

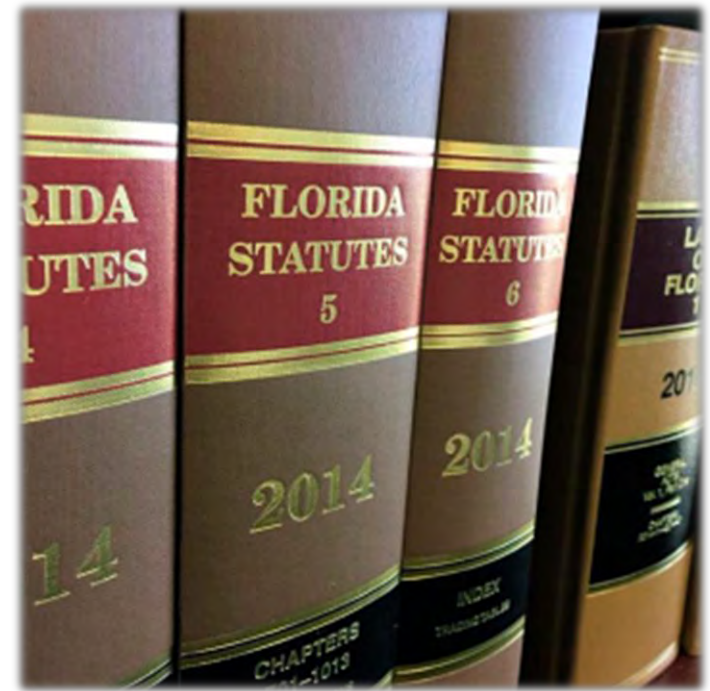
# 10/2 General Permits

What are they, how do they affect me and what's in store?

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# What is a 10/2?

- \* Statutory General Permit
  - \* 2012-205
  - \* 403.814(12)
- \* For stormwater management systems serving:
  - \* <10 acre project area
  - \* <2 acres impervious



# Where did it come from?

- \* SFWMD
  - \* 40E-400.315 – No Notice General Permit for Activities in Uplands
- \* Meet Criteria of:
  - \* 40E-4.301 Conditions for Issuance of Permits
  - \* 40E-4.302 Additional Conditions for Issuance of Permits



[sfwmd.gov](http://sfwmd.gov)

# 2012 Statutory Requirements

- \* Self-certification filed w/in 30 days
- \* Certified designed by RP
  - \* Area < 10 ac, Impervious < 2 ac
  - \* No activities in wetlands or surface waters
  - \* No pipes > 24"
  - \* Not part of common plan of development
  - \* Does not cause:
    - \* Adverse water quality or flooding
    - \* Adverse impacts to storage and conveyance
    - \* Violation of state WQ standard
    - \* Adverse impact to maintenance of surface or groundwater levels or flows or work of the district



# What's was missing?

- \* Additional Restrictions for Miami-Dade and Collier Counties
- \* Flooding projection for off-site lands
- \* Impacts to fish and wildlife habitat
- \* Adverse secondary impacts
- \* Special Basin requirements
- \* Shellfish waters protection
- \* Antidegradation
- \* "or contribute to . . ."
- \* S&S Plans, final certifications
- \* O&M requirements
- \* Financial requirements



# 2012 Statutory Confusion

- \* Is it required to be designed operated and maintained in accordance with ERP Rules (rebuttable presumption)?
- \* Who certifies it was designed by RP?
- \* If not with ERP rules, what are O&M requirements?
- \* What is definition of Project Area?
- \* What is definition of Impact?
- \* What about discharges to impaired waters?
- \* How do we track them?



# Why do I care?

Because your MS4 Permit says you do.

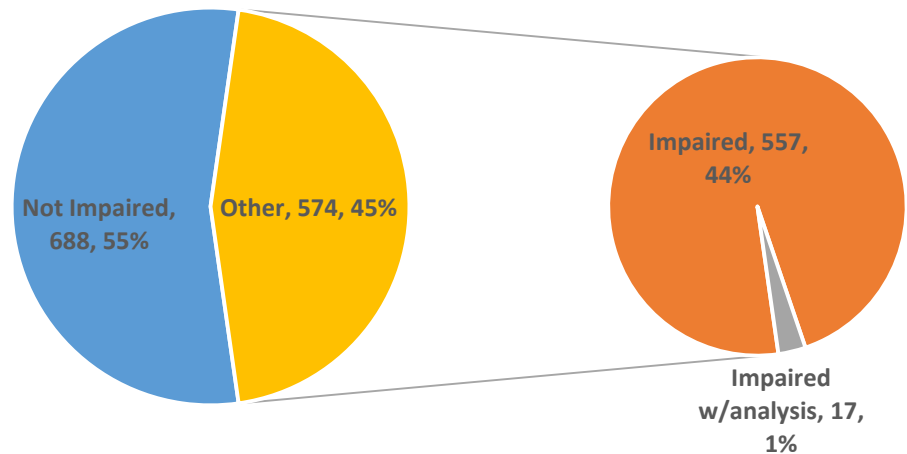
- \* "Control the quality of water discharged from the MS4"
- \* Maintain documentation of review activity
- \* Documentation of ERPs
- \* Construction Site Inspection
- \* Water Quality Standards



