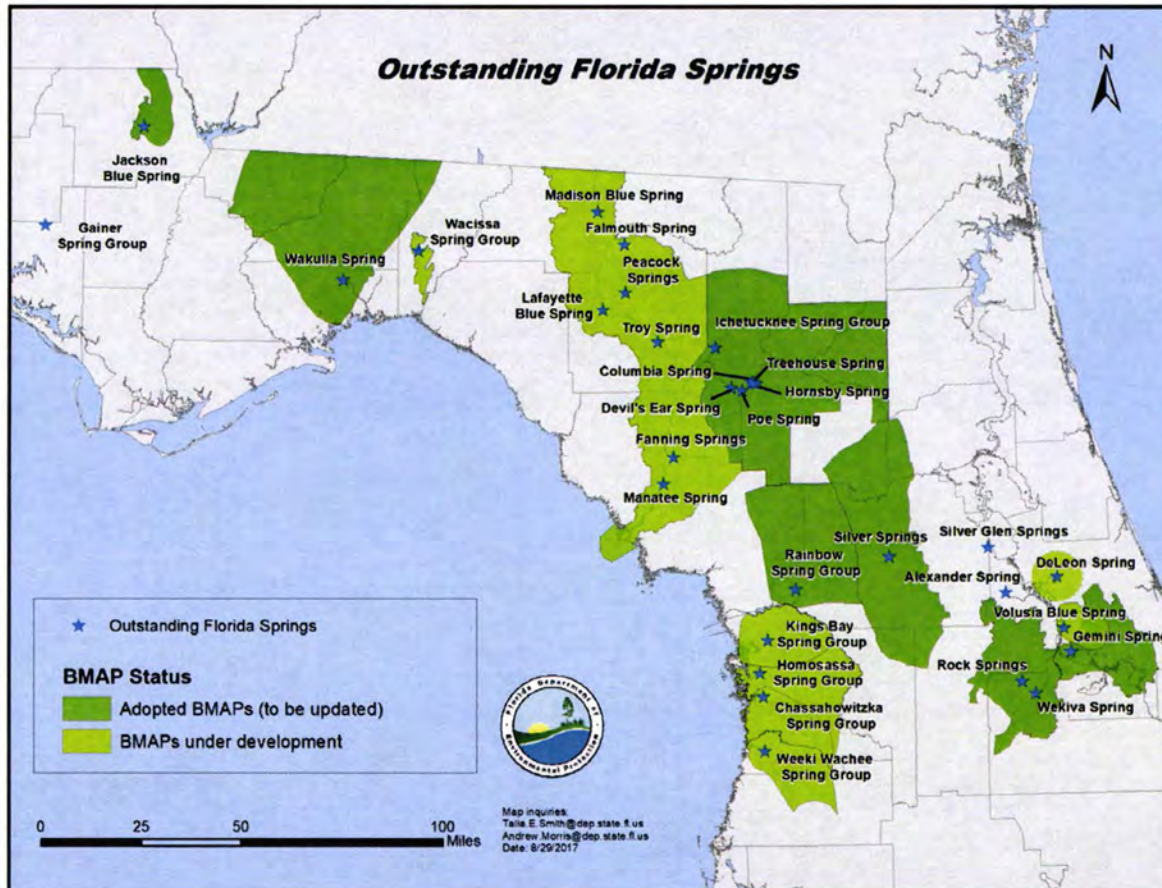


# Minimum Flow and Minimum Levels Update



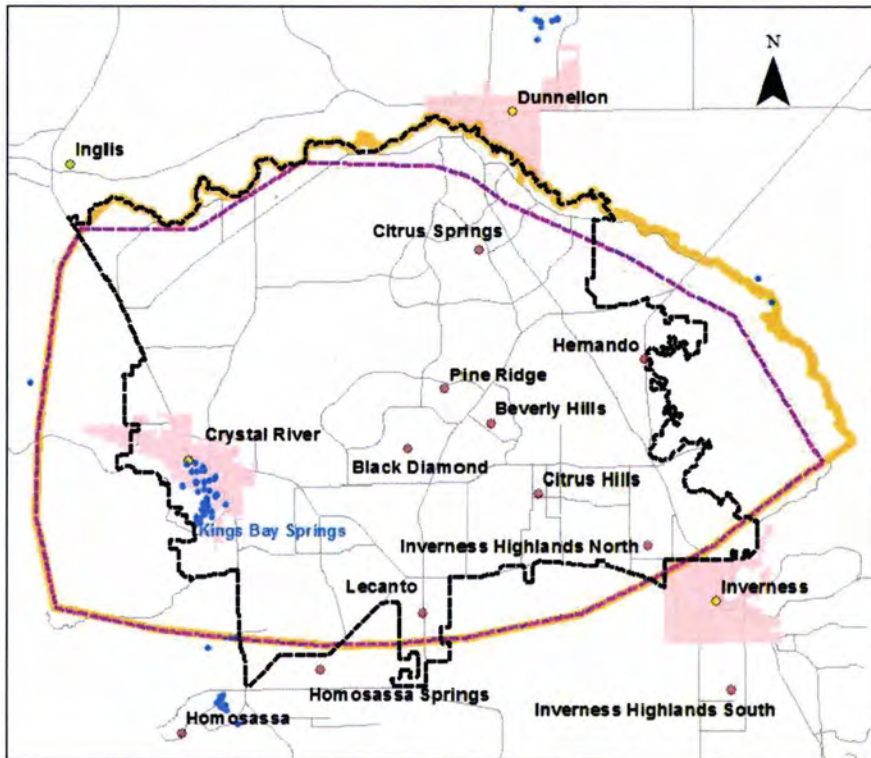


# Basin Management Action Plan Update





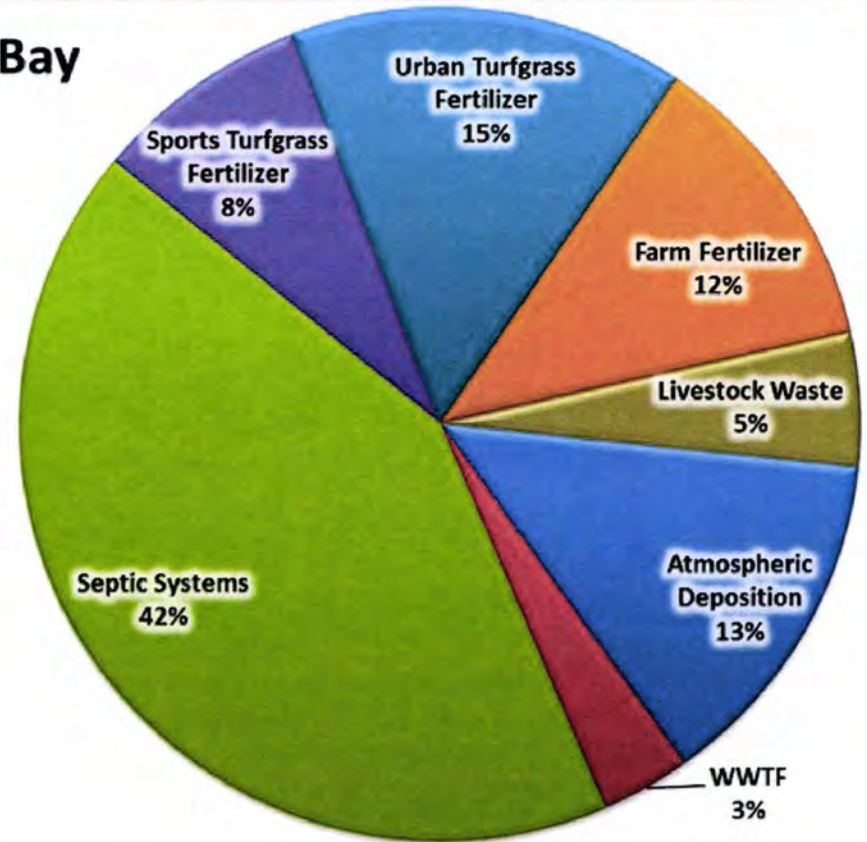
