1	A bill to be entitled
2	An act relating to environmental permits; amending s.
3	218.075, F.S.; providing for an entity created by
4	special act, local ordinance, or interlocal agreement
5	of a county or municipality to receive certain reduced
6	or waived permit processing fees; requiring that the
7	project for which such fee reduction or waiver is
8	sought serves a public purpose; amending s. 373.118,
9	F.S.; requiring that the Department of Environmental
10	Protection initiate rulemaking to adopt a general
11	permit for stormwater management systems serving
12	airside activities at airports; providing for
13	statewide application of the general permit; providing
14	for any water management district or delegated local
15	government to administer the general permit; providing
16	that the rules are not subject to any special
17	rulemaking requirements relating to small business;
18	creating s. 373.4131, F.S.; authorizing certain
19	municipalities and counties to adopt stormwater
20	management plans and obtain conceptual permits for
21	urban redevelopment projects; defining the term
22	"stormwater management plan"; requiring the Department
23	of Environmental Protection and water management
24	districts to establish conceptual permits for urban
25	redevelopment projects; providing permit requirements;
26	providing that certain urban redevelopment projects
27	qualify for a general permit; providing an effective
28	date.

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30 Be It Enacted by the Legislature of the State of Florida:
31
32   Section 1. Section 218.075, Florida Statutes, is amended
33 to read:
34   218.075 Reduction or waiver of permit processing fees.—
35 Notwithstanding any other provision of law, the Department of
36 Environmental Protection and the water management districts
37 shall reduce or waive permit processing fees for counties with a
38 population of 50,000 or fewer less on April 1, 1994, until such
39 counties exceed a population of 75,000 and municipalities with a
40 population of 25,000 or fewer; an entity created by special act,
41 local ordinance, or interlocal agreement of such counties or
42 municipalities; less, or any county or municipality not included
43 within a metropolitan statistical area. Fee reductions or
44 waivers shall be approved on the basis of fiscal hardship or
45 environmental need for a particular project or activity. The
46 governing body must certify that the cost of the permit
47 processing fee is a fiscal hardship due to one of the following
48 factors:
49   (1) Per capita taxable value is less than the statewide
50 average for the current fiscal year;
51   (2) Percentage of assessed property value that is exempt
52 from ad valorem taxation is higher than the statewide average
53 for the current fiscal year;
54   (3) Any condition specified in s. 218.503(1) which results
55 in the county or municipality being in a state of financial
56 emergency;

57   (4) Ad valorem operating millage rate for the current

58 fiscal year is greater than 8 mills; or

59   (5) A financial condition that is documented in annual

60 financial statements at the end of the current fiscal year and

61 indicates an inability to pay the permit processing fee during

62 that fiscal year.

63

64 The permit applicant must be the governing body of a county or

65 municipality, ~~or~~ a third party under contract with a county or

66 municipality, or an entity created by special act, local

67 ordinance, or interlocal agreement, and the project for which

68 the fee reduction or waiver is sought must serve a public

69 purpose. If a permit processing fee is reduced, the total fee

70 may ~~shall~~ not exceed $100.

71   Section 2. Subsection (6) is added to section 373.118,

72 Florida Statutes, to read:

73   373.118 General permits; delegation.—

74   (6) By July 1, 2012, the department shall initiate

75 rulemaking to adopt a general permit for stormwater management

76 systems serving airside activities at airports. The general

77 permit applies statewide and shall be administered by any water

78 management district or any delegated local government pursuant

79 to the operating agreements applicable to part IV of this

80 chapter, with no additional rulemaking required. These rules are

81 not subject to any special rulemaking requirements related to

82 small business.

83   Section 3. Section 373.4131, Florida Statutes, is created

84 to read:

85   373.4131 Conceptual permits for urban redevelopment
86 projects.—
87   (1) A municipality or county that has created a community
88 redevelopment area or an urban infill and redevelopment area
89 pursuant to chapter 163 may adopt a stormwater management plan
90 that addresses the quantity and quality of stormwater discharges
91 for the redevelopment or infill area and may obtain a conceptual
92 permit from the water management district or the Department of
93 Environmental Protection.
94   (2) For purposes of this section, the term "stormwater
95 management plan" means a master drainage plan that, to the
96 extent feasible:
97   (a) Improves the quality of stormwater runoff discharged
98 from the project area.
99   (b) Controls the rate and volume of stormwater discharges
100 to the extent that offsite flooding or other adverse water
101 quantity impacts are not exacerbated by the proposed
102 redevelopment project.
103   (c) Is designed based on a feasibility assessment of
104 stormwater best management practices, including low impact
105 development techniques and regional stormwater treatment
106 systems, that consider the size and physical site
107 characteristics of the project area.
108   (3) The department and water management districts shall
109 establish conceptual permits for urban redevelopment projects
110 created under part III of chapter 163 or an urban infill and
111 redevelopment area designated under s. 163.2517. The conceptual
112 permits:

113   (a)   Must allow for the rate and volume of stormwater

114   discharges for stormwater management systems of urban

115   redevelopment projects located within a community redevelopment

116   area created under part III of chapter 163 or an urban infill

117   and redevelopment area designated under s. 163.2517 to continue

118   up to the maximum rate and volume of stormwater discharges

119   within the area as of the date the stormwater management plan

120   was adopted.

121   (b)   Must presume that stormwater discharges for stormwater

122   management systems of urban redevelopment projects located

123   within a community redevelopment area created under part III of

124   chapter 163 or an urban infill and redevelopment area designated

125   under s. 163.2517 that demonstrate a net improvement of the

126   quality of the discharged water that existed as of the date the

127   stormwater management plan was adopted for any applicable

128   pollutants of concern in the receiving water body do not cause

129   or contribute to violations of water quality criteria.

130   (c)   May not prescribe additional or more stringent

131   limitations concerning the quantity and quality of stormwater

132   discharges from stormwater management systems than provided in

133   this section.

134   (d)   Shall be issued for a duration of at least 20 years,

135   and may be renewed, unless a shorter duration is requested by

136   the applicant.

137   (4)   Urban redevelopment projects that meet the criteria

138   established in the conceptual permit pursuant to this section

139   qualify for a general permit that authorizes construction and

140   operation of the permitted system.

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141   Section 4.   This act shall take effect July 1, 2012.

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