



**RULEMAKING OVERSIGHT
&
REPEAL
SUBCOMMITTEE
MEETING**

**Monday, April 1, 2013
4:00 p.m. – 6:00 p.m.**

306 House Office Building

ACTION PACKET

Will Weatherford
Speaker

John Tobia
Chair

COMMITTEE MEETING REPORT
Rulemaking Oversight & Repeal Subcommittee
4/1/2013 4:00:00PM

Location: 306 HOB

Summary:

Rulemaking Oversight & Repeal Subcommittee

Monday April 01, 2013 04:00 pm

HB 7113 Favorable Yeas: 11 Nays: 0

HB 7115 Favorable With Committee Substitute Yeas: 11 Nays: 0

PCB RORS 13-02 Favorable Yeas: 11 Nays: 0

Committee meeting was reported out: Monday, April 01, 2013 5:59:51PM

COMMITTEE MEETING REPORT
Rulemaking Oversight & Repeal Subcommittee
4/1/2013 4:00:00PM

Location: 306 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
John Tobia (Chair)			X
Bruce Antone			X
Matt Gaetz	X		
Travis Hutson	X		
Dave Kerner	X		
MaryLynn Magar	X		
Jeanette Nuñez	X		
Lake Ray	X		
David Richardson	X		
David Santiago	X		
W. Gregory Steube	X		
Victor Torres, Jr.	X		
Barbara Watson	X		
Totals:	11	0	2

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COMMITTEE MEETING REPORT
Rulemaking Oversight & Repeal Subcommittee
4/1/2013 4:00:00PM

Location: 306 HOB

HB 7113 : Total Maximum Daily Loads

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Bruce Antone			X		
Matt Gaetz	X				
Travis Hutson	X				
Dave Kerner	X				
MaryLynn Magar	X				
Jeanette Nuñez	X				
Lake Ray	X				
David Richardson	X				
David Santiago	X				
W. Gregory Steube	X				
Victor Torres, Jr.	X				
Barbara Watson	X				
John Tobia (Chair)			X		
Total Yeas: 11		Total Nays: 0			

Appearances:

Matthews, Ryan (Lobbyist) - Waive In Support
 Florida League of Cities
 PO Box 1757
 Tallahassee FL 32302
 Phone: 850)222-9684

Cullen, David (Lobbyist) - Waive In Support
 SIERRA CLUB FLORIDA
 1674 University Pky #296
 Sarasota FL 34243
 Phone: (941)323-2404

Schuessler, Pierce, Legislative Affairs Director (Lobbyist) (State Employee) - Waive In Support
 Department of State
 3900 Commonwealth Blvd
 Tallahassee Florida
 Phone: 245-2140

Mann, Doug (Lobbyist) - Waive In Support
 AIF
 310 West College Ave
 Tallahassee FL 32302
 Phone: (850) 222-7535

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COMMITTEE MEETING REPORT
Rulemaking Oversight & Repeal Subcommittee
4/1/2013 4:00:00PM

Location: 306 HOB

HB 7115 : Numeric Nutrient Criteria

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Bruce Antone			X		
Matt Gaetz	X				
Travis Hutson	X				
Dave Kerner	X				
MaryLynn Magar	X				
Jeanette Nuñez	X				
Lake Ray	X				
David Richardson	X				
David Santiago	X				
W. Gregory Steube	X				
Victor Torres, Jr.	X				
Barbara Watson	X				
John Tobia (Chair)			X		
Total Yeas: 11		Total Nays: 0			

Appearances:

Bartlett, Drew (State Employee) - Information Only
 Environmental Assessment
 3900 Commonwealth Dr.
 Tallahassee FL 32399
 Phone: 850-245-2140

Cullen, David (Lobbyist) - Opponent
 Sierra Club Florida
 1674 University Pky #296
 Sarasota FL 34243
 Phone: (941)323-2404

Childs, David (Lobbyist) - Waive In Support
 Florida Chamber of Commerce
 119 S. Monroe Street
 Tallahassee FL 32301
 Phone: 850)222-7500

