



# PROGRESS TO DATE AND NEXT STEPS

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Florida Department of Environmental Protection

Miami, Florida | Feb. 1, 2023





# THE CLEAN WATERWAYS ACT

SB 712 (2020)

- Focuses on remedial action and improvements to regulations regarding septic and stormwater systems and wastewater infrastructure, as well as Basin Management Action Plans (BMAPs) and Agricultural Best Management Practices (BMPs).
- This legislation serves as the foundation for implementing necessary actions by the department, local governments and our regulated community based on the Blue-Green Algae Task Force's recommendations.
  - Contingency plans for power outages.
  - Provision of financial records.
  - Documentation of fertilizer use by agricultural operations.
  - Updated stormwater rules and design criteria.
  - Regulation of septic tanks.



# WATER RESTORATION PROJECTS

\$3.3 BILLION IN STATE FUNDING OVER THE PAST FOUR YEARS

## FUNDING HIGHLIGHTS

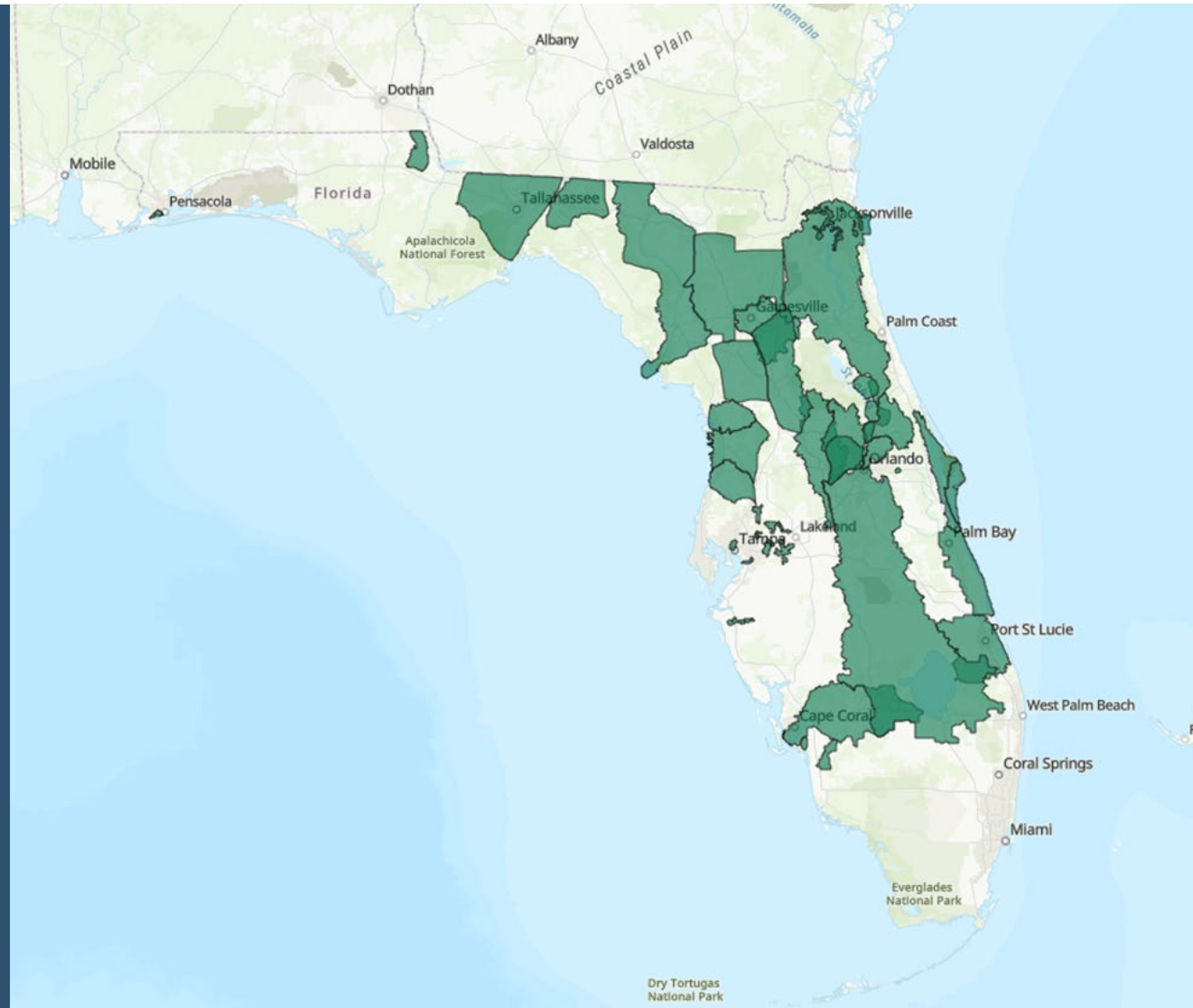
- **\$1.7 billion** in state funds for **Everglades restoration** plus an additional \$200 million dedicated from available federal funds.
- **\$1.6 billion** in state funds for **targeted water quality improvements** plus an additional \$545 million dedicated from available federal funds.
  - This includes the Clean Waterways Act's Wastewater Grant Program of \$741 million since inception.
  - This also includes the \$52 million provided for Biscayne Bay water quality improvements.
  - \$275 million in state funds for springs restoration plus an additional \$25 million dedicated from available federal funds.



