

28 — Water Quality and Water Quantity) for Use Within the Geographic Limits of the Northwest
29 Florida Water Management District, (October 1, 2007). In implementing this Chapter, any
30 reference to Sections 2.7 through 2.7.2 and Parts IV through V in Chapters 62-346, F.A.C., will
31 be substituted with the appropriate provisions of the Applicant’s Handbook: Stormwater Quality.

32 (b) Within the Suwannee River Water Management District:
33 Paragraphs 40B-4.2030(8)(g), (h), and (l), and subsection 40B-4.2030(9), F.A.C. (June
34 11, 2008). In implementing this Chapter, any reference to paragraphs 40B-4.2030(8)(g), (h) or (l)
35 or to subsection 40B-4.2030(9), F.A.C., in Chapters 40B-4 or 40B-400, F.A.C., will be substituted
36 with the appropriate provisions of the Applicant’s Handbook: Stormwater Quality.

37 (c) Within the St. Johns River Water Management District:
38 1. Subsections 40C-42.025(1), (4), (5), (10), F.A.C. (effective as of March 21, 1993),
39 Rule 40C-42.026, F.A.C. (effective as of October 11, 2001), and Rule 40C-42.0265, F.A.C.
40 (effective as of March 21, 1993). In implementing this Chapter, any reference to subsections
41 40C-42.025(1),(4),(5),(10) or Rules 40C-42.026 or 40C-42.0265, F.A.C., in either Chapter 40C-
42 42, F.A.C. (December 3, 2006), or the St. John’s River Water Management District Applicant’s
43 Handbook: Management and Storage of Surface Waters (effective as of February 16, 2010) will
44 be substituted with the appropriate provisions of the Applicant’s Handbook: Stormwater Quality.

45 2. The following parts of Part II of the St. John’s River Water Management District
46 Applicant’s Handbook: Regulation of Stormwater Management Systems Chapter 40C-42, F.A.C.
47 (effective as of December 3, 2006): sections 8.0, 8.2, 8.3(a), 8.4 through 8.4.2, 9.0 through 9.1.3,
48 9.4, 9.5, 9.10, 9.12, 9.13, and 10.0 through 16.11. In implementing this Chapter, any reference to
49 those specific stormwater management standards will be substituted with the appropriate provisions
50 of the Applicant’s Handbook: Stormwater Quality.

51 [This paragraph still under development]

52 (d) Within the Southwest Florida Water Management District:

53 Chapter Five – Water Quality, within Southwest Florida Water Management District Part
54 B Basis of Review (December 9, 2009). In implementing this Chapter, any reference to Chapter
55 Five in Chapters 40D-4 (December 9, 2009) or 40D-40 (November 2, 2009), F.A.C., will be
56 substituted with the appropriate provisions of the Applicant’s Handbook: Stormwater Quality.

57 [This paragraph still under development]

58 (e) Within the South Florida Water Management District:

59 Chapter 5 – Water Quality Criteria, within South Florida Water Management District
60 Basis of Review for Environmental Resource Permit Applications within the South Florida Water
61 Management District, effective November 11, 2009. In implementing this Chapter, any reference
62 to stormwater management standards in Chapter 5 in Chapters 40E-4 (November 11, 2009) or
63 40E-40 (July 19, 2007), F.A.C., or in Rules 40E-400.315 or 40E-400.316, F.A.C., will be
64 substituted with the appropriate provisions of the Applicant’s Handbook: Stormwater Quality.

65 [This paragraph still under development]

66 (f) The following rules of the Suwannee River Water Management District, St. Johns
67 River Water Management District, Southwest Florida Water Management District, and South
68 Florida Water Management District that are adopted for use by the Department in Chapter 62-
69 330, F.A.C.:

70 1. Paragraphs 40B-4.2030(8)(g) through (j) and (l) through (m), F.A.C. (October 3,
71 1995), incorporated by reference in paragraph 62-330.200(1)(b), F.A.C., and Rules 40C-42.025,
72 40C-42.026, and 40C-42.0265, F.A.C. (October 3, 1995), incorporated by reference in paragraph
73 62-330.200(2)(g), F.A.C.

74 2. Part II of St. John’s River Water Management District Applicant’s Handbook:
75 Regulation of Stormwater Management Systems Chapter 40C-42, F.A.C. (December 3, 2006),
76 incorporated by reference in paragraph 62-330.200(2)(h), F.A.C.

77 4. Chapter Five – Water Quality, within *Southwest Florida Water Management District*
78 *Part B Basis of Review* (October 19, 2005), incorporated by reference in paragraph 62-
79 330.200(3)(e), F.A.C.

80 5. Chapter 5 – Water Quality Criteria, within *South Florida Water Management District*
81 *Basis of Review for Environmental Resource Permit Applications within the South Florida Water*
82 *Management District* (October 3, 1995), incorporated by reference in paragraph 62-
83 330.200(4)(b), F.A.C.