Goss, Suzanne (Lobbyist) - Waive In Support
 JEA
 21 W Church St
 Jacksonville FL 32202
 Phone: (904)665-8331

Spratt, Jim (Lobbyist) - Waive In Support
 Florida Nursery, Growers
 Tallahassee FL 32301
 Phone: 407-383-7204

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COMMITTEE MEETING REPORT
Rulemaking Oversight & Repeal Subcommittee

4/1/2013 4:00:00PM

Location: 306 HOB

HB 7115 : Numeric Nutrient Criteria (continued)

Appearances: (continued)

Matthews, Ryan (Lobbyist) - Waive In Support

Florida League of Cities

PO Box 1757

Tallahassee FL 32302

Phone: 850)222-9684

Mann, Doug (Lobbyist) - Waive In Support

AIF

310 West College Ave

Tallahassee FL 32302

Phone: (850) 222-7535

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Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing bill: Rulemaking Oversight &
 2 Repeal Subcommittee
 3 Representative Ray offered the following:

Amendment

Remove lines 80-83 and insert:

7 Florida Administrative Code, shall stand repealed. Thereafter,
 8 upon certification by the Secretary of the Department of
 9 Environmental Protection filed with the Department of State,
 10 the rule shall be deleted from the Florida Administrative Code.

Florida Department of Environmental Protection



Water Quality

Rulemaking Oversight & Repeal Subcommittee

Representative Tobia, Chair

Representative Nuñez, Vice Chair

April 1, 2013

Drew Bartlett, Director

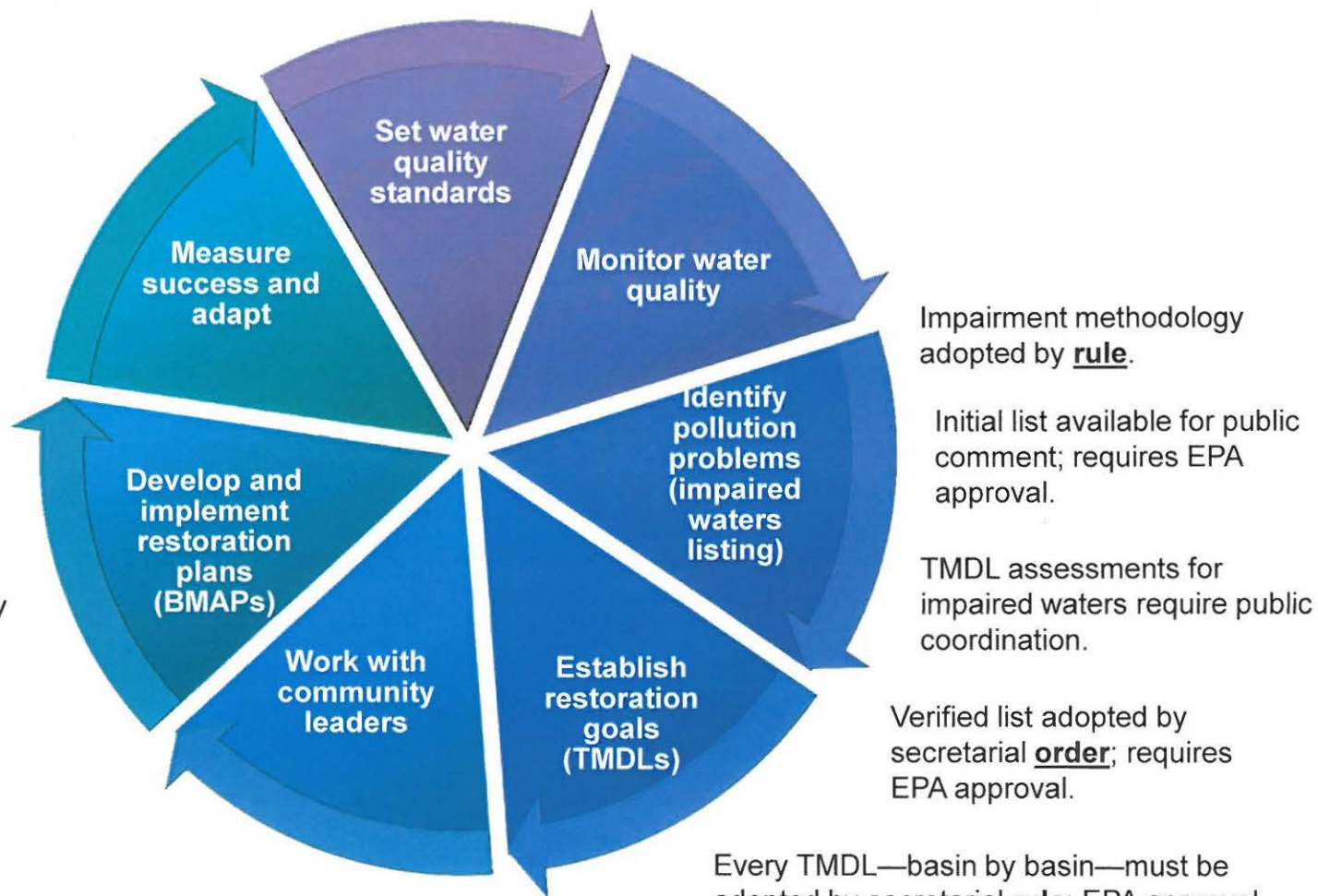
Division of Environmental Assessment & Restoration