# BASIN MANAGEMENT ACTION PLANS

## CURRENT STATUS AND DEVELOPMENTS

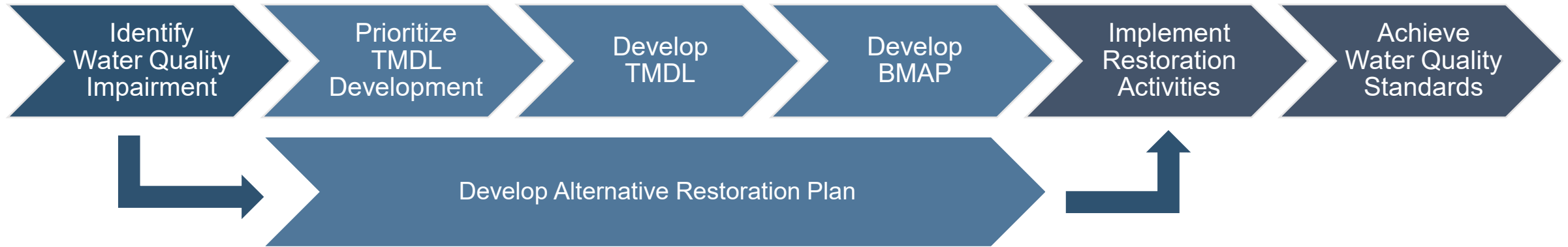
- 33 BMAPs statewide.
- Adopted by DEP through a secretarial order.
- Project reporting - BMAP projects are reviewed annually and reported in the statewide annual report.
- Follow-up meetings with stakeholders.
- BMAPs are updated approximately every five years.
  - Update water quality analyses.
  - Review progress.
  - Adapt and recommend changes.





# BASIN MANAGEMENT ACTION PLANS

## ALTERNATIVE RESTORATION PLANS



- **Pollutant Reduction Plan (PRP) (category 4e):**
  - **Defers Total Maximum Daily Load (TMDL) development by DEP to allow time for restoration projects to improve water quality.**
- **Reasonable Assurance Plan (RAP) (category 4b):**
  - **Replaces a TMDL and BMAP.**
  - **Agricultural BMPs are not automatically required as in a BMAP.**



# BASIN MANAGEMENT ACTION PLANS

## CURRENT STATUS AND DEVELOPMENTS

- Stormwater and wastewater management projections.
- Wastewater and OSTDS remediation plans to be incorporated into BMAPs by July 1, 2025.
- Expanding monitoring in springs and the Northern Everglades and Estuaries Protection Program (NEEPP) BMAPs.







# BASIN MANAGEMENT ACTION PLANS

## KEY UPDATES FOR SELECT BASINS

### ST. JOHNS RIVER BASIN

A new model to cover the entire St. Johns River, including the upper St. Johns River basin, is under development and will be used to develop TMDLs and update BMAPs.

