

Implementing the Statewide Stormwater Rule

Local Government Approach & Panel Discussion

**Florida Stormwater Association
Fall Seminar – September 6, 2024**

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Agenda

▶ **Local Government Impacts**

- Stormwater Utilities & MS4s
- Local Projects
- Local Regulations

▶ **Panel Discussion**



Stormwater Utilities & MS4s

- ▶ Municipal Separate Storm Sewer Systems
 - Stormwater management program designed to reduce the discharge of pollutants to the maximum extent practicable...
 - 226 Phase I permittees (many co-permittees)
 - 163 Phase II permittees
 - Maintenance, Maintenance, Maintenance!
 - MS4 vs. ERP

Applicants for systems where the operation and maintenance entity is or will be a Municipal Separate Storm Sewer System permittee subject to Chapter 62-624, F.A.C. (MS4 Entity) are not required to submit a separate O&M plan under this section. Those applicants shall instead conduct operation and maintenance of the ERP-permitted stormwater management systems in accordance with their MS4 permit requirements and any associated stormwater management program requirements. MS4 Entities shall nonetheless ensure that operation and maintenance activities are sufficient to perpetually maintain the performance of the ERP stormwater management system so that it functions as designed and permitted. *AHI - 12.4.1*



Stormwater Utilities & MS4s

▶ Stormwater Retrofit Activities

- AHI – Definitions: (119) “Stormwater retrofit” means a project that adds treatment, attenuation, or flood control to an existing stormwater management system or systems but does not serve new development or redevelopment.
- ▶ 62-330.451 general permit authorizing such activities
- ▶ Additional details are within each respective WMD AHII



Stormwater Utilities & MS4s

- ▶ Regional Treatment Facilities
 - Existing facilities – grandfathered under existing permits through 62-330 & 62-25.
 - New facilities – will need to be permitted for capacity based on land use of contributing area/project sites.



Local Projects

- ▶ Public Transportation
 - Public transportation projects where the PD&E study is complete by June 28, 2026 or which are in the design or construction phase...do not have to comply with the new performance criteria.
- ▶ Police, Fire Stations, Community Buildings, Schools, etc.
 - No different than private development... must comply with the new requirements unless otherwise grandfathered (existing ERP, concept permit, site plan/ subdivision plat, etc.)
- ▶ Dam Safety Considerations (AHI 8.4.5)



Local Regulations

- ▶ Comprehensive Plan & Land Development Code
 - Local Policies & Standards vs. New Rule
 - Volume Based vs. Load Based
 - Conflicting Event Mean Concentrations
 - Special Development Districts
 - Impact of Grandfathering Provisions
 - Which rules where?
 - Remaining time-periods (CERP, ERP, DRI, etc.)



Local Regulations – How to Prepare

- ▶ Review of Regulations
 - Comparative Analyses & Demonstrations
 - Clear Approach
 - Outreach to Regulated Community
- ▶ Development of Assistance Tools
- ▶ Training of Staff
- ▶ Event Mean Concentrations (EMCs)
- ▶ Loading Models – Consistency
- ▶ Local Delegation of Authority



Panel Discussion



Thank You!

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