TMDL Ratification - Context

Water quality standards are adopted by ERC **rule** and require EPA approval.



Every BMAP—basin by basin—must be adopted by secretarial **order**.

Every TMDL—basin by basin—must be adopted by secretarial **rule**; EPA approval.



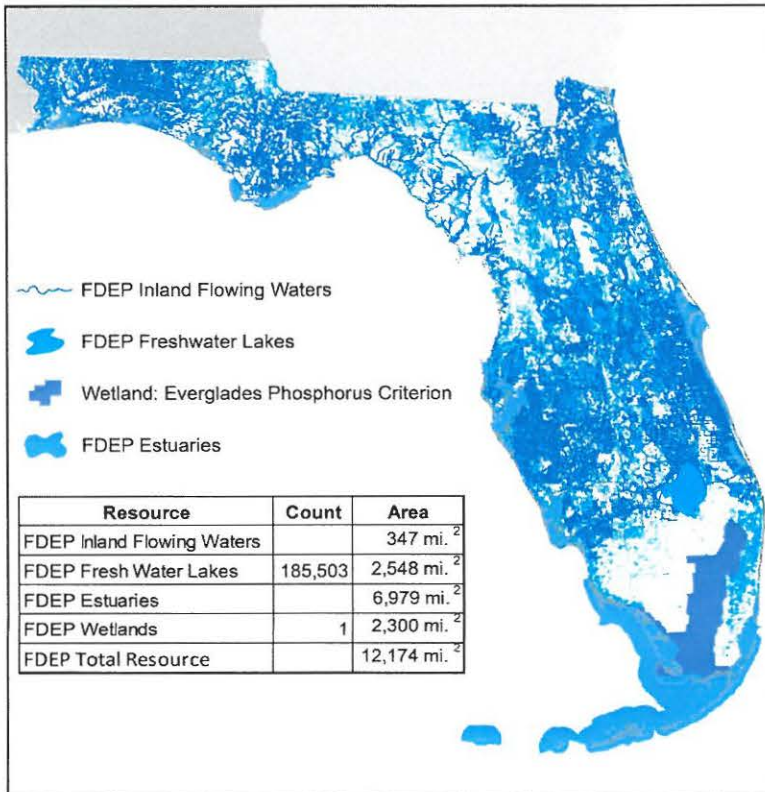
Numeric Nutrient Criteria Timeline

<u>1998</u>	<i>EPA National Strategy for Development of Regional Nutrient Criteria</i>
<u>2003</u>	Florida convenes NNC Technical Advisory Committee
<u>2004 – 2009</u>	DEP gathers data, develops biological tools and derives NNC approaches
<u>2009</u>	EPA settles federal lawsuit and enters consent decree
<u>2011</u>	ERC approves DEP rules for rivers, streams, lakes, springs and South Florida estuaries
<u>2012</u>	EPA approves DEP rules and proposes more federal rules
<u>March 2013</u>	DEP and EPA enter Agreement in Principle and Path Forward
<u>Sept. 2013</u>	EPA deadline