# Case Study 1: Impaired Waters

Courtesy of Eric Livingston

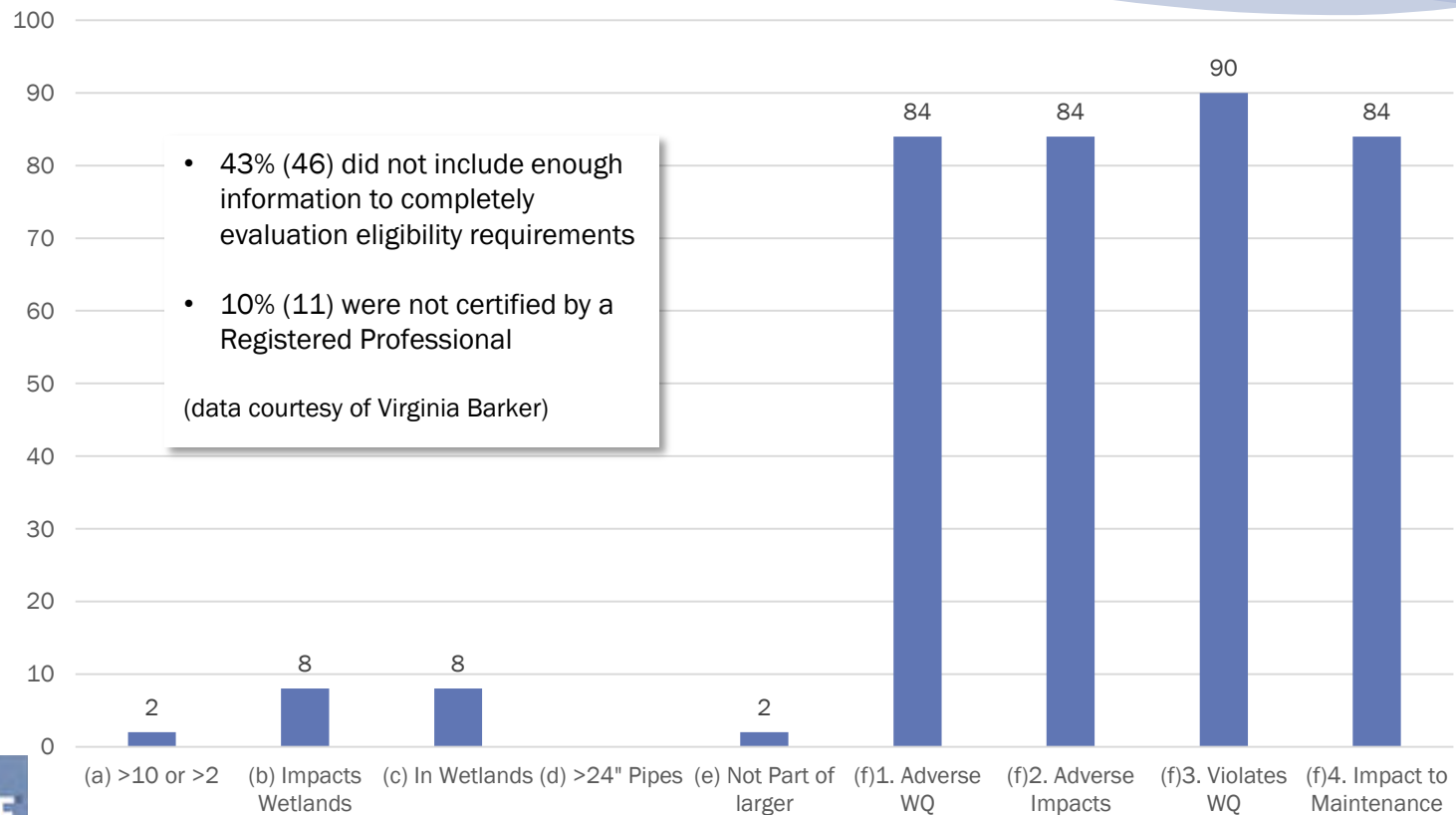
- \* Self Certs from 07/12 to 09/14
- \* 1245 Self Certifications
- \* 574 in impaired basins
- \* 10 met Net Improvement
- \* 7 other did analysis
- \* ~75 other redevelopment projects would have met but no analysis
- \* Possibly increased loading
- \* Increased costs to MS4s





# Case Study 2: Brevard County

August 2012 to June 2015  
106 Self Certifications



# 2016-130 Changes

403.814 General permits; delegation.—

(12) A general permit is granted for the construction, alteration, and maintenance of a stormwater management system serving a total project area of up to 10 acres **meeting the criteria of this subsection**. Such ~~When the~~ stormwater management ~~systems must be~~ **system** is designed, operated, and maintained in accordance with applicable rules adopted pursuant to part IV of chapter 373.<sup>7</sup> There is a rebuttable presumption that the discharge ~~from for~~ such **systems complies** ~~system will~~ **comply** with state water quality standards. The construction of such a system may proceed without any further agency action by the department or water management district if, ~~before within 30 days after~~ construction begins, an electronic self-certification is submitted to the department or water management district ~~which that~~ certifies that the proposed system was designed by a Florida registered professional **and that the registered professional has certified that the proposed system will** ~~to~~ meet the following **additional** requirements:

# What is still needed?

- \* Clarify system designed by RP for subsection and Part IV, 373
- \* S&S documents on-site
- \* Cause or Contribute to language
- \* Revise ERP Standard General Conditions to not apply to 10/2's



# Questions?

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