# Priority Focus Area & Nitrogen Inventory



0 2.5 5 10 Miles

- Kings Bay PFA Boundary
- Kings Bay Group Springshed
- BMAP Area Boundary

## Kings Bay

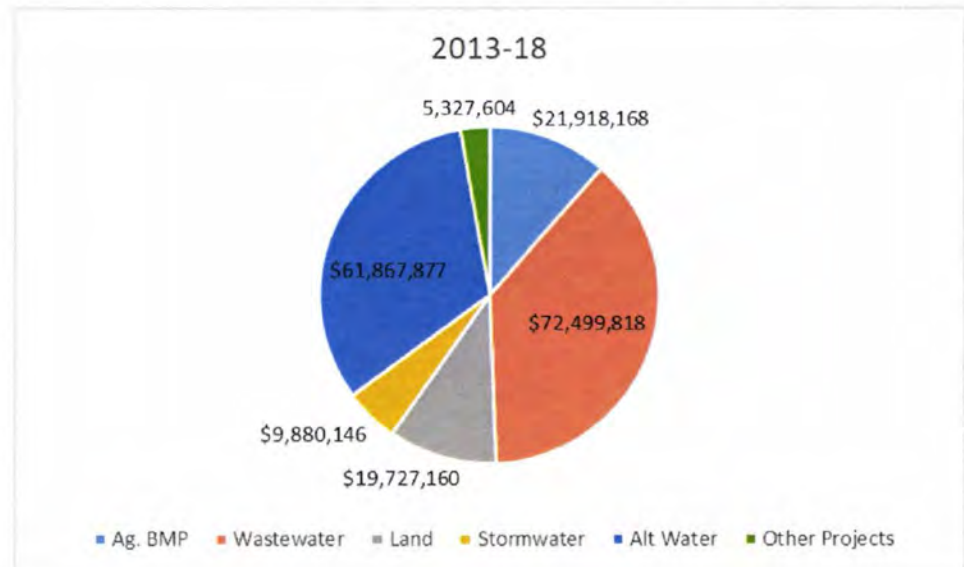


Nitrogen Source Inventory Loading Tool (NSILT)



