

**Clean Waterways Act Requirements for Wastewater and Onsite Sewage Treatment and Disposal
Systems (OSTDS) Plans in Nutrient Basin Management Action Plans (BMAPs)
Webinar Summary**

*Thursday, March 31, 2022
10:00 AM – 10:37 AM*

Participants

Eiman Abbas, City of Alachua	Louise Chang, DEP
Ginger Adair, Volusia County	Eric Charest, Indian River County
Silvia Alderman, Akerman	Carolin Ciarlariello, DEP
Mike Alfieri, WSA	Sarah Clark, SWFWMD
Suzanne Archer, SJRWMD	Kathleen Coates, NFWMD
Katie Ates, DEP	Doneda Cole, Putnam County
Martha Avila, DEP	Mike Collazo, Florida Senate
Christian Avila, SFWMD	Kamri Colvin-Reece, DEP
Steven Baker, Space Force	Nick Cooper, City of Casselberry
Ilia Balcom, Duke Energy	Kevin Coyne, DEP
Lisa Bally, E Sciences	Kyle Croce, Town of Orange Park
Virginia Barker, Brevard County	Lindsay Cross, Florida Conservation Voters
Jossie Barroso, FSU	Tyler DaSilva, FDACS
Thomas Bayer, SLWSD	Sara Davis, DEP
Matthew Bearden, DEP	Stacey Day, Pinellas County
Doug Beason, DEP	Patrick Dayan, St. Lucie County
Sue Beaudet, Town of Bronson	Jocelyn De Lestang, Marion County
Connie Becker, DEP	Tim Denison, Johnson Engineering
Anthony Betts, SFWMD	Andrea Ditto, GRU
Adam Blalock, DEP	Mark Dixon, Space Force
Marcelo Blanco, DEP	Dean Dobberfuhl, SJRWMD
Julie Bortles, Orange County	Greg Dobbins, City of Eustis
Terri Breeden, Brevard County	Scott Dombrosky, Air Force
Kayla Brunson, DEP	Cody Douglas, City of Lake Butler
John Burnett, Hernando County	Jessica Douglas, DEP
Tiffany Busby, Wildwood Consulting	Kim Duffek, DEP
Andy Canion, SJRWMD	Rebecca Elliott, FDACS
Steve Canton, GEI	Katherine English, Pavese Law
Tom Carey, Volusia County	Kristine Eskelin, SRWMD
Jennifer Carpenter, DEP	Chris Farrell, Audubon
Patrick Carpenter, Indian River County	Eka Febrina, Seminole County
Terry Carr, City of Jacksonville	Jessica Fetgatter, DEP
Erin Carroll, Florida Senate	Phil Flood, SFWMD
Andrew Carswell, Levy County	Emily Floore, St. Marys Riverkeeper
John Cassani, Calusa Waterkeeper	Paul Flores, Lee County
Morgan Cates, Town of Howey-In-The-Hills	Jake Fojtik, FFBF
Stacy Cecil, DEP	Marcy Frick, Tetra Tech
Danessa Chambers, City of Vero Beach	Aubrey Frye, SFWMD
Bilynda Chandler, Polk County	Xueqing Gao, DEP

Frank Gargano, SWFWMD
John Garrison, FDACS
Tina Gordon, Wildwood Consulting
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Alexa Graf, ETM
Terry Grandchamps, Lee County
Paul Gray, Audubon
Roxanne Groover, FOWA
Anthony Gubler, Brevard County
Christopher Guth, Federico & Associates
Mary Hamilton, Lake County
Samuel Hankinson, DEP
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Madeline Hart, FDACS
Janet Hearn, ATM
Rob Heaviside, Public
Stacey Hectus, Levy County
Willie Henderson, City of Lake Butler
Ricky Hendrix, North FL Professional Services
Jorge Hernandez, Hendry County
Melissa Hill, National Wildlife Federation
Robert Himschoot, Crews Environmental
Alicia Hogue, DEP
Moirra Homann, DEP
David Jones, Orange County
William Karlavige, City of Jacksonville
Beau Keene, Crystal River
Steven Kelly, FDOT
Anna Kemp, DEP
Danette Kinaszczuk, Collier County
Richard Kirby, Hernando County
Natalie Knowles, Wakulla County
Maryann Krisovitch, Surface Water Pros
James Lappert, St. Lucie County
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Lisa Lotti, City of Orlando
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Nicholas Mcray, Lake County
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Anita Nash, DEP
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Michael Rodriguez, Putnam County
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Maria Romero, Lee County
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Jens Sapin, Navy
Jerrick Saquibal, NFWMD
Mark Schroder, Citrus County
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Catherine Wolden, SWFWMD
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Charles Wu, Leon County
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DEP Staff Contacts/Organizational Chart

Tiffany Busby, Wildwood Consulting, welcomed everyone to the statewide informational webinar for the DEP Clean Waterways Act requirements for wastewater and OSTDS in nutrient BMAPs.

Kevin Coyne, DEP BMAP Program Administrator, stated this will be an informational kickoff meeting as a starting point for the work that will need to be completed over the next two years by *local governments*. The final approved and signed language in the Clean Waterways Act calls on local governments to complete this work, but DEP is here to assist and provide support. Kevin gave updates on changes to the BMAP program staff.

