

A bill to be entitled

An act relating to environmental permits; creating s. 373.4131, F.S.; authorizing certain municipalities and counties to adopt stormwater management plans and obtain conceptual permits for urban redevelopment and urban infill areas; providing requirements for establishment of such permits by water management districts in consultation with the Department of Environmental Protection; providing that certain urban redevelopment projects qualify for a general permit; requiring that the Department of Environmental Protection initiate rulemaking to adopt a general permit for stormwater management systems serving airside activities at airports; providing for statewide application of the general permit; providing for any water management district or delegated local government to administer the general permit; providing an effective date.

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

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 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 66 may shall not exceed \$100.

Section 2. Subsection (6) is added to section 373.118, 68 Florida Statutes, to read:

373.118 General permits; delegation.—

(6) By July 1, 2011, the department shall initiate rulemaking to adopt a general permit for stormwater management systems serving airside activities at airports. The general permit applies statewide and shall be administered by any water management district or any delegated local government pursuant to the operating agreements applicable to part IV of this chapter, with no additional rulemaking required. These rules are not subject to any special rulemaking requirements related to small business.

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

373.4131 Conceptual permits for urban redevelopment projects.—

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

(2) For purposes of this section, stormwater ~~adaptive~~ management plan means a master drainage plan that, to the extent feasible, improves the quality of stormwater runoff discharged from the project area and which controls the rate and volume of

stormwater discharges to the extent that offsite flooding or other adverse water quantity impacts are not exacerbated by the proposed redevelopment project. The stormwater adaptive management plan shall be designed based on a feasibility assessment of stormwater best management practices, including low impact development techniques and regional stormwater treatment systems, considering the size and physical site characteristics of the project area.

(23) The department and water management districts shall develop conceptual permits for urban redevelopment projects created under part III of chapter 163 or an urban infill and redevelopment area designated under s. 163.2517. The conceptual permit established by a water management district in consultation with the department:

(a) Must allow for the rate and volume of stormwater discharges for stormwater management systems of urban redevelopment projects located within a community redevelopment area created under part III of chapter 163 or an urban infill and redevelopment area designated under s. 163.2517 to continue up to the maximum rate and volume of stormwater discharges within the area as of the date the stormwater adaptive management plan was adopted.

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

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

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

(3) Urban redevelopment projects that meet the criteria established in the conceptual permit pursuant to this section, qualify for a ~~noticed~~ general permit that authorizes construction and operation ~~for~~of the permitted system.~~duration of the conceptual 120 permit.~~

Section 4. This act shall take effect July 1, 20142.