Additional funding has been provided for expanded monitoring and source identification to support model development and project prioritization.

### NEEPP BMAPs

An interagency legacy phosphorus team was established to help pinpoint key issues surrounding legacy phosphorus.

The department approved the first Targeted Restoration Areas (TRA) approach.

Updated water quality monitoring plan to better track BMAP progress.

Nitrogen reductions are now being identified, tracked and reported for all projects expected to reduce nitrogen.



# AGRICULTURE AND BMPS

## CURRENT STATUS AND DEVELOPMENTS

- BMP Enrollment Enforcement.

May 2021,  
approximately 2,800  
parcels referred.

Mailed  
outreach letters within  
days of each referral.

DEP brought 96%  
into compliance.

- BMP Manuals.

- Collaborative process between the Florida Department of Agriculture and Consumer Services (DACCS) and DEP.
- Clean Waterways Act research plans and funding.
- Accelerating updates.
- BMPs and BMAPs.
- Enrollment annually updated in DEP's Statewide Annual Report.

- Advanced technologies.





# INNOVATIVE TECHNOLOGIES AND APPLICATIONS

## CURRENT STATUS AND DEVELOPMENTS

- \$45 million appropriated to support the evaluation of emerging technologies and processes aimed at reducing the local impact from freshwater harmful algal blooms.



Clean up a bloom  
after it has occurred

**46%**  
of funding

Prevention of algal  
blooms by eliminating  
excess nutrients

**35%**  
of funding

Predict when  
and/or where a  
bloom may occur

**19%**  
of funding



# BLUE-GREEN ALGAL BLOOMS AND PUBLIC HEALTH

## CURRENT STATUS AND DEVELOPMENTS

- Launched the award-winning [ProtectingFloridaTogether.gov](https://ProtectingFloridaTogether.gov) water quality portal, which is updated daily and combines data on water quality, blue-green algae and red tide to bring the most accurate, transparent and updated information to its users. This includes:
  - A project map that provides information on restoration projects and efforts statewide.
  - A preference center that provides users a convenient way to receive water quality updates via email for their area of interest, including notifications of water quality updates in their area.
  - An education center that contains facts, resources and information to increase public awareness about water quality issues.

### PREFERENCE CENTER

#### INTERESTED IN EMAIL UPDATES?

Protecting Florida Together knows that giving you the most relevant and timely information is important. To simplify this process, we've launched the Protecting Florida Together's notification preference center. Here you can:

- Select notifications that you are interested in receiving.
- Choose the frequency you'd like to receive notifications and the areas in which you are interested.
- Manage or pause notification(s) at any time.

#### WHAT TYPE OF INFORMATION CAN I RECEIVE?

- Up-to-date information when red tide changes.
- Up-to-date details when blue-green algae changes.
- Protecting Florida Together news and updates.
- Blue-Green Algae Task Force meeting information.

#### HOW FREQUENTLY WILL I RECEIVE UPDATES?

Emails can always be paused from within the preference center. Additionally, you can unsubscribe or resubscribe at any time. The following are some of the options available to receive updates:

- No update(s).
- Get updates on a weekly basis if data has changed during the previous week.
- Get updates on a monthly basis if data has changed during the previous 8-10 days.
- Get updates as they become available on a daily basis.

#### HOW DO I GET STARTED?

Getting started is easy. Just fill out the below form and click on the "Send Me Confirmation Email" button to be redirected to your personalized preference center page.



# BLUE-GREEN ALGAL BLOOMS AND PUBLIC HEALTH

## CURRENT STATUS AND DEVELOPMENTS

- The Florida Department of Health (DOH) updated its public health alert notification process and now sends a press release whenever cyanotoxin is detected.
  - Continue to base health advisories on the most conservative approach, with public health alert notifications issued for **any** detectable concentration of cyanotoxins
- Developed educational signage in English, Spanish and Creole.

