

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER

1 Committee/Subcommittee hearing bill: State Affairs Committee  
2 Representative Glorioso offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Section 218.075, Florida Statutes, is amended to read:

218.075 Reduction or waiver of permit processing fees.—  
Notwithstanding any other provision of law, the Department of  
Environmental Protection and the water management districts  
shall reduce or waive permit processing fees for counties with a  
population of 50,000 or fewer ~~less~~ on April 1, 1994, until such  
counties exceed a population of 75,000 and municipalities with a  
population of 25,000 or fewer; an entity created by special act,  
local ordinance, or interlocal agreement of such counties or  
municipalities; ~~less,~~ or any county or municipality not included  
within a metropolitan statistical area. Fee reductions or  
waivers shall be approved on the basis of fiscal hardship or  
environmental need for a particular project or activity. The

Amendment No.

governing body must certify that the cost of the permit processing fee is a fiscal hardship due to one of the following factors:

(1) Per capita taxable value is less than the statewide average for the current fiscal year;

(2) Percentage of assessed property value that is exempt from ad valorem taxation is higher than the statewide average for the current fiscal year;

(3) Any condition specified in s. 218.503(1) which results in the county or municipality being in a state of financial emergency;

(4) Ad valorem operating millage rate for the current fiscal year is greater than 8 mills; or

(5) A financial condition that is documented in annual financial statements at the end of the current fiscal year and indicates an inability to pay the permit processing fee during that fiscal year.

The permit applicant must be the governing body of a county or municipality, ~~or~~ a third party under contract with a county or municipality, or an entity created by special act, local ordinance, or interlocal agreement, and the project for which the fee reduction or waiver is sought must serve a public purpose. If a permit processing fee is reduced, the total fee may ~~shall~~ not exceed \$100.

Section 2. Subsection (6) is added to section 373.118, Florida Statutes, to read:

373.118 General permits; delegation.-

310199 - Amendmentdraft40173.docx

Published On: 1/24/2012 6:08:02 PM

Amendment No.

48       (6) By July 1, 2012, the department shall initiate  
49 rulemaking to adopt a general permit for stormwater management  
50 systems serving airside activities at airports. The general  
51 permit applies statewide and shall be administered by any water  
52 management district or any delegated local government pursuant  
53 to the operating agreements applicable to part IV of this  
54 chapter, with no additional rulemaking required. These rules are  
55 not subject to any special rulemaking requirements related to  
56 small business.

57       Section 3. Section 373.4131, Florida Statutes, is created  
58 to read:

59       373.4131 Conceptual permits for urban redevelopment  
60 projects.-

61       (1) A municipality or county that has created a community  
62 redevelopment area or an urban infill and redevelopment area  
63 pursuant to chapter 163 may adopt a stormwater adaptive  
64 management plan that addresses the quantity and quality of  
65 stormwater discharges for the redevelopment or infill area and  
66 may obtain a conceptual permit from the water management  
67 district or the Department of Environmental Protection.

68       (2) The conceptual permit established by a water  
69 management district in consultation with the department:

70       (a) Must allow for the rate and volume of stormwater  
71 discharges for stormwater management systems of urban  
72 redevelopment projects located within a community redevelopment  
73 area created under part III of chapter 163 or an urban infill  
74 and redevelopment area designated under s. 163.2517 to continue  
75 up to the maximum rate and volume of stormwater discharges

310199 - Amendmentdraft40173.docx

Published On: 1/24/2012 6:08:02 PM

Amendment No.

76 within the area as of the date the stormwater adaptive  
77 management plan was adopted.

78 (b) Must presume that stormwater discharges for stormwater  
79 management systems of urban redevelopment projects located  
80 within a community redevelopment area created under part III of  
81 chapter 163 or an urban infill and redevelopment area designated  
82 under s. 163.2517 that demonstrate a net improvement of the  
83 quality of the discharged water that existed as of the date the  
84 stormwater adaptive management plan was adopted for any  
85 applicable pollutants of concern in the receiving water body do  
86 not cause or contribute to violations of water quality criteria.

87 (c) May not prescribe additional or more stringent  
88 limitations concerning the quantity and quality of stormwater  
89 discharges from stormwater management systems than provided in  
90 this section.

91 (d) Shall be issued for a duration of 20 years, and may be  
92 renewed, unless a shorter duration is requested by the  
93 applicant.

94 (3) Urban redevelopment projects that meet the criteria  
95 established in the conceptual permit pursuant to this section  
96 qualify for a noticed general permit that authorizes  
97 construction and operation for the duration of the conceptual  
98 permit.

99 (4) Notwithstanding subsections (1)-(3), permits issued  
100 pursuant to this section may not conflict with the requirements  
101 of a federally approved program pursuant to s. 403.0885 or with  
102 the implementation of s. 403.067(7) regarding total maximum  
103 daily loads and basin management plans.

Amendment No.

104 Section 4. This act shall take effect July 1, 2012.  
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108 **T I T L E A M E N D M E N T**

109 Remove the entire title and insert:

110 A bill to be entitled

111 An act relating to environmental permits; amending s.  
112 218.075, F.S.; providing for an entity created by  
113 special act, local ordinance, or interlocal agreement  
114 of a county or municipality to receive certain reduced  
115 or waived permit processing fees; requiring that the  
116 project for which such fee reduction or waiver is  
117 sought serves a public purpose; amending s. 373.118,  
118 F.S.; requiring that the Department of Environmental  
119 Protection initiate rulemaking to adopt a general  
120 permit for stormwater management systems serving  
121 airside activities at airports; providing for  
122 statewide application of the general permit; providing  
123 for any water management district or delegated local  
124 government to administer the general permit; providing  
125 that the rules are not subject to any special  
126 rulemaking requirements relating to small business;  
127 creating s. 373.4131, F.S.; authorizing certain  
128 municipalities and counties to adopt stormwater  
129 adaptive management plans and obtain conceptual  
130 permits for urban redevelopment projects; providing  
131 requirements for establishment of such permits by

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 373 (2012)

Amendment No.

132 water management districts in consultation with the  
133 Department of Environmental Protection; providing that  
134 certain urban redevelopment projects qualify for a  
135 noticed general permit; providing construction;  
136 providing an effective date.