Presented below are water quality standards that are in effect for Clean Water Act purposes.

EPA is posting these standards as a convenience to users and has made a reasonable effort to assure their accuracy. Additionally, EPA has made a reasonable effort to identify parts of the standards that are not approved, disapproved, or are otherwise not in effect for Clean Water Act purposes.

62-611.450 Discharge Limits from Treatment and Receiving Wetlands.

(1) The discharge from a treatment or receiving wetland shall not have an average annual total nitrogen concentration greater than 3 mg/l (as N) of which no more than 0.02 mg/l (as N) may be as un-ionized ammonia, or an average annual total phosphorus concentration greater than 0.2 mg/l (as P), unless Water Quality Based Effluent Limitations (WQBEL) pursuant to Rule 62-600.430, F.A.C., have been established. In those waters where phosphorus has been shown not to be a limiting nutrient or a contaminant, the Department shall waive or alter the compliance levels for phosphorus until there is a demonstration that phosphorus is a limiting nutrient or contaminant. In those waters where phosphorus has been shown to be a limiting nutrient or a contaminant, the Department shall require plans for future additional phosphorus removal capability to be included in the approved design of the treatment facility. In order to determine if phosphorus is a limiting nutrient or contaminant in a water body, the Department shall consider the following water quality data from the receiving water body:

(a) Monthly analysis for total kjeldahl nitrogen, ammonia nitrogen, nitrite plus nitrate nitrogen, ortho phosphorus, total phosphorus, temperature, conductivity, and pH; and

(b) Quarterly algal assays; and

(c) Other data specific to the receiving water body.

This data shall be no more than 5 years old.

(2) Pursuant to subsection 62-4.070(1) and 62-3.011(5), F.A.C., the applicant shall provide the Department with reasonable assurance that the discharge from a treatment or receiving wetland shall not cause or contribute to:

(a) Violations of water quality criteria contained in Chapter 17-3, F.A.C., in contiguous waters;

(b) Violations of water quality criteria contained in Chapter 17-3, F.A.C., in downstream waters, including a lake, estuary, lagoon, Outstanding Florida Water, or designated area of critical state concern;

(c) Violations of the nitrogen and phosphorus limits specified in Rule 62-611.430, F.A.C. These limits shall be used as guidance when determining whether reasonable assurance has been provided that Department standards will be met. However, the Department may set more stringent limits if necessary to assure compliance with these standards.

(3) If the maximum allowable concentration(s) of total nitrogen, un-ionized ammonia, or total phosphorus are exceeded in the discharge from the treatment or receiving wetland, the Department shall require the permittee to reduce the areal loading of total nitrogen, total ammonia, or total phosphorus to the treatment or receiving wetland, in accordance with an alternative approved by the Department. An alternative or alternatives for the reduction of the areal loadings of total nitrogen, total ammonia and total phosphorus to the treatment or receiving wetland shall be proposed in the application to construct a domestic wastewater treatment and disposal system and approved by the Department prior to the issuance of the permit.

Specific Authority 403.061, 403.918, FS.
Law Implemented 403.051, 403.061, 403.085, 403.086, 403.087, 403.088, 403.918, FS.
History -- New 11-27-89, Formerly 17-611.450.

62-611.500 Standards within Treatment and Receiving Wetlands.

(1) The following water quality standards of Chapter 17-3, F.A.C., shall not apply in the treatment or receiving wetland: Sections 17-3.061(3)(g), 17-3.061(3)(j), 17-3.061(3)(p), 17-3.061(3)(r), the total coliform bacteria standard in subsection 17-3.121(5), 17-3.121(7), 17-3.121(13), 17-3.121(28), and 17-3.131(6). However, Outstanding Florida Water ambient water quality may not be lowered, as required in Section 62-4.242(1), F.A.C.

(2) Levels of dissolved oxygen including daily and seasonal fluctuations shall be maintained to prevent violations of the biological quality standards contained in Rule 62-611.500, F.A.C.

(3) Wetland Biological Quality:

(a) The flora and fauna of the wetland shall not be changed to the extent that the ability of the wetland to function in the propagation and maintenance of healthy, well-balanced populations of fish and wildlife is impaired.

