

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Agriculture & Natural
 2 Resources Subcommittee

3 Representative Raulerson offered the following:

4
 5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

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

9 373.4131 Statewide environmental resource permitting
 10 rules.—

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

19 (a)~~(b)~~ The rules must ~~shall~~ provide for statewide,
 20 consistent regulation of activities under this part and must

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21 ~~shall~~ include, at a minimum:

- 22 1. Criteria and thresholds for requiring permits.
- 23 2. Types of permits.
- 24 3. Procedures governing the review of applications and
25 notices, duration and modification of permits, operational
26 requirements, transfers of permits, provisions for emergencies,
27 and provisions for abandonment and removal of systems.
- 28 4. Exemptions and general permits that do not allow
29 significant adverse impacts to occur individually or
30 cumulatively.
- 31 5. Conditions for issuance.
- 32 6. General permit conditions, including monitoring,
33 inspection, and reporting requirements.
- 34 7. Standardized fee categories for activities under this
35 part to promote consistency. The department and water management
36 districts may amend fee rules to reflect the standardized fee
37 categories but are not required to adopt identical fees for
38 those categories.
- 39 8. Application, notice, and reporting forms. To the
40 maximum extent practicable, the department and water management
41 districts shall provide for electronic submittal of forms and
42 notices.
- 43 9. An applicant's handbook that, at a minimum, contains
44 general program information, application and review procedures,
45 a specific discussion of how environmental criteria are
46 evaluated, and discussion of stormwater quality and quantity
47 criteria.
- 48 (b) The rules must provide for a conceptual permit for a
49 municipality or county that creates a stormwater management
50 master plan for urban infill and redevelopment areas or

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

63 1. Provisions for the rate and volume of stormwater
64 discharges from the urban redevelopment area to continue up to
65 the maximum rate and volume of stormwater discharges as of the
66 date that the conceptual permit is approved.

67 2. A presumption that stormwater discharges from the urban
68 redevelopment area do not cause or contribute to violations of
69 water quality standards, after making a demonstration of net
70 improvement of the quality of the discharged water that existed
71 as of the date the conceptual permit is approved.

72 3. Provisions for the use of stormwater best management
73 practices to the maximum extent practicable.

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

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

79 (c) The rules must ~~shall~~ rely primarily on the rules of
80 the department and water management districts in effect

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81 immediately prior to the effective date of this section, except
82 that the department may:

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

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

88 3. Implement additional permit streamlining measures.

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

91 Section 2. This act shall take effect July 1, 2013.
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94 **T I T L E A M E N D M E N T**

95 Remove everything before the enacting clause and insert:

96 An act relating to statewide environmental resource permitting;

97 amending s. 373.4131, F.S.; providing that rules must provide

98 for conceptual permits for municipalities or counties that

99 create stormwater management master plans for urban

100 redevelopment projects; providing for master plans to become

101 part of the conceptual permit authorized by the department or

102 water management district; providing that rules must provide for

103 an associated general permit; prohibiting provisions for such

104 permits from conflicting with specified federally delegated

105 pollution reduction programs; providing certain requirements for

106 conceptual permits; providing an effective date.