

1                   A bill to be entitled  
2           An act relating to stormwater management permits;  
3           amending s. 373.4131, F.S.; requiring statewide  
4           environmental resource permitting rules to provide for  
5           a conceptual permit for certain stormwater management  
6           master plans and an associated general permit for the  
7           construction and operation of certain urban  
8           redevelopment projects; providing requirements for  
9           such permits; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Subsection (1) of section 373.4131, Florida  
14 Statutes, is amended to read:

15           373.4131 Statewide environmental resource permitting  
16 rules.-

17           (1)~~(a)~~ No later than October 1, 2012, the department shall  
18 initiate rulemaking to adopt, in coordination with the water  
19 management districts, statewide environmental resource  
20 permitting rules governing the construction, alteration,  
21 operation, maintenance, repair, abandonment, and removal of any  
22 stormwater management system, dam, impoundment, reservoir,  
23 appurtenant work, works, or any combination thereof, under this  
24 part.

25           (a)~~(b)~~ The rules must ~~shall~~ provide for statewide,  
26 consistent regulation of activities under this part and must  
27 ~~shall~~ include, at a minimum:

28           1. Criteria and thresholds for requiring permits.

29 | 2. Types of permits.

30 | 3. Procedures governing the review of applications and  
31 | notices, duration and modification of permits, operational  
32 | requirements, transfers of permits, provisions for emergencies,  
33 | and provisions for abandonment and removal of systems.

34 | 4. Exemptions and general permits that do not allow  
35 | significant adverse impacts to occur individually or  
36 | cumulatively.

37 | 5. Conditions for issuance.

38 | 6. General permit conditions, including monitoring,  
39 | inspection, and reporting requirements.

40 | 7. Standardized fee categories for activities under this  
41 | part to promote consistency. The department and water management  
42 | districts may amend fee rules to reflect the standardized fee  
43 | categories but are not required to adopt identical fees for  
44 | those categories.

45 | 8. Application, notice, and reporting forms. To the  
46 | maximum extent practicable, the department and water management  
47 | districts shall provide for electronic submittal of forms and  
48 | notices.

49 | 9. An applicant's handbook that, at a minimum, contains  
50 | general program information, application and review procedures,  
51 | a specific discussion of how environmental criteria are  
52 | evaluated, and discussion of stormwater quality and quantity  
53 | criteria.

54 | (b) The rules must provide for a conceptual permit for a  
55 | municipality or county that creates a stormwater management  
56 | master plan for urban infill and redevelopment areas or

57 community redevelopment areas created under chapter 163. Upon  
58 approval by the department or water management district, such a  
59 master plan shall become part of the conceptual permit issued by  
60 the department or water management district. The rules must  
61 additionally provide for an associated general permit for the  
62 construction and operation of urban redevelopment projects that  
63 meet the criteria established in the conceptual permit. The  
64 conceptual permit and associated general permit must not  
65 conflict with the requirements of a federally approved program  
66 pursuant to s. 403.0885 or with the implementation of s.  
67 403.067(7) regarding total maximum daily loads and basin  
68 management action plans. The conceptual permit must include:

69 1. Provisions for the rate and volume of stormwater  
70 discharges from the urban redevelopment area to continue up to  
71 the maximum rate and volume of stormwater discharges as of the  
72 date that the conceptual permit is approved.

73 2. A presumption that stormwater discharges from the urban  
74 redevelopment area do not cause or contribute to violations of  
75 water quality standards, after making a demonstration of net  
76 improvement of the quality of the discharged water that existed  
77 as of the date the conceptual permit is approved.

78 3. Provisions for the use of stormwater best management  
79 practices to the maximum extent practicable.

80 4. Provisions to ensure that stormwater management systems  
81 constructed within the urban redevelopment area are operated and  
82 maintained in compliance with s. 373.416.

83 5. A duration of at least 20 years, unless a shorter  
84 duration is requested, with an option to renew.

CS/HB 183

2013

85 |           (c) The rules must ~~shall~~ rely primarily on the rules of  
86 | the department and water management districts in effect  
87 | immediately prior to the effective date of this section, except  
88 | that the department may:

89 |           1. Reconcile differences and conflicts to achieve a  
90 | consistent statewide approach.

91 |           2. Account for different physical or natural  
92 | characteristics, including special basin considerations, of  
93 | individual water management districts.

94 |           3. Implement additional permit streamlining measures.

95 |           (d) The application of the rules must ~~shall~~ continue to be  
96 | governed by the first sentence of s. 70.001(12).

97 |           Section 2. This act shall take effect July 1, 2013.