# Springs Funding

FY 2013-2018	
Project Type	State Funding
Wastewater	\$72,499,818
Alternative Water Supply	\$61,867,877
Ag. BMP	\$21,918,168
Land Acquisition	\$19,727,160
Stormwater	\$9,880,146
Other Projects	\$5,327,604
<b>Total</b>	<b>\$191,220,773</b>





# Springs Projects



Volusia County Wastewater Treatment Facility



Ocala Water Reuse Facility



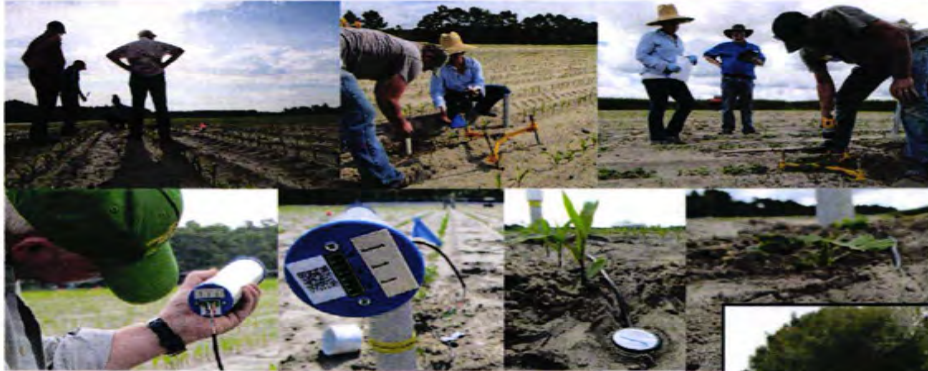
# Springs Projects



**Williford Spring Sediment Removal and Abatement**



# Springs Projects (Agriculture)



Soil Moisture Meters



Waste Collection



Mobile Fertilization

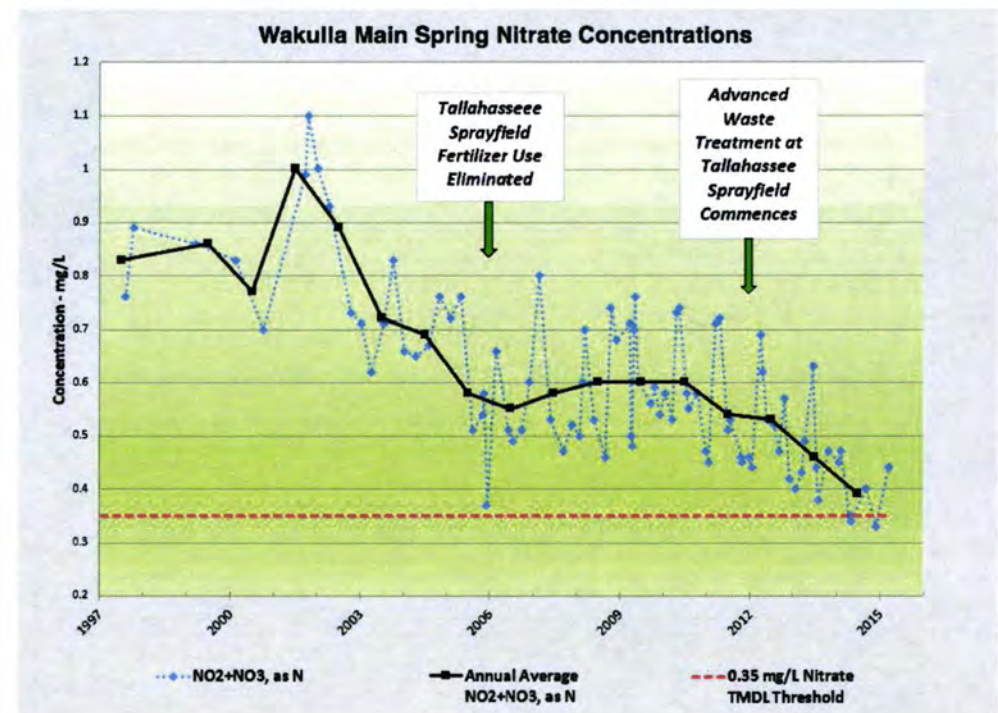


Lined Waste Storage



# Benefits

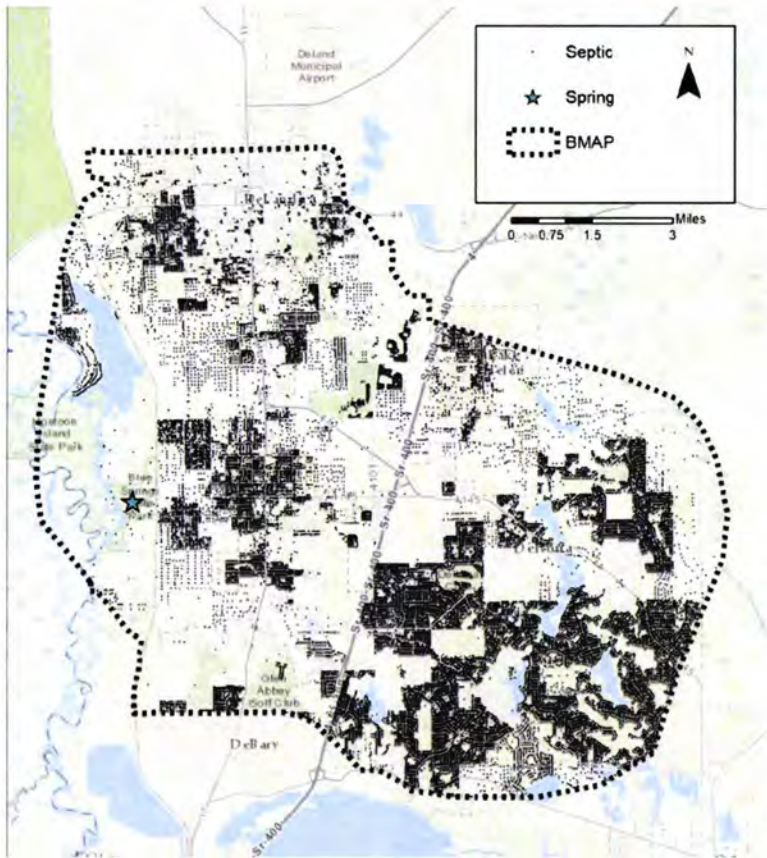
- Over \$365 million leveraged towards restoration
- More than 12 million pounds of nutrient pollution reduced
- Water savings in excess of 118 million gallons per day