**KEEPING FLORIDA INFORMED**  
ABOUT BLUE-GREEN ALGAE

**IF YOU SEE A BLOOM, REPORT IT**

Report algal blooms in public waters by calling 855-305-3903 or online by visiting [ReportAlgalBloom.com](http://ReportAlgalBloom.com).

Blooms in privately owned waters are not sampled as part of the state's response efforts. Private landowners may email [ProtectingFloridaTogether@FloridaDEP.gov](mailto:ProtectingFloridaTogether@FloridaDEP.gov) for more information.

**BLOOM RESPONSE COORDINATION**

Cyanobacteria, or blue-green algae, blooms are an annual occurrence in the state of Florida. Blooms can produce toxins, which can be harmful to humans and pets.

The Florida Department of Environmental Protection (DEP) and Florida Department of Health (DOH) work with state and local partners to protect public health and the environment.

**WHO IS RESPONSIBLE FOR ADDRESSING BLUE-GREEN ALGAE BLOOMS?**

DEP is the lead agency for environmental management of our state's water quality and oversees freshwater cyanobacteria bloom response and analysis. DEP staff review submitted reports daily, then prioritize site visits to sample reported blooms.

In public fresh waterbodies, site visits and sampling activities are performed by:

- Florida Department of Environmental Protection.
- Water management districts.
- Trained local government (county and city) staff.

**YOU JUST PLACED A REPORT, WHAT'S NEXT?**

Once sampled, the location and bloom conditions are typically posted the same day.

Results of toxin and algal identification are posted when laboratory analyses are completed. Analysis currently averages 5 business days.

Protecting Florida Together ([ProtectingFloridaTogether.gov](http://ProtectingFloridaTogether.gov)) and DEP's Algal Bloom Dashboard ([FloridaDEP.gov/AlgalBloom](http://FloridaDEP.gov/AlgalBloom)) relay this information to the public.

**AFTER DEP'S SAMPLING AND REPORTING, HOW DOES DOH TAKE ACTION?**

DOH is the state's lead agency for public health and oversees public health notifications. Based on results, DOH may advise local county health departments to issue either a caution notice or a health alert.

**FOR A CAUTION**

The presence of a bloom results in a caution notice. The county health department will follow local alert procedures to notify the public.

**FOR A HEALTH ALERT**

The presence of a toxin results in a health alert notice. In addition to a caution notice, DOH will issue a health alert notice on [FLHealth.gov/HealthAlerts](http://FLHealth.gov/HealthAlerts).

