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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/13/2024	.	
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The Appropriations Committee on Agriculture, Environment, and General Government (Mayfield) recommended the following:

Senate Amendment

Between lines 109 and 110
insert:

(f) Section 8.2.2 of the Applicant's Handbook Volume I, incorporated in rule 62-330.010(4)(a), Florida Administrative Code, is changed to add, after the last sentence, the following:
"When an applicant demonstrates that its designs and plans, including any supporting information, meet the performance standards of Sections 8.2.3 and 8.3 by performing the analysis



175060

11 specified in Section 9 and, if applicable, in Volume II or
12 Appendix O of Volume I, employing the structural best management
13 practices specified therein as needed, and provides the
14 information required by such sections, the applicant shall have
15 satisfied the conditions for issuance of rule 62-330.301(1)(e),
16 F.A.C., and rule 62-330.301(3), F.A.C., if applicable, and is
17 entitled to the presumption of subsection 373.4131(3)(b), F.S.”

18 (g) Section 8.3.1 of the Applicant’s Handbook Volume I,
19 incorporated in rule 62-330.010(4)(a), Florida Administrative
20 Code, is changed to read: “Each applicant shall demonstrate,
21 through modeling or calculations as described in Section 9, that
22 their proposed stormwater management system is designed to
23 discharge to the required treatment level based on the
24 performance standards described in Sections 8.3.2 through 8.3.5
25 below. For the purposes of this section, annual loading from the
26 proposed project refers to post-development loads before
27 treatment, as calculated in Section 9 of this volume. Stormwater
28 treatment systems shall be designed to achieve at least an 80
29 percent reduction of the average annual post-development total
30 suspended solids (TSS) load, or 95 percent of the average annual
31 post-development TSS load for those proposed projects located
32 within a HUC 12 subwatershed containing an Outstanding Florida
33 Water (OFW) and located upstream of that OFW. There is a
34 rebuttable presumption that this standard is met when structural
35 stormwater best management practices (BMPs) are designed to meet
36 the applicable design standards in Sections 8.3.2 through 8.3.5
37 below.”

38 (h) Section 9.1 of the Applicant’s Handbook Volume I,
39 incorporated in rule 62-330.010(4)(a), Florida Administrative



175060

40 Code, is changed to read: "Applicants are required to provide
41 nutrient load reduction calculations in their application. To
42 calculate the required stormwater nutrient load reduction for a
43 project, the applicant should:

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45 Determine whether the site falls within the same HUC
46 12 subwatershed as, and is upstream of, an OFW or
47 impaired water, and select the corresponding
48 performance standard from Section 8.3 of this volume;

49
50 Determine the pre-development average annual average
51 mass loading of the project area for both total
52 nitrogen (TN) and total phosphorus (TP) through
53 modeling or as described in Section 9.2;

54
55 Calculate the project area's post-development annual
56 average mass loading before treatment for both TN and
57 TP through modeling or as described in Section 9.2;

58
59 Determine the percent TN and TP reduction needed as
60 defined within Sections 8.3 and 9.3 of this volume.
61 The greater percent load reduction will be the
62 requirement for the project; and

63
64 Determine which BMPs, or other treatment and reduction
65 options, will be used to meet the required TN and TP
66 load reductions that are equivalent to, or which
67 exceed, the applicable performance standards in
68 Sections 8.2.3 through 8.3.6. Information on how to



175060

69 calculate nutrient load reduction for BMP Treatment
70 Train is found in Section 9.5 of this volume.

71
72 When an applicant provides reasonable assurance that its
73 modeling, calculations, and applicable supporting documentation
74 satisfy the provisions described above, the applicant shall have
75 demonstrated that it meets the performance standards specified
76 under Sections 8.2.3 through 8.3.6 of this volume."