# Remaining Challenges



**The benefit of a dedicated funding source of at least \$50 million/year:**

- Approximately \$1.1 billion (assuming 50% local match) to address wastewater sources
  - Estimated number of septic systems: 153,000
  - Number of wastewater treatment facilities >100,000 gpd: 40
- Implement cost-share BMPs across Springs Protection Areas - \$500 million (assuming 25% owner contribution)



# Contact



Drew Bartlett

Deputy Secretary, Office of Ecosystem Restoration

[Drew.Bartlett@dep.state.fl.us](mailto:Drew.Bartlett@dep.state.fl.us)

850.245.2030



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# FDACS–OAWP Role Implementation of SB 552 Relating to Environmental Resources



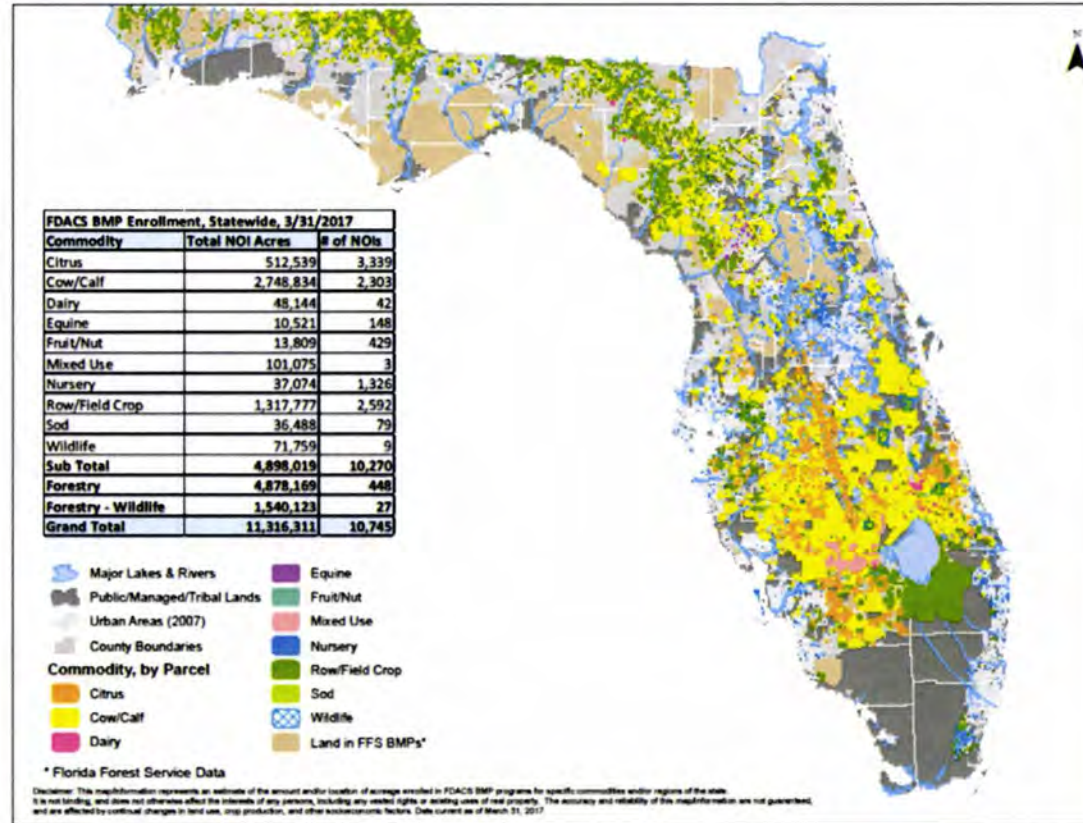
Florida Department of Agriculture and  
Consumer Services (FDACS)  
Office of Agricultural Water Policy (OAWP)