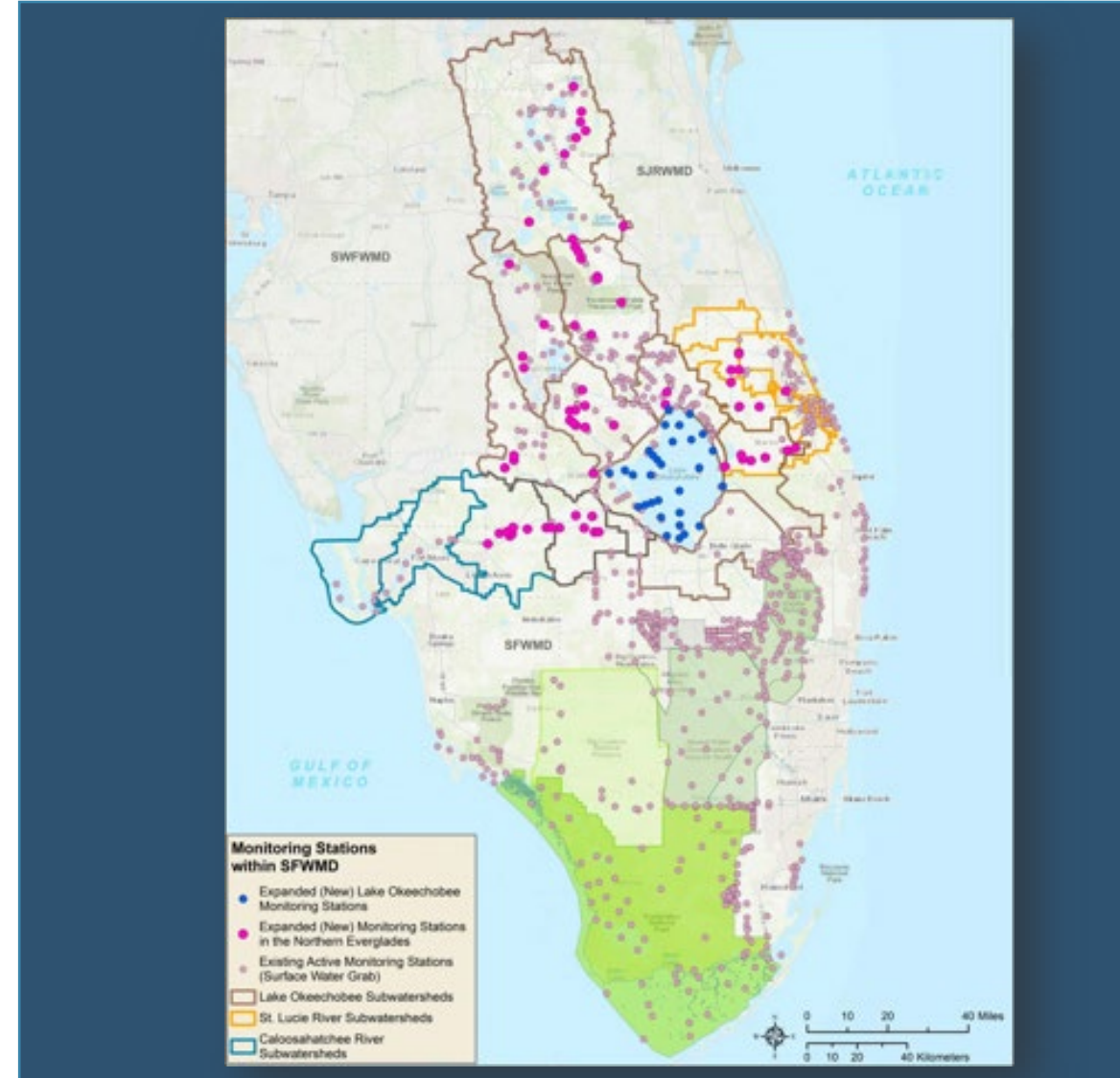




# SCIENCE-BASED DECISION MAKING, DATA NEEDS AND MONITORING PROGRAMS

## CURRENT STATUS AND DEVELOPMENTS

- Expanded monitoring.
  - This includes 243 new and enhanced monitoring stations in the Lake Okeechobee, Caloosahatchee and St. Lucie watersheds.
  - An additional 44 new and expanded sites have been established in the St. Johns River Water Management District area as well as dozens of other monitoring sites throughout the state.
- Proactive HAB monitoring utilizing projections such as the Environmental Protection Agency's CyAN application.
- Inclusion of cyanotoxin analysis in the status monitoring program.







# THANK YOU

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# PROGRESS TO DATE AND NEXT STEPS

