

HB 751

2017

1 A bill to be entitled

2 An act relating to stormwater management; amending s.
3 403.0891, F.S.; requiring all local governments to
4 adopt in their stormwater plans the best management
5 practices adopted by the Department of Environmental
6 Protection; requiring local governments to adopt other
7 local stormwater management measures adopted by rule;
8 specifying that local governments that implement the
9 best practices and local stormwater management rules
10 are presumed to be in compliance with water quality
11 standards; prohibiting local governments from adopting
12 more stringent water quality standards for stormwater
13 discharges; exempting certain water quality standards
14 adopted before a specified date; providing an
15 effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Subsection (3) of section 403.0891, Florida
20 Statutes, is amended to read:

21 403.0891 State, regional, and local stormwater management
22 plans and programs.—The department, the water management
23 districts, and local governments shall have the responsibility
24 for the development of mutually compatible stormwater management
25 programs.

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26 (3) (a) Each local government required by chapter 163 to
27 submit a comprehensive plan, whose plan is submitted after July
28 1, 1992, and the others when updated after July 1, 1992, in the
29 development of its stormwater management program described by
30 elements within its comprehensive plan shall consider the water
31 resource implementation rule, district stormwater management
32 goals, plans approved pursuant to the Surface Water Improvement
33 and Management Act, ss. 373.451-373.4595, and technical
34 assistance information provided by the water management
35 districts pursuant to s. 373.711. All local government
36 stormwater management plans and programs, including, but not
37 limited to, local ordinances, special laws, and local
38 regulations, must incorporate the best management practices
39 adopted by the department pursuant to s. 403.067(7)(c) and any
40 other local stormwater measures adopted by rule pursuant to this
41 chapter.

42 (b) A local government that implements the best management
43 practices, whether or not such practices are adopted by rule,
44 and other local stormwater measures adopted by rule pursuant to
45 this chapter, is presumed to be in compliance with local water
46 quality standards governing stormwater discharges to surface
47 waters, wetlands, or groundwater.

48 (c) A county, municipality, or political subdivision may
49 not adopt or enforce any local ordinance, special law, or local
50 regulation requiring more stringent water quality standards for

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51 stormwater discharges to surface waters, wetlands, or
52 groundwater than the water quality standards established
53 pursuant to this chapter. This provision applies to any county,
54 municipality, or political subdivision that has not adopted, by
55 January 1, 2017, more stringent water quality standards for
56 stormwater discharges to surface waters, wetlands, or
57 groundwater than the water quality standards established
58 pursuant to this chapter.

59 (d) ~~(b)~~ In addition to the requirements of paragraph (a),
60 local governments are encouraged to consult with the water
61 management districts, the Department of Transportation, and the
62 department before adopting or updating their local government
63 comprehensive plan or public facilities report as required by s.
64 189.08, whichever is applicable.

65 Section 2. This act shall take effect July 1, 2017.