Florida Department of Agriculture and Consumer Services

# Statewide BMP Enrollment

Enrollment status

- Nine BMP Manuals
- About 10,000 enrollments covering more than 50 percent of ag land (excluding forestry)
- 40,000+ Discrete Parcels



## Best Management Practices Manuals

Manual	Adoption	Rule Reference	Next Review
Cow/Calf <b>UNDER REVIEW</b>	2009	5M-11	2016
Sod <b>UNDER REVIEW</b>	2008	5M-9	2016
Specialty Fruit & Nut	2011	5M-13	2017
Equine	2012	5M-14	2017
Citrus	2013	5M-16	2018
Nursery	2014	5M-6	2018
Vegetable & Agronomic Crops	2015	5M-8	2020
Dairies	2016	5M-17	2021
Poultry	2016	5M-19	2021
Small Farms <b>IN DEVELOPMENT</b>	2017		



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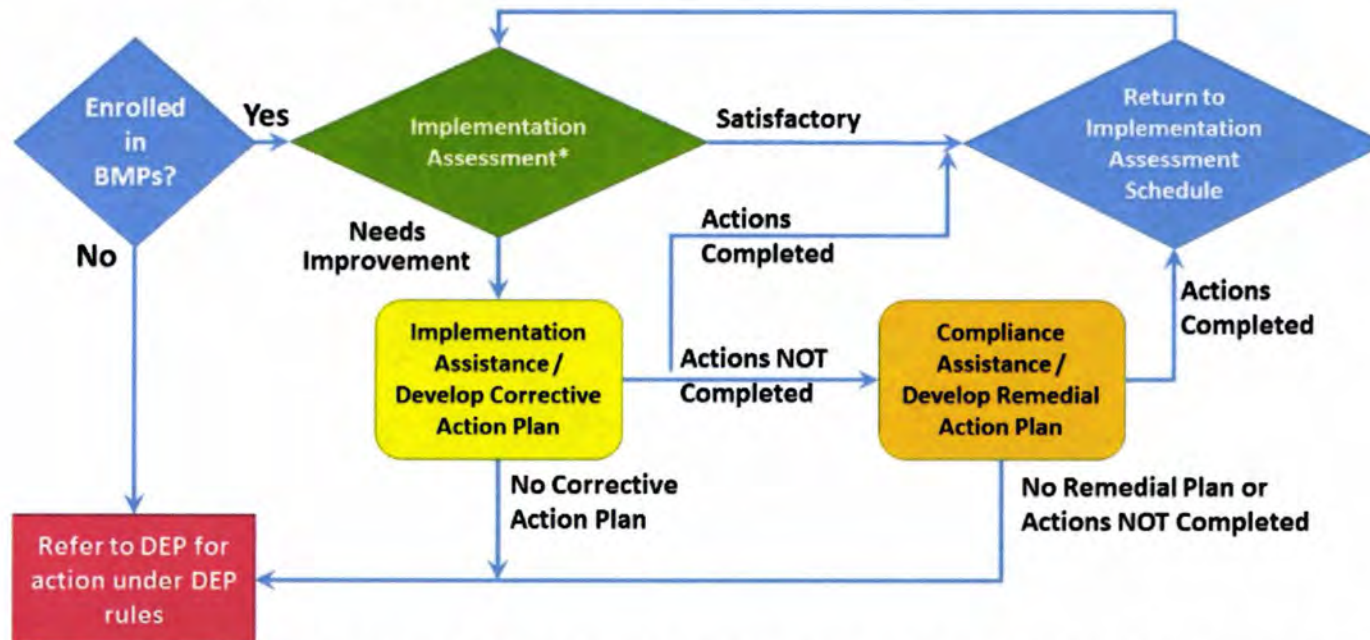
## Implementation Verification Rule

- Ch. 2016-1 created 403.067(7)(d) F.S.— *Enforcement and verification of basin management action plans and management strategies*
- 403.067 (7)(d) 2 c F.S. required DACS to initiate rulemaking for verification of implementation of best management practices
  - Notice of Rule Development published December 8, 2016
  - Rule Development Workshop held February 3, 2017
  - Notice of Proposed Rule published July 19, 2017
  - Notice of Change published August 22, 2017
  - Sent to JAPC for 7-day period October 5, 2017 – expect to file with the Department of State October 13, 2017



# Implementation Verification Program

## Implementation Verification Process for Producers in BMAP Areas



\* Assessment can be by producer self-verification, OAWP staff-assisted verification, OAWP site visit, WMD permit compliance, or certain 3<sup>rd</sup> party





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## Implementation Verification Key Elements

- Assessment of implementation status in multiple forms
  - At the time of enrollment
  - Producer self-verification
  - OAWP field staff assistance and site visits
  - WMD and DEP permit compliance
- Site visits by OAWP field staff will be prioritized in a risk-based system
- Intensive effort by OAWP to assist producers to full implementation



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## Florida Springs and Aquifer Protection Act Section 373 – Part VIII; F.S.

