

The banner features a blue background with a faint image of a building. On the left, the year '2021' is written in large, bold, yellow font. To its right, the text 'FLORIDA LEAGUE OF CITIES' is in a smaller, white, sans-serif font. Below that, 'LEGISLATIVE ISSUE BACKGROUND' is written in a larger, bold, white, sans-serif font. On the right side of the banner, there is a stylized yellow sun with a large circle and several smaller triangles around it.

2021

FLORIDA LEAGUE OF CITIES
**LEGISLATIVE ISSUE
BACKGROUND**

Discharges to Surface Waters

Priority Statement:

The Florida League of Cities SUPPORTS legislation that establishes reasonable time frames for utilities to eliminate, to the extent possible in compliance with regulatory requirements and with specified exceptions, discharges to surface waters unless a utility demonstrates it is not environmentally, technically or economically feasible.

Background:

- Bills in the 2020 Session would have prohibited utilities from discharging effluent, reclaimed water or reuse water to surface waters beginning January 2026.
- The bills exempted the following “beneficial” discharges and certain fiscally constrained local governments:
 - Indirect potable reuse projects.
 - Domestic wastewater treatment facility discharges during wet weather that occur in accordance with the applicable department permit.
 - Discharges into a stormwater management system that are subsequently withdrawn by a user for irrigation purposes.
 - Domestic wastewater treatment facilities located in fiscally constrained counties.
 - Projects in which reclaimed water is recovered from an aquifer recharge system and subsequently discharged into a surface water for potable reuse.
 - Wetlands creation, restoration and enhancement projects.
 - Minimum flows and levels recovery or prevention strategy plan projects.
 - Domestic wastewater treatment facilities with reuse systems that provide a minimum of 90% of a facility’s annual average flow for authorized reuse purposes.
 - Domestic wastewater treatment facilities located in municipalities that have less than \$10 million in total revenue.
 - Domestic wastewater treatment facilities located in municipalities that are entirely within a rural area of opportunity.
- Utilities that have invested in advanced wastewater treatment or that are subject to “ocean outfall” statutory requirements were not exempted from the discharge prohibition.
- The cost to utilities to comply is estimated at \$28 billion. A later version of the bill softened this impact in some respects by allowing utilities to develop plans to

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implement the mandate over a period of time, with exemptions if a utility could demonstrate that available alternatives were not environmentally, economically or technically feasible.

- State funding assistance will be essential to meeting the costs of this unfunded mandate.
- The bills did not pass in 2020, but this issue will return for the 2021 Legislative Session.

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