(b) Benthic Macroinvertebrates

1. The Shannon-Weaver diversity of benthic macroinvertebrates shall not be reduced to less than 50% of background levels as measured using organisms retained by a U.S. Standard No. 30 sieve and collected and composited from either Hester-Dendy type artificial substrate samplers of 0.10 to 0.15 square meters each, incubated for a period of four weeks; or measured using organisms retained by a U.S. Standard No. 30 sieve and collected and composited from natural substrate samplers, such as benthic grabs or coring devices. If grabs or cores are to be taken, ponar-type samplers with minimum sampling areas of 225 square centimeters or coring devices with minimum sampling areas of 45 square centimeters shall be used.

Any of these types of samplers can be used at each sampling station, but once a type of sampler is used at a station it must always be used at that station. The minimum number of samples necessary at a given station shall be that number needed to be 90% certain of being within 15% of the mean diversity of the population.

2. Once a determination of the needed number of samples is made for a station, that number of samples shall continue to be used at the station.

3. The Shannon-Weaver diversity index shall be as defined in Chapter 62-3, F.A.C.

(c) Fish

In a wetland with fish populations, an analysis of covariance shall be conducted annually, by species, using water depth as a covariant and biomass as a dependent variable. Where significant (0.15) changes from baseline data in biomass occur the permittee shall determine the cause of this change. Where significant changes occur that cannot be statistically attributed to factors other than the discharge, it shall constitute a violation of this section if the biomass of sport and commercial or of forage fish decreases by at least 10%. Where significant changes occur that cannot be statistically attributed to factors other than the discharge, it shall also constitute a violation of this section if the biomass of rough fish increases by at least 25% unless the ratio of sport and commercial fish to rough fish is maintained. All data shall be collected at times when standing water is present in the wetland. If sampling at any station yields no fish for four consecutive quarters when water is present, the fish sampling at that station can be eliminated. Standarized samples shall be collected using an electroshocking device along a series of evenly spaced transects in the wetland, or using a Wegener Ring, with a minimum sampling area of 0.8 m^2, thrown at 30 meter intervals along a series of evenly spaced transects in the wetland; or any other similar method approved by the Florida Game and Fresh Water Fish Commission and the Department. Any fish kills observed during any monitoring shall be reported to the Department immediately.

(d) Vegetation

1. The importance value of each plant species occupying the canopy and subcanopy strata, as defined in Section 17-3.022(1), F.A.C., shall be determined at each station and averaged over the entire wetland. The importance value of

any of the most common species in the canopy and subcanopy at any station shall not be reduced by more than 50% excluding the following species: (1) Casuarina spp. (Australian pine), (2) Melaleuca quinquenervia (punk tree), (3) Sapium sebiferum (popcorn tree), and (4) Schinus terebinthifolius (Brazilian pepper). In addition, the average importance value for all stations of any of the most common plant species occupying the canopy or subcanopy stratum, excluding those species listed in this paragraph, shall not be reduced by more than 25%. The most common plant species shall be defined as those species present during the baseline monitoring program within the canopy and subcanopy that have a relative importance value of at least 15%.

2. The minimum number of quadrats shall be that number needed to provide 90% certainty of being within 15% of the mean number of species of the population. Once the minimum number of quadrats is determined, the quadrats shall be permanently located for continued use at the station. The minimum quadrat size shall be 100 m^2 for canopy vegetation and 50 m^2 for subcanopy vegetation.

3. Reductions in the importance value or average importance value of a plant species resulting from management operations authorized by the Department or events such as fire or a hurricane shall not constitute a violation.

(4) Substances in concentrations which are chronically toxic to humans, animals, or plants, or provide adverse physiological or behavioral response in humans or animals, shall not be present.