- **Development of agricultural component of BMAPs, TMDLs**
  - Review data on agricultural land use
  - Review nutrient load allocations
  - Develop projects/practices to achieve BMAP goals
- **Enrollment of agricultural operations in BMP program**
  - Identification of agricultural operations
  - Outreach to agricultural operators
  - Administration of available cost-share
- **Coordination and support of research on BMP effectiveness and nutrient management practices**
  - Compilation of available published research
  - Sponsoring of research projects



## OAWP activities - Springs BMAPs

BMAP	Status
De Leon Springs	NSILT being developed - done by end of 2017
Gemini Springs	NSILT being developed - done by end of 2017
Homosassa/Chassahowitzka	Currently being prepped for review by DEP, BMAP identified 10% reduction in loads due to implementation of livestock BMPs and 15% reduction due to implementation of crop BMPs
Jackson Blue	BMAP already exists, FDEP proposed to revise NSILT, BMAP will need to be updated to meet legislative requirements
Kings Bay/Crystal River	DRAFT document provided to stakeholders, DEP is incorporating edits from stakeholders, BMAP identified 10% reduction in loads due to implementation of livestock BMPs and 15% reduction due to implementation of crop BMPs
Magnolia Arepika	Currently being prepped for review by DEP, BMAP identified 10% reduction in loads due to implementation of livestock BMPs and 15% reduction due to implementation of crop BMPs
Rainbow Springs	BMAP already exists, NSILT was revised, draft allocations not finalized
Santa Fe, Devil's Spring Group (includes Ginnie Spring)	Awaiting springshed and PFA shapefiles from DEP