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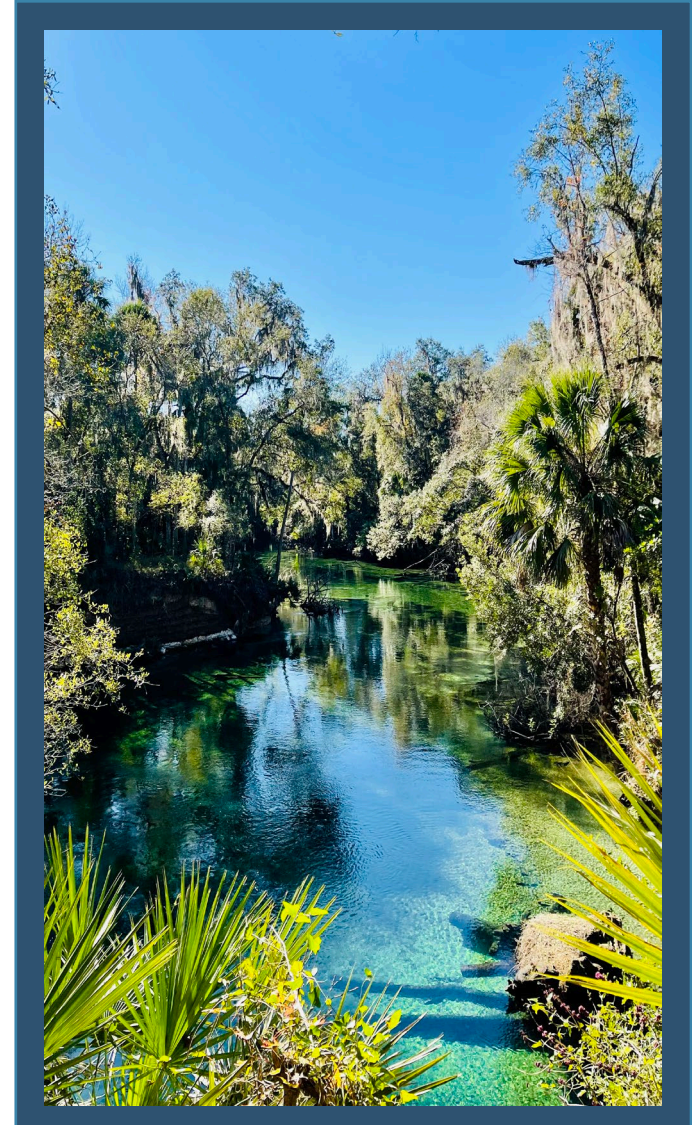
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# ONSITE SEWAGE TREATMENT & DISPOSAL SYSTEMS CURRENTLY UNDERWAY; REQUIRES LEGISLATIVE RATIFICATION

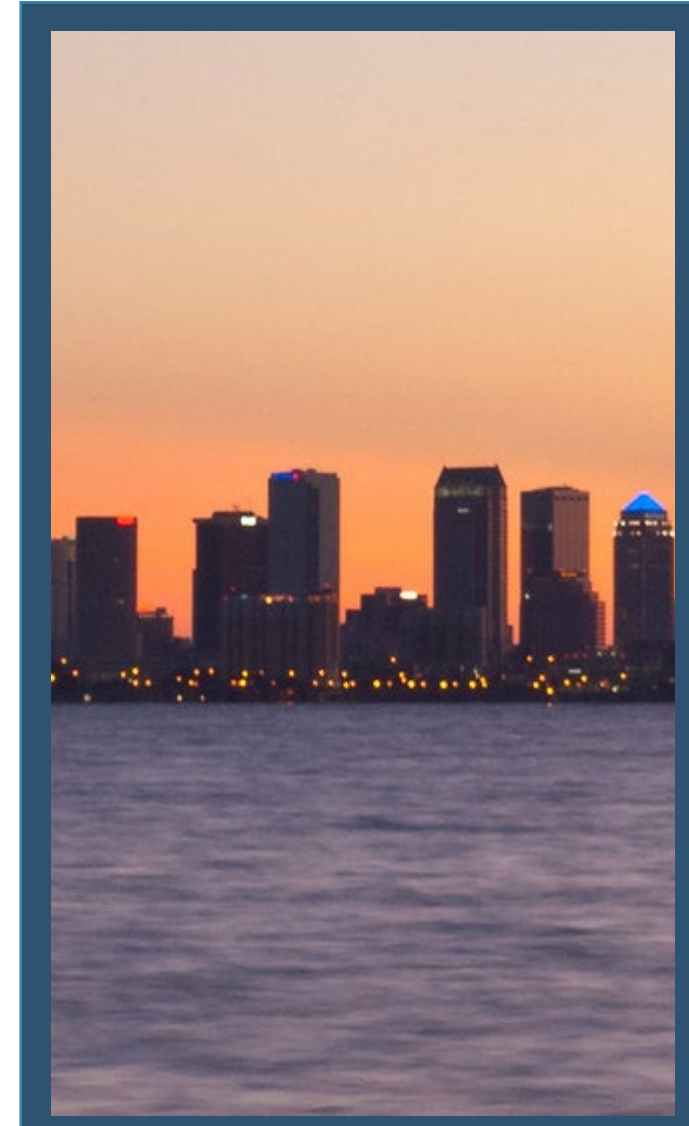
- 12 staff from DOH joined DEP's Division of Water Resource Management as the new Onsite Sewage Program (OSP) on July 1, 2021.
- DEP's OSP staff coordinates with Florida's 67 county health departments on local septic permitting issues as set forth in an interagency agreement between DOH and DEP.
- Onsite sewage treatment and disposal system (OSTDS) Technical Advisory Committee (TAC).
  - Groundwater Contamination Plume Study and Modeling Scenario Analysis.





