



OVERVIEW OF THE 2015 LEGISLATIVE SESSION

May 14, 2015

10:30 AM EST – 11:30 AM EST

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Upcoming Events!

Stormwater Operator Certification Class Schedules

<http://www.florida-stormwater.org/training-center>

Stormwater Operator Re-Certification Webinars

June 4, 2015

Level 1 Operator: 9am – 11am

Level 2 Operator: 2pm – 4pm

Annual Conference and Exhibits

June 17-19, 2015

Sanibel Harbour Marriott, Ft. Myers



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Applied Sciences Consulting specializes in the planning, design, and permitting of neighborhood and regional stormwater and water quality projects.

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Meet the Presenters



Kurt Spitzer



Kelli Levy

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Today's Overview

- General Background for 2015 Session
- Primary Stormwater/Water Quality Legislation
- What to Anticipate for 2016

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General Background for 2015 Session

1. Florida's Fiscal Condition is Better
2. Lesser interest in "Regulatory Streamlining"
3. Continued interest in the condition of springs and water quality/supply

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4. WOAH!!! Didn't see THAT coming!



| Year | Governor | President | Speaker | Bills Filed* | Bills Passed | % Passed |
|------|---------------|-------------------|------------------|--------------|--------------|----------|
| 2001 | Jeb Bush | John M. McKay | Tom Feeney | 2,251 | 362 | 16% |
| 2002 | Jeb Bush | John M. McKay | Tom Feeney | 2,428 | 403 | 17% |
| 2003 | Jeb Bush | James E. King | Johnnie Byrd | 2,553 | 412 | 16% |
| 2004 | Jeb Bush | James E. King | Johnnie Byrd | 2,691 | 497 | 18% |
| 2005 | Jeb Bush | Tom Lee | Allan Bense | 2,483 | 393 | 16% |
| 2006 | Jeb Bush | Tom Lee | Allan Bense | 2,482 | 386 | 16% |
| 2007 | Charlie Crist | Ken Pruitt | Marco Rubio | 2,545 | 345 | 14% |
| 2008 | Charlie Crist | Ken Pruitt | Marco Rubio | 2,504 | 313 | 13% |
| 2009 | Charlie Crist | Jeff Atwater | Ray Sansom | 2,371 | 271 | 11% |
| 2010 | Charlie Crist | Jeff Atwater | Larry Cretul | 2,478 | 301 | 12% |
| 2011 | Rick Scott | Mike Haridopoplos | Dean Cannon | 2,186 | 295 | 13% |
| 2012 | Rick Scott | Mike Haridopoplos | Dean Cannon | 2,052 | 292 | 14% |
| 2013 | Rick Scott | Don Gaetz | Will Weatherford | 1,848 | 286 | 15% |
| 2014 | Rick Scott | Don Gaetz | Will Weatherford | 1,817 | 264 | 15% |
| 2015 | Rick Scott | Andy Gardiner | Steve Crisafulli | 1,754 | 232 | 13% |

* Does not include PCBs
 (Source: *LobbyTools*)



Primary Issues of Concern

- ✓ Springs
- ✓ Local Regulatory Authority
- ✓ Fertilizer
- ✓ Septic Tanks
- ✓ Stormwater Utility Fee “Fix”
- ✓ 10/2 General Permit Revisions

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Primary Stormwater Legislation – all failed

1. Water/Springs – SB 918 (EPC and Sen. Dean)
2. Water/Springs – HB 7003 (State Affairs and Rep. Caldwell)
3. DEP Miscellaneous – HB 653 (Rep. Pigman) / HB 714 (Sen. Grimsley)



Other Stormwater Issues – all failed

1. SWU Fees
 - Legislative Correction of Court Cases (FSA/FLC)
 - Legislative Ratification of Court Cases (schools)

2. 10/2 General Permit Revisions



1. HB 7003

Water/Springs Legislation by Rep. Caldwell

Passed House on March 5th (second day of Session)

- Central Florida Water Initiative
- Lake Okeechobee Research programs on alternative pollution reduction technologies



1. HB 7003

Water/Springs Legislation by Rep. Caldwell

- Passed House on March 5th (second day of Session)
- Springs Protection Initiative
 - ❖ “Bottom-up” process – Stakeholder groups formed to evaluate scientific data, develop implementation plans, provide cost and pollution reduction estimates to DEP
 - ❖ Local Gov’t Responsibility – Pursuant to MS4 or WWT system permit