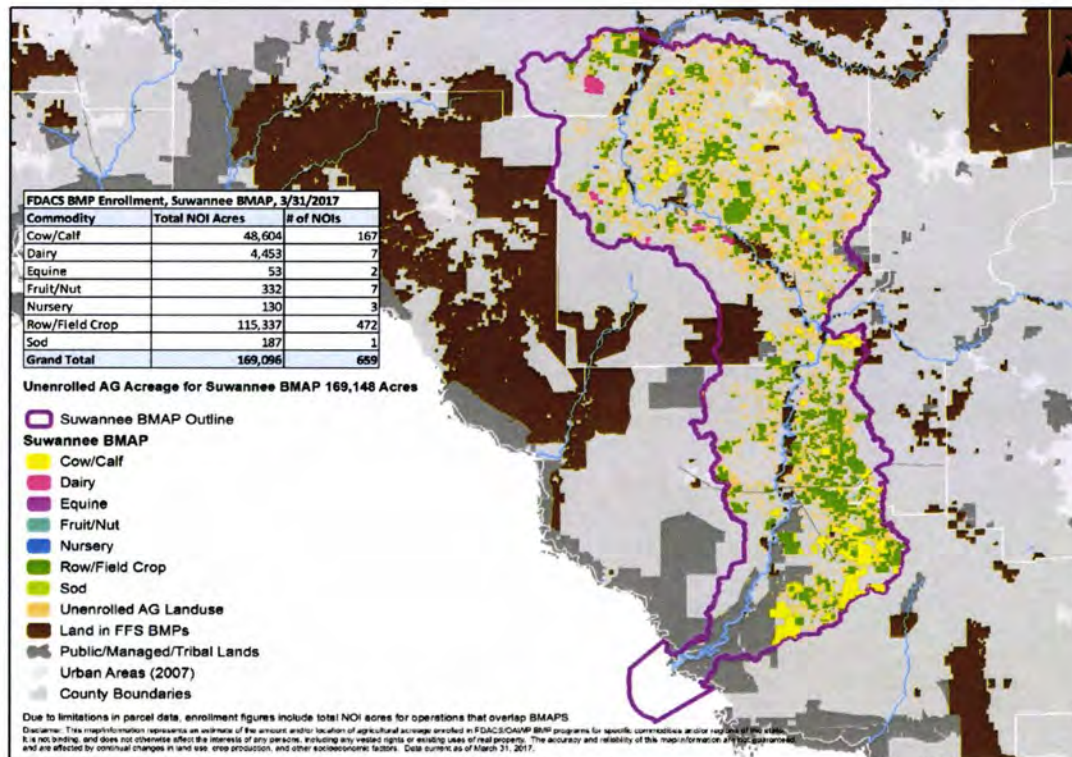


## OAWP activities - Springs BMAPs

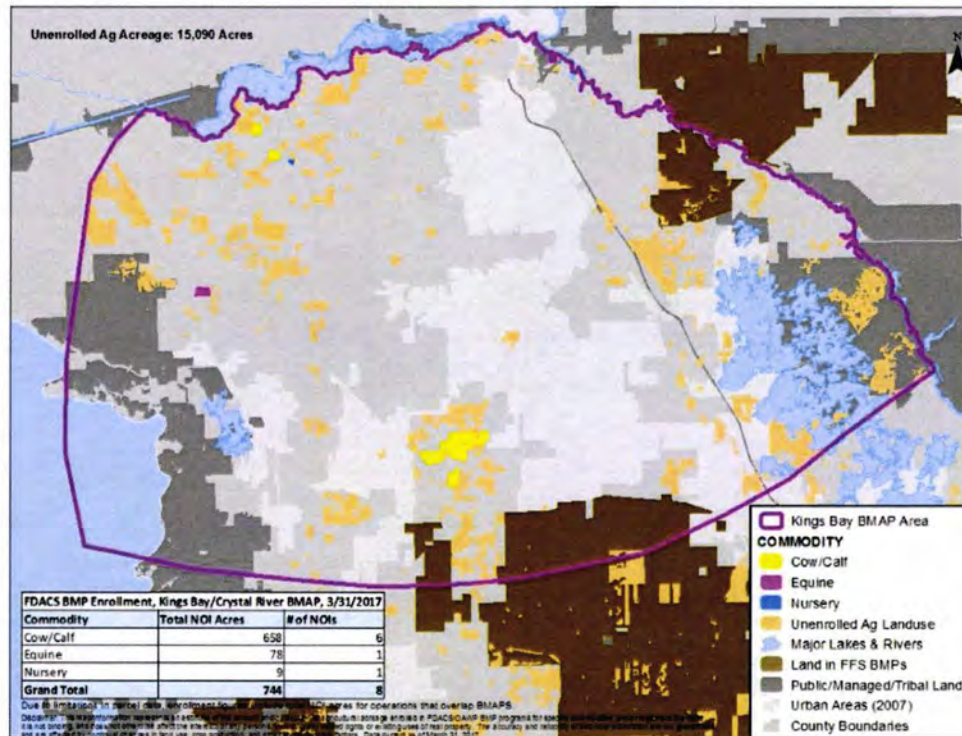
BMAP	Status
Santa Fe, Ichetucknee Springs	NSILT being developed - done by end of 2017
Silver Springs	BMAP already exists (2015), NSILT was revised, draft allocations not finalized
Suwannee Basin	Currently being prepped for review by DEP, BMAP identified 10% reduction in loads due to implementation of livestock BMPs and 15% reduction due to implementation of crop BMPs
Volusia Blue	DRAFT document provided to stakeholders, DEP is incorporating edits from stakeholders, BMAP identified 10% reduction in loads due to implementation of livestock BMPs and 15% reduction due to implementation of crop BMPs
Wacissa	NSILT being developed - done by end of 2017
Wakulla	BMAP already exists, NSILT is being revised, BMAP will need to be updated to meet legislative requirements
Weeki Wachee	Currently being prepped for review by DEP, BMAP identified 10% reduction in loads due to implementation of livestock BMPs and 15% reduction due to implementation of crop BMPs
Wekiva	BMAP already exists (2015), NSILT was revised, no allocations provided yet



# OAWP activities - Springs BMAP Enrollment



# OAWP activities - Springs BMAP Enrollment



## Achieving BMAP Goals for agricultural load reduction

**Year-5 Goals**  
30% Reductions

**Year-10 Goals**  
80% Reductions

**Year-15 Goals**  
100% Reductions

**Year 20 — TMDL Achievement**

100% BMP enrollment and implementation

Projects to address anticipated gap to meet TMDL

Projects to address remaining gap to meet TMDL



Florida Department of Agriculture and Consumer Services



Potential Units	Cost per Unit	Potential N Reduction per Unit (lbs)	Total Reduction in N (lbs)	Total Cost	Cost per Pound of N Reduction
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Reduction in N Loading

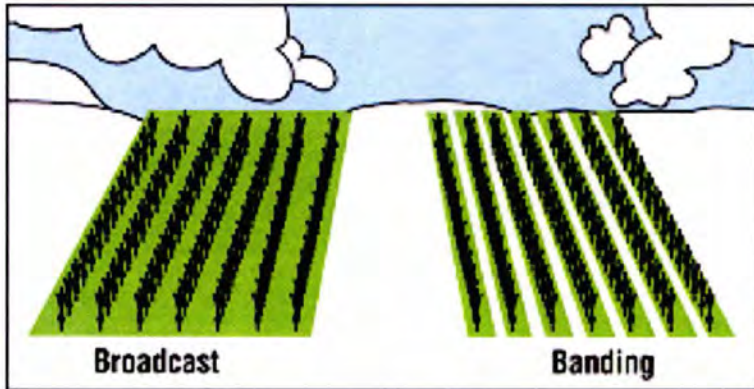
<b>Soil Moisture Probes</b>	694	\$3,500	26	224,337.2	\$2,427,250	\$1.95
Description:	number of probes	\$/probe system	lbs/acre	lbs		
Deployment, training, technical support, and use of soil moisture probes to manage irrigation systems.						

Assumptions:

Reduction in N inputs presumed from improvements in use efficiency and management of inputs to row crops due to effective and efficient use of soil moisture probes. Cost includes probes, computer peripherals, and minimum three years of technical support. The number of probe installations is approximately 50% of the estimated number of irrigation systems in the Suwannee BMAP area, excluding most nurseries and ornamentals.