Numeric Nutrient Criteria in Florida I

State-adopted criteria – Rivers, streams, lakes, and springs, and estuaries from Clearwater Harbor to Biscayne Bay.



FLORIDA'S NUMERIC NUTRIENT CRITERIA COVERAGE
February 2013

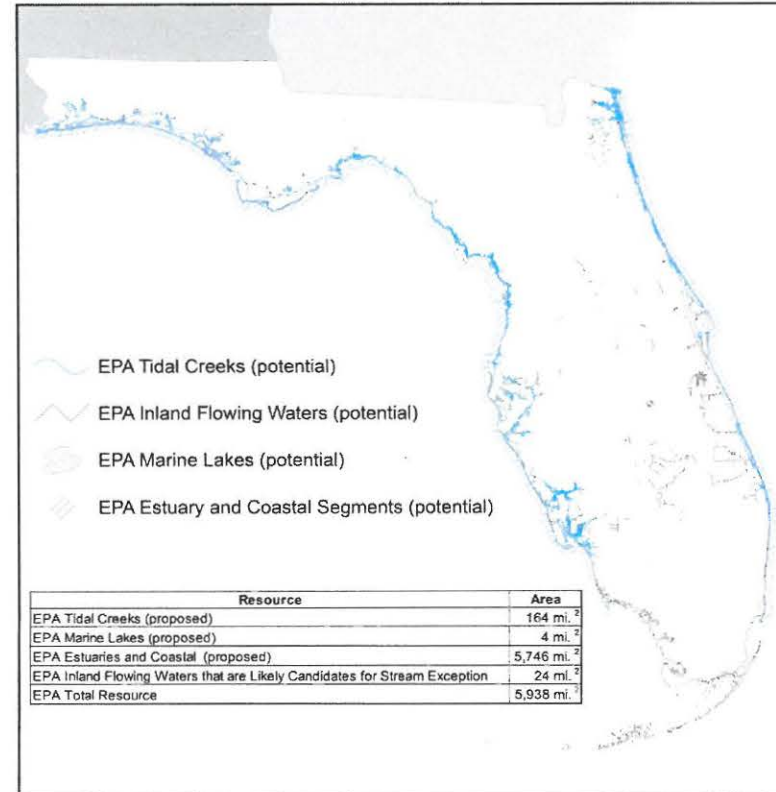
Map prepared 02/19/13 FDEP Division of Environmental Assessment and Restoration. Not for analysis - for display only.
Contact: K. Jackson (813) 245-8547 or J. Beebe (850) 245-8531 for additional information.



0 12.525 50 75 100 Miles



EPA proposed criteria – Additional coverage that Florida would achieve upon adoption of state criteria for remaining estuaries and coastal waters.



PROPOSED EPA NUMERIC NUTRIENT CRITERIA COVERAGE
February 2013

Map prepared 02/20/13 FDEP Division of Environmental Assessment and Restoration. Not for analysis - for display only.
Contact: K. Jackson (813) 245-8547 or J. Beebe (850) 245-8531 for additional information.



