

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WITHDRAWN	_____	(Y/N)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: Infrastructure Strategies  
2 Committee

3 Representative Altman offered the following:

4  
5 **Amendment**

6 Remove lines 110-118 and insert:

7 (f) Section 8.2.2 of the Applicant's Handbook Volume I,  
8 incorporated in rule 62-330.010(4)(a), Florida Administrative  
9 Code, is changed to add, after the last sentence, the following:  
10 "When an applicant demonstrates that its designs and plans,  
11 including any supporting information, meet the performance  
12 standards of Sections 8.2.3 and 8.3 by performing the analysis  
13 specified in Section 9 and, if applicable, in Volume II or  
14 Appendix O of Volume I, employing the structural best management  
15 practices specified therein as needed, and provides the  
16 information required by such sections, the applicant shall have

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17 satisfied the conditions for issuance of rule 62-330.301(1)(e),  
18 F.A.C., and rule 62-330.301(3), F.A.C., if applicable, and is  
19 entitled to the presumption of subsection 373.4131(3)(b), F.S."

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

40 (h) Section 9.1 of the Applicant's Handbook Volume I,  
41 incorporated in rule 62-330.010(4)(a), Florida Administrative

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

46 1. Determine whether the site falls within the same HUC 12  
47 sub-watershed as, and is upstream of, an OFW or impaired water,  
48 and select the corresponding performance standard from Section  
49 8.3 of this volume;

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

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

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

61 5. Determine which BMPs, or other treatment and reduction  
62 options, will be used to meet the required TN and TP load  
63 reductions that are equivalent to, or which exceed, the  
64 applicable performance standards in Sections 8.2.3 through  
65 8.3.6. Information on how to calculate nutrient load reduction  
66 for BMP Treatment Train is found in Section 9.5 of this volume.

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

73 (i) Section 3.1.2(e)4. of the Applicant's Handbook Volume  
74 I, incorporated in rule 62-330.010(4) (a), Florida Administrative  
75 Code, is changed to read: "Projects or activities that are the  
76 subject of a general or individual permit application that is  
77 deemed complete on or before [effective date + 18 months] shall  
78 be exempt from the amendments to Chapter 62-330, F.A.C., and  
79 Volume I adopted on [effective date], and the corresponding  
80 amendments to the applicable Volume II."

81 (j) Section 3.1.2(f) shall be added to the Applicant's  
82 Handbook Volume I, incorporated in rule 62-330.010(4) (a),  
83 Florida Administrative Code, and shall read: "Development or  
84 other construction projects for which stormwater management and  
85 design plans were submitted to a local or other government  
86 agency before January 1, 2024, shall be exempt from the  
87 amendments to Chapter 62-330, F.A.C., and Volume I adopted on  
88 [effective date], and the corresponding amendments to the  
89 applicable Volume II, for any of the following:

90 1. A project that was submitted as part of a local  
91 building permit or as part of an application for a site plan or

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92 subdivision plat approval.

93 2. An approved regional stormwater management system  
94 designed and permitted pursuant to an effective permit under  
95 part IV of chapter 373, F.S.

96 (k) Section 3.1.2(g) shall be added to the Applicant's  
97 Handbook Volume I, incorporated in rule 62-330.010(4)(a),  
98 Florida Administrative Code, and shall read: "Stormwater  
99 management systems constructed in accordance with a binding  
100 ecosystem management agreement executed by the department  
101 pursuant to Section 403.0752, F.S., before January 1, 2024, are  
102 exempt from the amendments to chapter 62-330, Florida  
103 Administrative Code, the Applicant's Handbook Volume I adopted  
104 on [effective date], and corresponding amendments to the  
105 Applicant's Handbook Volume II."

106 (l) Section 3.1.2(h) shall be added to the Applicant's  
107 Handbook Volume I, incorporated in rule 62-330.010(4)(a),  
108 Florida Administrative Code, and shall read: "Stormwater  
109 management and design plans for a valid development of regional  
110 impact, as defined in Section 380.06, F.S., with a development  
111 order, as defined pursuant to Section 380.031, F.S., issued  
112 before January 1, 2024, are exempt, until October 1, 2044, from  
113 the amendments to chapter 62-330, Florida Administrative Code,  
114 the Applicant's Handbook Volume I adopted on [effective date],  
115 and corresponding amendments to the Applicant's Handbook Volume  
116 II, except where there has been an official determination or

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117 classification that an approved development of regional impact  
118 was essentially built out, as discussed in s. 380.06(4), after  
119 [effective date]."

120  
121 Any future amendments to those portions of the Applicant's  
122 Handbook Volume I, incorporated in rule 62-330.010(4)(a),  
123 Florida Administrative Code, included in this subsection must be  
124 submitted in bill form to the Speaker of the House of  
125 Representatives and to the President of the Senate for their  
126 consideration and referral to the appropriate committees. Such  
127 amendments shall become effective only upon approval by act of  
128 the Legislature.

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