# ONSITE SEWAGE TREATMENT & DISPOSAL SYSTEMS CURRENTLY UNDERWAY; REQUIRES LEGISLATIVE RATIFICATION

- OSP has adopted rules relating to the location of OSTDS, including establishing setback distances to prevent groundwater contamination and surface water contamination and to preserve public health.
  - DEP adopted Rules 62-6.004, .005, .009, .010, .0101, .012, .013, .014 and .025, F.A.C.
  - Rule 62-6.001, F.A.C., is planned for legislative ratification during the 2023 session.







# ONSITE SEWAGE TREATMENT & DISPOSAL SYSTEMS UNDER CONSIDERATION & NEXT STEPS



- Cost-effective septic-to-sewer funding.
- Local government participation.
- Recurring source of funding.
- OSTDS TAC recommendations.
- Corrective actions for failing systems.
- Review of setback distances.
- Changes to sections 381.00655 and 381.00651, F.S.
- Enhanced nutrient reducing OSTDS technology.





# SANITARY SEWER OVERFLOWS

## NEAR COMPLETION; REQUIRES LEGISLATIVE RATIFICATION

- DEP adopted Rules 62-604.100, .130, .200, .300, .400, .500, .550, .600 and .700, F.A.C.
  - Amends rule provisions and implements a collection systems action plan, power outage contingency plan and other relevant requirements of the CWA.
  - Requires domestic wastewater treatment facilities to be operated and maintained to reduce inflow and infiltration and prevent sanitary sewer overflows (SSOs).
  - Revises and expands the reporting requirements for noncompliance events related to SSOs.
- Rules 62-600.405, .705 and .720, F.A.C., are planned for legislative ratification during the 2023 session.
  - Require domestic wastewater treatment facilities to prevent SSOs and underground pipe leaks by:
    - Developing power outage contingency plans for collection/transmission systems and pump stations.
    - Using inflow and infiltration studies and leakage surveys to develop remedial action plans to assess, repair and replace underground pipes.



# SANITARY SEWER OVERFLOWS

## UNDER CONSIDERATION & NEXT STEPS

- Chapter 62-604, F.A.C., rule development.
  - Inflow and infiltration provisions for collection systems.
  - Stronger requirement to upgrade older pump stations.
  - A public workshop for Chapter 62-604, F.A.C., was held Aug. 31, 2022. Public comments are being reviewed.





# STORMWATER TREATMENT SYSTEMS

CURRENTLY UNDERWAY; REQUIRES LEGISLATIVE RATIFICATION

- Florida's municipal separate storm sewer systems (MS4) were and are currently inspected and monitored under the National Pollutant Discharge Elimination System (NPDES) program to ensure compliance with permit requirements.
- DEP is currently in rulemaking to update the stormwater design and operation regulations, including updates to the Environmental Resource Permit (ERP) Applicant's Handbook, using the most recent scientific information available.
- DEP held two public outreach meetings in 2020 prior to rule development, and in response to public interest, established a Stormwater TAC in November 2020.