Kevin provided a few updates from the BMAP program including piloting a new online portal system for submitting project information for the Statewide Annual Report (STAR), starting to review and potentially update BMAPs, expanding the level of sampling in some of the springs BMAP areas, and

working with partner agencies to identify and implement projects in critical areas in need of restoration.

Moira Homann, DEP BMAP Environmental Administrator, went through several polling questions for the local governments using Mentimeter to obtain input on awareness of the Clean Waterways Act requirements and wastewater management within the jurisdiction.

Overview of Clean Waterways Act Requirements

Diana Turner, BMAP DEP Environmental Administrator, stated that the Clean Waterways Act was passed by the legislature in 2020. One of its purposes is to promote resilient wastewater infrastructure and utilities by incorporating wastewater and OSTDS plans into the BMAPs, which may also enable an increase in funding opportunities to complete projects in the plans.

The BMAP program completed two reports last year to address Clean Waterways Act requirements: (1) *BMAP Monitoring Report* that describes current monitoring, identifies monitoring gaps, proposes changes to fill those gaps, and estimates the costs of the improvements; and (2) *Wastewater Projects in BMAPs: Costs and Benefits Report* that explains the projects and management strategies in the BMAPs and detailed information about the wastewater projects. The program's major priority over the next few years will be incorporating the wastewater and OSTDS plans that the local governments will develop into the nutrient BMAPs. The due date for incorporating all the plans into the BMAPs is July 1, 2025.

Some local governments may have both wastewater facilities and septic systems within their jurisdiction, and some may have just one. If a local government within a nutrient BMAP does not think that they are required to develop these plans, they should let DEP know. Diana noted that these requirements do not apply to the bacteria BMAPs. She showed a map with all the nutrient BMAPs throughout the state.

Moira reviewed the elements expected to be included in the plans based on statute. Wastewater treatment plans are expected to include an inventory of wastewater treatment facilities with the jurisdiction of local governments, summary of each facility's current status, summary of the capacity analysis for each facility, ranking or list of facility upgrades needed to meet requirements, timelines/milestones for all projects, and funding estimates for all projects.

OSTDS remediation plans are expected to include an inventory of OSTDS within the jurisdiction of local governments, as well as a plan to address OSTDS in the future including areas for sewerage and/or enhancements and prioritization of those areas, summary of capacity analysis for wastewater treatment facilities that would accept newly sewerage areas, timelines/milestones for projects, funding estimates for all projects, and future growth considerations.

DEP will be developing guidance to help with gathering this information in time to incorporate the plans into the BMAPs by July 1, 2025. This webinar is the first of many conversations about how DEP and local governments will partner to meet the requirements and incorporate the plans into the BMAPs. DEP is aware that the local governments may have recently been tasked with compiling very similar information to meet requirements under other recent legislation, or as a result of recent permit renewals. Therefore, DEP wants to work with the local governments to find the most efficient way to provide the information needed for Clean Waterways Act requirements for the BMAPs.

Moira went through Mentimeter questions to gauge how many local governments have an existing plan and/or information available to meet the plan requirements under the Clean Waterways Act.

Overview of Approach

Moira stated that this is a big effort and will involve 27 nutrient BMAPs so work needs to start soon. DEP will work with local governments in the nutrient BMAP basins to compile the necessary information. DEP is reviewing the best method to adopt these required plans into BMAPs, which will most likely be as a reference or link to the full reports. DEP is also developing a checklist to identify the information needed and provide initial answers to the legislative information requests. In addition, DEP will develop a website with guidance document and resources to help with this effort.

Targeted Timeline

Moira stated that these plans must be incorporated into the BMAPs by July 1, 2025. DEP did not make this requirement and the timeline was set through statute. DEP will be reaching out to stakeholders throughout the year to work on information. DEP is considering starting with some of the springs BMAPs where remediation plans are already under development.

Questions/Comments

If there are additional questions or comments specific to this process, please send an email to BMAPPprogram@FloridaDEP.gov with the subject line: Wastewater/OSTDS Requirements.

Q: Is this the same information that the Office of Economic and Demographic Research (EDR) is collecting for the Wastewater 20 Year Needs Analysis?

A: Some of the information that EDR is collecting may be similar to the Clean Waterways Act required information. DEP encourages local governments to pull information from existing reports and permit applications to prepare these plans.

Q: Does the Senate Bill (SB) 712 language specify that the report wastewater treatment plant (WWTP) loads include only surface water discharges, or would it include all loads reported in discharge monitoring reports (DMRs) (i.e., including biosolids)?

A: The Clean Waterways Act language requires that a wastewater treatment plan be developed to meet total maximum daily load and BMAP load requirements. Biosolids are not specifically addressed in the wastewater treatment plan language but are discussed in a different section of the act.

Q: When is the first 'action item' due to DEP?

A: DEP will be developing timelines for each nutrient BMAP and will be coordinating with local governments on the due dates for remediation plan information.

Q: Are we going to have workgroups for the OSTDS remediation plans like before?

A: Workgroups will not be assembled for this effort.

Q: Does the state have an inventory of lots that are pre-platted and entitled for development using OSTDS?

A: The state has limited information on these types of data and would rely on local governments for this information.