(5) The standards set forth in the following rule shall not apply in a hydrologically altered wetland: Rule 62-611.500(2) and (3)(b) through (d), F.A.C. A hydrologically altered wetland shall be monitored as specified in Rule 62-611.700, F.A.C., in accordance with methodologies approved by the Department. The applicant must demonstrate that the discharge of reclaimed water to the hydrologically altered wetland will maintain or increase the dominance of plant species listed in Rule 17-3.022, F.A.C., and the wetland biological quality. Whether the discharge will maintain or increase the wetland biological quality will be evaluated in accordance with monitoring requirements set forth in Rule 62-611.500(1)(3), F.A.C.

Specific Authority 403.061, 403.918, FS.
Law Implemented 403.051, 403.061, 403.085, 403.086, 403.087, 403.088, 403.918, FS.
History -- New 11-27-89, Formerly 17-611.500.

62-611.600 Permitting Requirements.

(1) Any person who intends to discharge reclaimed water to wetlands shall file an application to construct a domestic wastewater treatment and disposal system(s), or file a petition for an exemption pursuant to Rule 62-600.120, F.A.C., with a permit application. Such an application shall be filed using form 62-620.910(16), F.A.C. The applicant must receive such a permit before construction of the wastewater facilities, or for existing wastewater facilities

before construction of the modifications for discharge to wetlands. Management practices proposed by the applicant for the treatment or receiving wetland shall be included in the permit application and must be approved by the Department before implementation. In addition to meeting the requirements of this section, the aplicant shall comply with all other applicable rules of the Department.

(2) Any person who has a Department permit to discharge to wetlands pursuant to Rule 62-600.120, F.A.C., shall not be regulated pursuant to Rule 62-611, F.A.C., unless the wastewater treatment plant is modified or expanded, or the point of discharge is relocated. After the initial period of operation under a permit and exemption issued pursuant to Rule 62-600.120, F.A.C, the permittee may obtain an operation permit upon demonstration that all permit and exemption conditions and the provisions of Rule 62-600.120, F.A.C., are being met and the discharge does not cause or contribute to violations of water quality standards contained in Chapter 17-3, F.A.C., in contiguous and downstream waters.

(3) All other dischargers of reclaimed water to wetlands within the Department's jurisdiction, permitted prior to May 1, 1986, if complying with the conditions of the permit, shall comply with the provisions of this section or comply with all applicable water quality standards, by May 1, 1991. The Department may consider modifications from baseline and operational monitoring requirements for these dischargers.

(4) The applicant shall obtain sufficient legal interest in the treatment or receiving wetland to provide reasonable assurance that the treatment or receiving capability will not be adversely affected. Documentation of this legal interest shall be submitted to the Department with the application to construct a domestic wastewater treatment and disposal system.

(5) The Department shall consider the adverse effects of dredging or filling on the treatment or receiving wetland. Minor dredging and filling which is associated with the construction of the discharge pipe(s) or spreader system or which is necessary for the installation of platforms or gauges for monitoring shall be reviewed as part of the application to construct a domestic wastewater treatment and disposal system. In reviewing any other dredge and fill permit application the Department shall apply the permitting criteria of subsection 403.918(2), F.S., to contiguous and downstream waters and the treatment or receiving wetland. The permitting criteria of subsection 403.918(1), F.S., shall apply to contiguous and downstream waters and the treatment or receiving wetland except that the water quality criteria in Rule 62-611.500(1), F.A.C., shall not apply in the treatment or receiving wetland and the water quality criteria in Rule 17-3.121(19), F.A.C., shall not apply in hydrologically altered treatment wetlands. The Department shall make all reasonable attempts to evaluate the dredge and fill permit application concurrently with the application to construct a domestic wastewater treatment and disposal system.

(6) The applicant shall provide the Department with reasonable assurances that public access to a treatment or receiving wetland shall be restricted unless high level disinfection is provided. Such reasonable assurances

may include, but shall not be limited to posting of signs at regular intervals around the boundary of the treatment wetland and posting and gating all access roads to the treatment wetland, or similar restrictions.

Specific Authority 403.061, 403.918, FS.

Law Implemented 403.051, 403.061, 403.085, 403.086, 403.087, 403.088, 403.918, FS.

History -- New 11-27-89, Formerly 17-611.600, Amended 12-26-96.