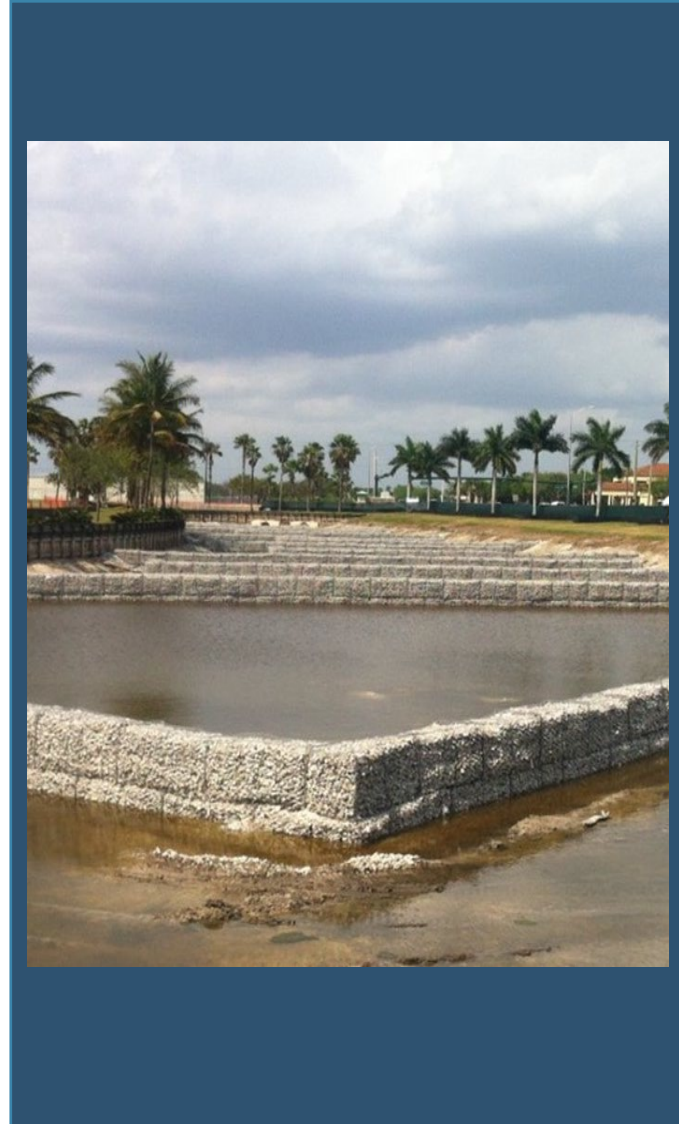




# STORMWATER TREATMENT SYSTEMS

CURRENTLY UNDERWAY; REQUIRES LEGISLATIVE RATIFICATION

- In November 2020, DEP began rule development for Chapter 62-330, F.A.C.
  - ERP Applicant's Handbook, Volume I and Volume II.
- DEP held four rule development workshops between May and December 2022.
  - The five water management districts are holding additional workshops to provide proposed updates to their respective Applicant's Handbooks.
- Chapter 62-330, F.A.C., is planned for legislative ratification during the 2023 session.
  - Consistency in stormwater system inspection requirements.
  - Performance requirements.
  - Best management practices.





# STORMWATER TREATMENT SYSTEMS

## UNDER CONSIDERATION & NEXT STEPS

- Stormwater inspection and NPDES program enhancements.
- Loading reduction criteria.
- Inspection, maintenance and monitoring standards for development types.
- Regional stormwater elements.
- Treatment and use of reclaimed stormwater.
- Stormwater TAC recommendations.







# WATER REUSE

## PHASE I IS COMPLETE; PHASE II IS CURRENTLY UNDERWAY

- Phase I provides an updated framework for reusing reclaimed water in general. Phase I was completed in August 2021.
- Phase II will provide an updated framework for indirect potable reuse (including aquifer storage and recovery) and will establish a new nation-leading framework for direct potable reuse.



# BIOSOLIDS COMPLETED



- Chapter 62-640, F.A.C., amendments ensure the proper management, use and land application of biosolids to protect waters of the state from nutrient pollution and in a manner that minimizes the migration of nutrients to prevent the impairment of waterbodies.
- DEP is implementing the new statutory and rule requirements, including working with the Florida Department of Agriculture and Consumer Services (DACS) to enroll biosolids land application sites in the DACS Best Management Practices program.





# THANK YOU

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