	Potential Units	Cost per Unit	Potential N Reduction per Unit (lbs)	Total Reduction in N (lbs)	Total Cost	Cost per Pound of N Reduction
<b>Precision Fertilization</b>	51,296	\$117	34	311,741	\$6,001,608	\$3.47

**Description:**

Deployment of equipment, procedures, and training to improve formulations, delivery methods, and timing to match fertilization more precisely to crop needs.

**Assumptions:**

Cost is one-time capital expenditure. No improvement in use efficiency is included. Calculated for use only on row crops not grown on plasticulture. Values include both irrigated and non-irrigated crops. Precision fert is most cost-effective on productions greater than 500 acres. Package consists of soil mapping (\$10/ac), GPS controller (\$8,000), retrofitting applicator (\$15,000), yield monitor (\$15,000), and tech support (\$10,000). Equipment costs are for upgrades and retrofits on existing fertilizer application equipment.

\$58,500 Package Cost





	Potential Units	Cost per Unit	Potential N Reduction per Unit (lbs)	Total Reduction in N (lbs)	Total Cost	Cost per Pound of N Reduction
<b>Reduction in N Input</b>						
<b>Cover Crops</b>	87,208	\$45	45	706,387	\$3,924,374.43	\$1.00
Description:	acres	\$/acre	lbs/acre	lbs		
Planting of cover crops in between production cycles to increase soil organic content, improve nutrient retention, and reduce erosion.						

**Assumptions:**

Used acreages for vegetable and agronomic crops for all cropping systems, regardless of irrigation type. Per USDA-ARS, range of cover crop seed prices are \$30.00 to \$77.40 per acre. Average price for rye, ryegrass and vetch was \$45.00 per acre. Per Wagger and Mengel, 1988, these three cover crop treatments can assimilate between 10 to 90 lbs/acre, average 45 lbs/acre of residual N.

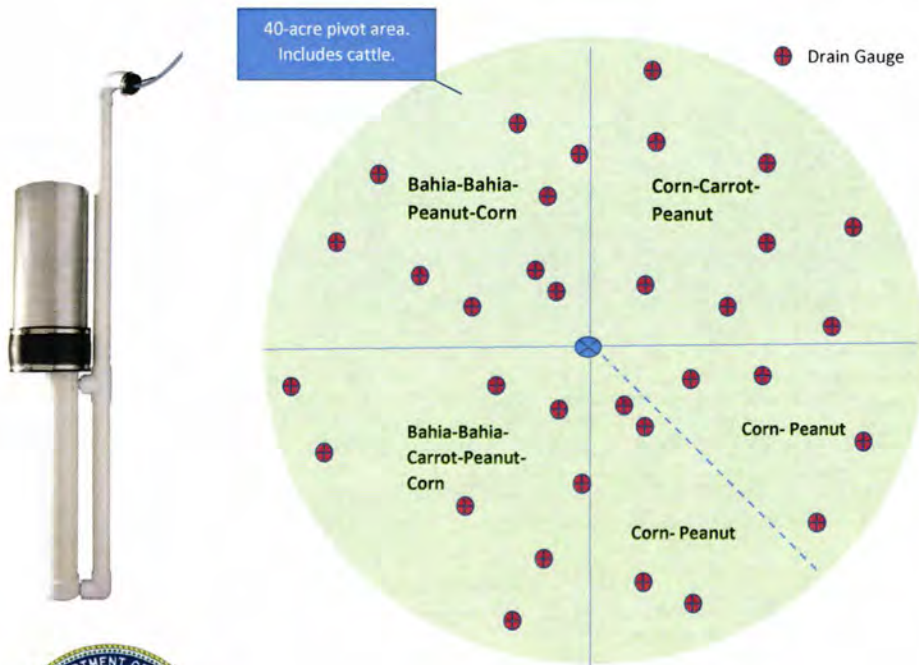


## BMP Effectiveness/Nutrient Management Research

Project Name	Lead Investigator	Total Amount	Expiration Date	Notes
Denitrification Bioreactor	Dr. Clark	\$45,933	6/30/17	Finished
Veris Soil Mapping	Dr. Mackowiak	\$38,447	6/30/16	Finished
Watermelon Soil Amendment	Dr. Liu	\$38,322	12/31/16	Finished
Forage Hay BMPs	Dr. Mackowiak	\$185,812	6/30/17	Finished
Soil Moisture Sensors	Dr. Dukes	\$432,888	12/31/17	Awaiting Final Report
Carrot Fertilization Rate Study	Bob Hochmuth	\$115,623	3/31/19	Starting Year 2
Enhanced Efficiency Fertilizer	Dr. Li	\$49,491	12/31/17	Awaiting Deliverable 2
Rotational Production	Dr. Barrett	\$7,056,613	6/31/26	
Rhizoma Peanut in Pastures	Dr. Dubeux	\$412,273	6/31/19	



# Demonstration and Measuring the Effectiveness of Rotational Production



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# Thank You!

<http://www.freshfromflorida.com/Divisions-Offices/Agricultural-Water-Policy>



Florida Department of Agriculture and Consumer Services