



848272

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/21/2013	.	
	.	
	.	
	.	

---

---

The Committee on Environmental Preservation and Conservation  
(Simpson) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

373.4131 Statewide environmental resource permitting  
rules.—

(1) ~~(a) No later than October 1, 2012,~~ The department shall  
initiate rulemaking to adopt, in coordination with the water  
management districts, statewide environmental resource  
permitting rules governing the construction, alteration,



13 operation, maintenance, repair, abandonment, and removal of any  
14 stormwater management system, dam, impoundment, reservoir,  
15 appurtenant work, works, or any combination thereof, under this  
16 part.

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

20 1. Criteria and thresholds for requiring permits.

21 2. Types of permits.

22 3. Procedures governing the review of applications and  
23 notices, duration and modification of permits, operational  
24 requirements, transfers of permits, provisions for emergencies,  
25 and provisions for abandonment and removal of systems.

26 4. Exemptions and general permits that do not allow  
27 significant adverse impacts to occur individually or  
28 cumulatively.

29 5. Conditions for issuance.

30 6. General permit conditions, including monitoring,  
31 inspection, and reporting requirements.

32 7. Standardized fee categories for activities under this  
33 part to promote consistency. The department and water management  
34 districts may amend fee rules to reflect the standardized fee  
35 categories but are not required to adopt identical fees for  
36 those categories.

37 8. Application, notice, and reporting forms. To the maximum  
38 extent practicable, the department and water management  
39 districts shall provide for electronic submittal of forms and  
40 notices.

41 9. An applicant's handbook that, at a minimum, contains



848272

42 general program information, application and review procedures,  
43 a specific discussion of how environmental criteria are  
44 evaluated, and discussion of stormwater quality and quantity  
45 criteria.

46 (b) The rules must provide for a conceptual permit for a  
47 municipality or county that creates a stormwater management  
48 master plan for urban infill and redevelopment areas or  
49 community redevelopment areas created under chapter 163. Upon  
50 approval by the department or water management district, the  
51 master plan shall become part of the conceptual permit issued by  
52 the department or water management district. The rules must  
53 additionally provide for an associated general permit for the  
54 construction and operation of urban redevelopment projects that  
55 meet the criteria established in the conceptual permit. The  
56 following requirements must also be met:

57 1. The conceptual permit and associated general permit must  
58 not conflict with the requirements of a federally approved  
59 program pursuant to s. 403.0885 or with the implementation of s.  
60 403.067(7) regarding total maximum daily loads and basin  
61 management action plans.

62 2. Before a conceptual permit is granted, the municipality  
63 or county must assert that stormwater discharges from the urban  
64 redevelopment area do not cause or contribute to violations of  
65 water quality standards by demonstrating a net improvement in  
66 the quality of the discharged water existing on the date the  
67 conceptual permit is approved.

68 3. The conceptual permit may not expire for at least 20  
69 years unless a shorter duration is requested, and must include  
70 an option to renew.



848272

71       4. The conceptual permit must describe the rate and volume  
72 of stormwater discharges from the urban redevelopment area,  
73 including the maximum rate and volume of stormwater discharges  
74 as of the date the conceptual permit is approved.

75       5. The conceptual permit must contain provisions regarding  
76 the use of stormwater best management practices and must ensure  
77 that stormwater management systems constructed within the urban  
78 redevelopment area are operated and maintained in compliance  
79 with s. 373.416.

80       (c) The rules must ~~shall~~ rely primarily on the rules of the  
81 department and water management districts in effect immediately  
82 prior to the effective date of this section, except that the  
83 department may:

84           1. Reconcile differences and conflicts to achieve a  
85 consistent statewide approach.

86           2. Account for different physical or natural  
87 characteristics, including special basin considerations, of  
88 individual water management districts.

89           3. Implement additional permit streamlining measures.

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

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

93  
94 ===== T I T L E   A M E N D M E N T =====

95 And the title is amended as follows:

96       Delete everything before the enacting clause  
97 and insert:

98                           A bill to be entitled

99       An act relating to stormwater management permits;



848272

100 amending s. 373.4131, F.S.; deleting an obsolete  
101 reference; requiring that rules for environmental  
102 resource permitting provide for conceptual permits and  
103 associated general permits for a municipality or  
104 county that creates a stormwater management master  
105 plan for urban infill and redevelopment areas or  
106 community redevelopment areas; specifying requirements  
107 for a conceptual permit; providing an effective date.