2. SB 918

Water/Springs Legislation by Sen. Dean

- Similar to last year's springs legislation at end of Session, with key additions:
 - ✓ Extensive provisions on Greenways/Trails
 - ✓ Statewide Water Resources Advisory Council to allocate \$\$ for Water Supply and Water Quality Projects



2. SB 918

Water/Springs Legislation by Sen. Dean

- Springs Protection Policies:
 - ✓ Minimum Flows/Levels by 2017
 - ✓ Springs-Specific TMDL/BMAP provisions
 - ✓ DEP-develops remediation plans for springsheds impaired by septic tank nutrient pollution
 - ✓ Must attain TMDL within 20 years



2. SB 918

Water/Springs Legislation by Sen. Dean

- Springs Protection Policies:
 - ✓ Property owners may not be charged any costs for any actions required with regard to addressing nutrient loadings from septic tanks, including hook-ups to central sewer. (removed in final form)



2. SB 918

Water/Springs Legislation by Sen. Dean

Discussed in Environmental Preservation Committee:

- March 4th
- March 11th
- March 18th
- March 24th (passed)

Discussed in Appropriations Committees on...

- April 8th
- April 21st (passed)

Content substituted for HB 7003 and passed Senate
on April 29th



3. DEP Miscellaneous – HB 653/SB 714

- WQCT – Allows land set-asides and land use modifications, including constructed wetlands or other water quality improvement projects, to be used as activities that are eligible to generate water quality trading credits.
- Landfill – Creates a solid waste landfill closure account within the SWMTF to provide funding for the closing and long-term care of solid waste management facilities.



3. DEP Miscellaneous – HB 653/SB 714

HB 653 amended on April 22nd to add House version of current provisions of SB 918.

- Superior language in that implementation of septic tank remediation plans contingent on funding by DEP/Legislature.
- Passed House. Died in Senate.



Questions?

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4. Other Stormwater Issues (failed)

SWU Fees

- Legislative Correction of Court Cases (FSA/FLC)
- Legislative Ratification of Court Cases (schools)

10/2 General Permit Revisions

- Notice of 10/2 developments required within springsheds
- Requirement for PE to certify compliance with WQ standards unsuccessful



Other Issues that Failed

- **BUDGET** - The Legislature must pass a budget for the fiscal year that starts July 1. House and Senate remain more than \$4B apart in their budget proposals, almost exclusively related to health care.
- **GAMBLING** - Gambling bills had collapsed in the House and Senate, leaving unresolved what will happen with the Seminole Tribe's current card-game deal that is scheduled to expire this summer.



Other Issues that Failed

- GUNS – One proposal would allow people to carry guns on college campuses; others allowed people to carry guns without concealed-weapons licenses for 48 hours during natural disasters. Both failed.

- PRISONS - The Department of Corrections has faced a barrage of allegations about inmate deaths, cover-ups and poor working conditions in the prison system. Reform efforts failed.



Other Issues that Failed

- **STADIUMS** - Funding for a stadium in Orlando, EverBank Field in Jacksonville, Daytona International Speedway and Sun Life Stadium in Miami-Dade County failed.
- **TAX CUTS** - The Governor proposed \$673 million in tax cuts this year, while the House suggested \$690 million.
- **EDUCATION** - School choice policy allowing students to go to alternative schools within (and outside) District. HS athletics policy allowing athletes to play at school other than where attending.



Other Issues that Failed

- AMENDMENT #1 – The Legislature must implement a voter-approved measure that requires the state to set aside hundreds of millions of dollars a year for land and environmental projects.
 - ❖ Backers of Amendment #1 argue that more money should be directed to the Florida Forever land-conservation program and to Everglades restoration efforts. Leaders in both chambers respond that the state should focus on managing property it already owns instead of buying more.



Questions?

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What to Anticipate for June Special Session

1. Adopt Budget
2. Implement Amendment #1
3. ???

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What to Anticipate for 2016 Session (January)

1. Water and Springs/Septic Tank Policy
2. Regulatory “Reform”
3. Implementation of SB 536 (2014) Study Recommendations
4. Fertilizer
5. 10/2
6. SWU Fee Ratification



Waters of the United States (“WOTUS”) Regulations

- Proposed Regulations of EPA and Army Corps
- Significant revisions to definitions of WOTUS
- Expect release of modified Final Rule in June
- See <http://www.florida-stormwater.org/regulatory>

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Questions?

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