

SEPTIC TANK REDUCTIONS AND LAKE JESUP BMAP ALLOCATIONS

PREPARED FOR THE LAKE JESUP BMAP TECHNICAL MEETING
JUNE 18, 2009

During the recent Florida Legislative session, language was adopted in the 2009 implementing bill that limits the State's ability to require that reductions from septic systems be addressed. The 2009 implementing bill language reads as follows:

Chapter 2009-82, Laws of Florida

Section 37. (1) In order to implement proviso following Specific Appropriation 471 of the 2009-2010 General Appropriations Act, and for the 2009-2010 fiscal year only, notwithstanding any law to the contrary, a state agency may not adopt or implement a rule or policy that:

- (a) Mandates or establishes new nitrogen-reduction limits that apply to existing or new onsite sewage treatment systems;*
 - (b) Has the effect of requiring the use of performance based treatment systems; or*
 - (c) Increases the cost of treatment for nitrogen reduction from onsite systems, before the study and report required in proviso following Specific Appropriation 471 is completed.*
- (2) This section is repealed July 1, 2010.*

Below are the key BMAP allocation factors relative to this language:

- The BMAP restoration target is a total phosphorus load reduction of 8.9MT. This is based on the difference between current water quality and phosphorus loads that will allow Lake Jesup to meet water quality standards (see TMDL Tables 5.13b & 5.17b). The above language does not affect this target. Allocations will be based on best available information regarding nonpoint source contributions by entity. This includes estimates of stormwater and onsite wastewater loading as appropriate for each entity. This approach is the most accurate and equitable for all parties. This is consistent with most recent calculations discussed at the Lake Jesup BMAP technical meetings.
- Each allocation entity will have an allocation and an associated required reduction identified in the BMAP. Allocation will be expressed as one value, a sum of the nonpoint source loading applicable to the specific entity. This is different than the most recent discussions at the Lake Jesup BMAP technical meetings but does not change any entity's overall allocation nor required reduction.
- Onsite wastewater projects (e.g. sewerage) are eligible for load reduction credits but are not enforceable by FDEP.
- Allocation entities remain responsible for achieving their overall load reduction in the 5-year increments as identified in the BMAP. If an onsite wastewater project for which an entity received credit in the BMAP does not occur within the first 5-year BMAP implementation cycle, the entity will be required to submit new projects that achieve an equivalent load reduction.

This is provided at today's meeting as an informational update only. During their next meeting (July 2, 2009; FAW Notice ID 7277151), the Lake Jesup Basin Working Group will be asked to make a formal recommendation to the Department regarding the allocation scenario to be included in the BMAP.