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TIPS AND TRENDS #2022-0001

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Inspector General
Accredited

Governmental Entities providing Wastewater and/or Stormwater Services: Prepare for New Florida Statute Reporting Required in 2022

The Florida Air and Water Pollution Control Act, section 403.021, Florida Statutes (F.S.) states that:

The pollution of the air and waters of this state constitutes a menace to public health and welfare; creates public nuisances; is harmful to wildlife and fish and other aquatic life; and impairs domestic, agricultural, industrial, recreational, and other beneficial uses of air and water.

Chapter 2016-1, Laws of Florida, effective July 1, 2016, created section 403.928, F.S., directing the Office of Economic and Demographic Research (OEDR) to conduct an annual assessment of Florida's water resources and conservation lands. The OEDR was directed to submit the annual assessment to the President of the Senate and the Speaker of the House of Representatives by January 1 each year, commencing January 1, 2017.



On June 29, 2021, the Governor signed House Bill 53, "Public Works," into law (Chapter 2021-194, Laws of Florida), which became effective July 1, 2021. The law:

- Amended section 403.928, F.S., to add that beginning with the assessment due January 1, 2022, the OEDR annual assessment shall include an analysis of the expenditures necessary to repair, replace, and expand water-related infrastructure.
- Created section 403.9301, F.S., which requires that by June 30, 2022, and every five years thereafter, each county, municipality, or special district providing wastewater services must develop a needs analysis for its jurisdiction over the subsequent 20 years. Each municipality and special district providing wastewater services must submit its analysis to the county within which the largest portion of its service area is located. Each county shall compile all analyses submitted to it into a single document and submit it to the coordinator of the OEDR no later than July 31, 2022, and every 5 years



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thereafter. OEDR shall evaluate the compiled documents from the counties and develop a statewide analysis for the annual assessment due January 1, 2023 to the President of the Senate and the Speaker of the House of Representatives, and each January 1 thereafter.

- Created section 403.9302, F.S., which requires that by June 30, 2022, and every five years thereafter, each county, municipality, or special district providing a stormwater management program or stormwater management system shall develop a needs analysis for its jurisdiction over the subsequent 20 years.



Each municipality and special district providing a stormwater management program or stormwater management system must submit its analysis to the county within which the largest portion of its stormwater management program or stormwater management system is located. Each county shall compile all analyses submitted to it into a single document and include its own analysis in the document.

Each county shall compile all analyses submitted to it and file the compiled document with the Secretary of Environmental Protection and the coordinator of the OEDR no later than July 31, 2022, and every 5 years thereafter. OEDR shall evaluate the compiled documents from the counties and develop a statewide analysis for the annual assessment due January 1, 2023 to the President of the Senate and the Speaker of the House of Representatives, and each January 1 thereafter.

Suggestions

We recommend that each county, municipality, or special district providing wastewater services and stormwater management review the reporting requirements stated in section 403.9301, F.S., and section 403.9302, F.S., and establish procedures accordingly.