0 12.525 50 75 100 Miles

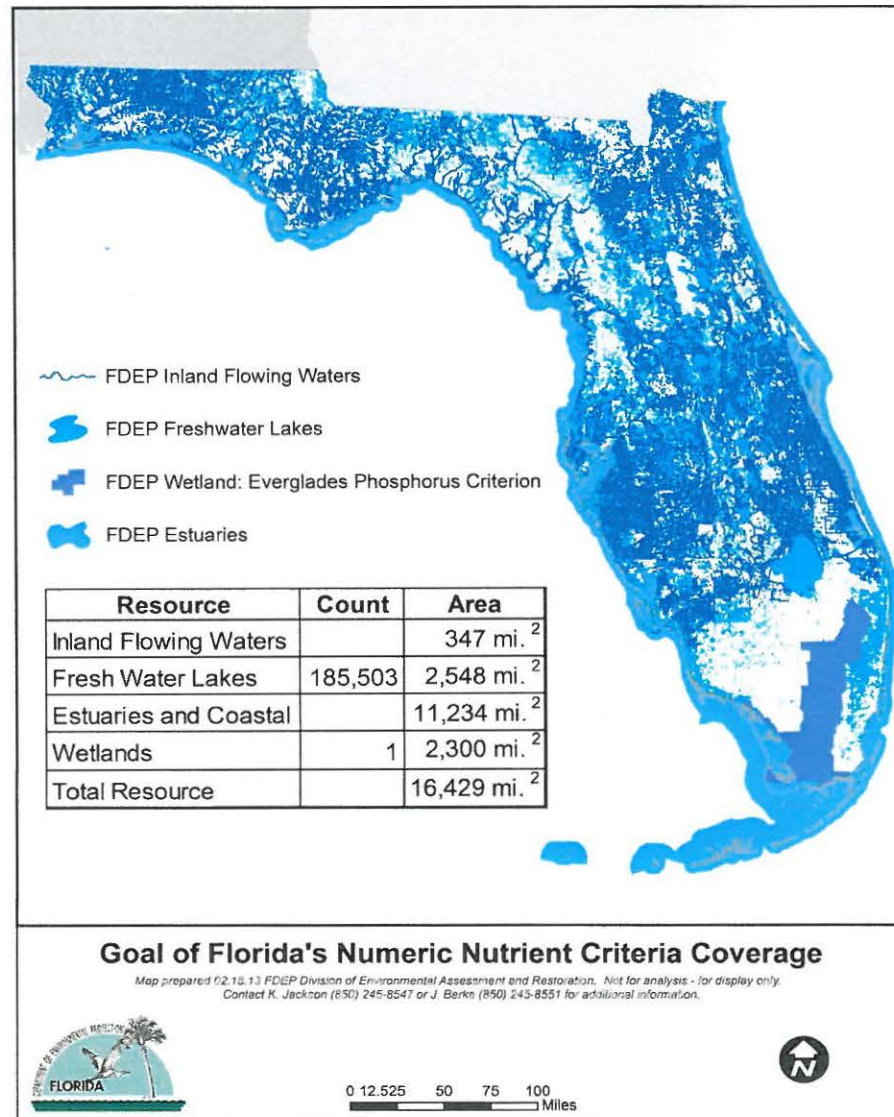




Numeric Nutrient Criteria in Florida II

Comprehensive State-Adopted NNC

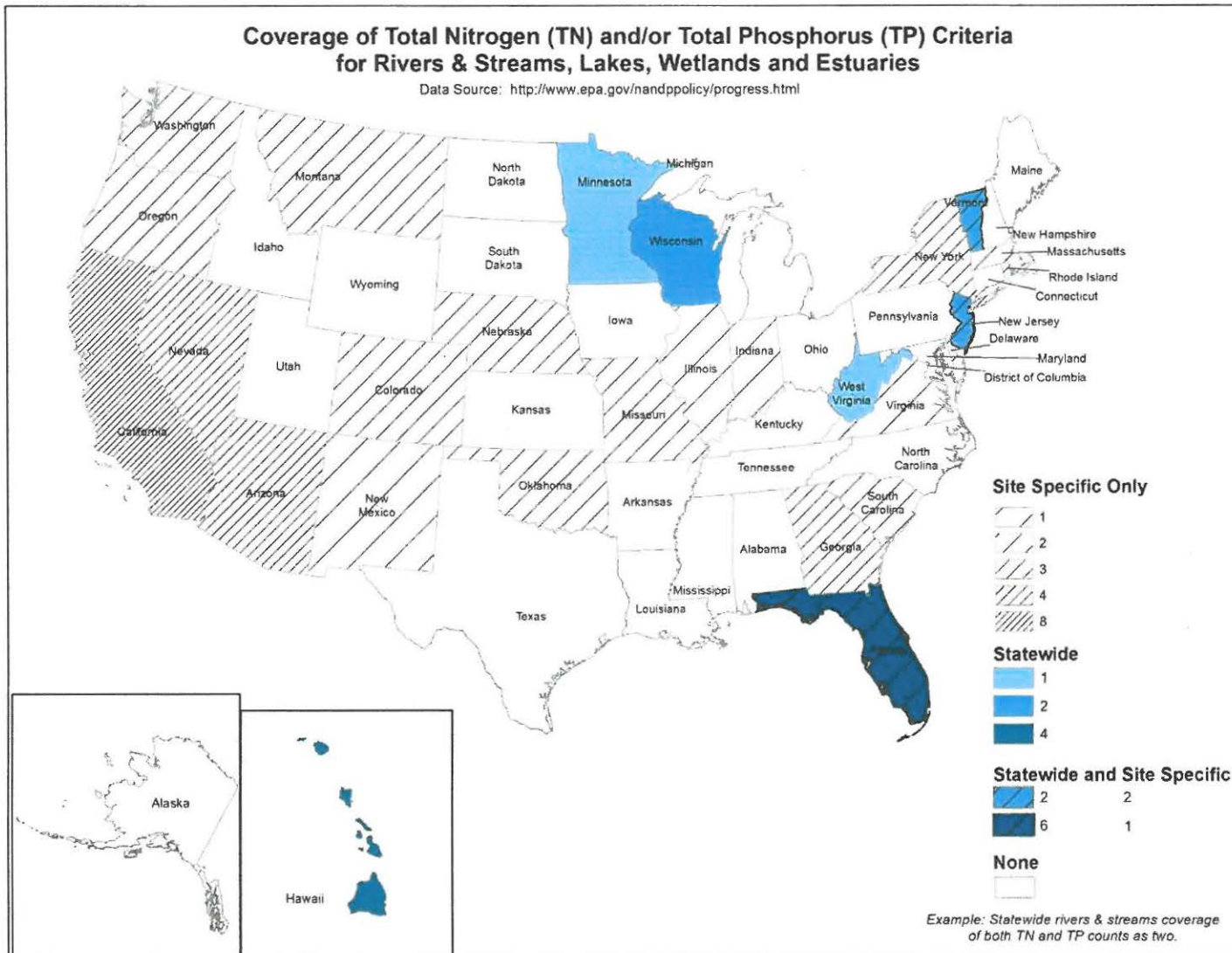
Upon fulfillment of the Agreement in Principle and Path Forward, Florida will have state-established numeric nutrient criteria for all lakes, springs, estuaries and coastal waters, and the vast majority of flowing waters





Numeric Nutrient Criteria Nationally

– After Execution of Agreement





Contact

Drew Bartlett, Director

Division of Environmental Assessment & Restoration

Drew.Bartlett@dep.state.fl.us

850.245.8446

COMMITTEE MEETING REPORT
Rulemaking Oversight & Repeal Subcommittee

4/1/2013 4:00:00PM

Location: 306 HOB

PCB RORS 13-02 : Ratification of Rules

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Bruce Antone			X		
Matt Gaetz	X				
Travis Hutson	X				
Dave Kerner	X				
MaryLynn Magar	X				
Jeanette Nuñez	X				
Lake Ray	X				
David Richardson	X				
David Santiago	X				
W. Gregory Steube	X				
Victor Torres, Jr.	X				
Barbara Watson	X				
John Tobia (Chair)			X		
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