84 (3) The design criteria, performance standards, and rules governing the regulation of
85 agricultural or silvicultural water management systems, shall continue to be governed by the
86 provisions of Sections 373.406, 373.413 and 373.416, F.S., Chapters 40A-44 (effective July 1,
87 1998), 40B-4 (effective August 31, 2009), 40C-44 (effective December 3, 2006), the St. Johns
88 River Applicant’s Handbook: Agricultural Surface Water Management Systems (December 3,
89 2006), 40D-4 (effective December 9, 2009), and 40E-4, F.A.C. (effective November 11, 2009),
90 and Rules 40B-400.500 (effective October 6, 2009), 40C-400.500 (effective May 13, 2008), 40D-
91 400.500 (effective August 30, 2009), 40E-400.500 (effective October 18, 2009), and 62-341.500,
92 F.A.C., as applicable. In the event of a conflict between a stormwater quality treatment
93 requirement of this Chapter and a stormwater quality treatment requirement of a water
94 management district rule that was not expressly superseded and was effective as of (*effective*
95 *date*), the more stringent stormwater quality treatment requirement shall control.
96 Specific Authority 373.026(7), 373.043, 373.118, 373.418, 373.4145, 403.805(1) FS. Law Implemented 373.409,
97 373.413, 373.4141, 373.4142, 373.4145, 373.416, 373.423, 373.426, 373.428, 373.429 FS. History —
98 New _____.

99 62-347.020 Definitions.

100 The following definitions will apply to this chapter and to the *Applicant’s Handbook*:

101 *Stormwater Quality*. Except as otherwise defined in this chapter or in the *Applicant’s Handbook*:

102 *Stormwater Quality*, the definitions in Rules 62-4.020, F.A.C., 62-340.200, and 62-341.021, F.A.C.,

103 apply to this chapter and to the *Applicant’s Handbook: Stormwater Quality*. In the event of conflicts
104 with other rules of the Department or water management districts related to stormwater quality, when
105 applied to activities regulated by this chapter, the definitions in Sections 373.019, 373.403, 403.031,
106 and 403.803, F.S., and this chapter, and the *Applicant’s Handbook: Stormwater Quality* will control.

107 (1) “Agency” or “responsible agency” means the Department of Environmental Protection or
108 a water management district established under Section 373.069, F.S., including any local
109 governments delegated to implement the rules adopted under Part IV of Chapter 373, F.S., in
110 accordance with Section 373.441, F.S.

111 (2) “Stormwater” means the flow of water that results from, and that occurs immediately
112 following, a rainfall event.

113 Specific Authority 373.026(7), 373.043, 373.118, 373.414, 373.4145, 373.418, 373.421, 403.805(1) FS. Law
114 Implemented 373.019, 373.117, 373.403, 373.413, 373.4131, 373.414, 373.4145, 373.416, 373.418, 373.421,
115 373.4211, 373.426, 403.0877, 403.813(2) FS. History — New [effective date].

116 62-347.051 Exemptions.

117 An application to construct, alter, operate, maintain or repair, remove, or abandon a
118 stormwater management system under Part IV of Chapter 373, F.S., that is complete before
119 [effective date] shall not be subject to the performance standards and design criteria of this
120 chapter.

121 Specific Authority 373.026(7), 373.043, 373.118, 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.117,
122 373.118, 373.409, 373.413, 373.4131, 373.4132, 373.4145, 373.416, 373.426, 403.0877 FS. History — New [effective
123 date].

124 62-347.091 Documents Incorporated by Reference.

125 (1) The following documents are incorporated by reference for use in this Chapter:

126 (a) ASTM D1557 -09, *Standard Test Methods for Laboratory Compaction*
127 *Characteristics of Soil Using Modified Effort (56,000 ft-lbf/ft³ [2,700 kN-m/m³], available at*
128 <http://www.astm.org/Standards/D1557.htm>.

129 (b) Department of Environmental Protection and Water Management Districts
130 Environmental Resource Permit Stormwater Quality Applicant's Handbook: Design
131 Requirements for Stormwater Treatment Systems in Florida, except Appendices A, B, D, I, and J,
132 effective [effective date], incorporated by reference in subsection 62-347.010(2), F.A.C.

133 (c) The Florida Stormwater, Erosion, and Sediment Control Inspector's Manual, Florida
134 Department of Environmental Protection and Florida Department of Transportation, Sixth
135 Impression, April 2006.

136 (d) State of Florida Erosion and Sediment Control Designer and Reviewer Manual,
137 Prepared for Florida Department of Transportation & Florida Department of Environmental
138 Protection by HydroDynamics Incorporated in cooperation with Stormwater Management
139 Academy, June 2007. Available at: <http://stormwater.ucf.edu>.

140 (e) Florida Department of Environmental Protection 12-digit Hydrologic Unit Code Maps
141 for National Hydrography Dataset Drainage basins, available at <http://ca.dep.state.fl.us/imf/>
142 (Note: this site won't be live until the rule is closer to adoption).

143 (2) The documents listed in this section may be obtained from a district or branch office
144 of the agency, or by downloading from the Department's Internet site at
145 <http://www.dep.state.fl.us/water/wetlands/erp/rules/guide.htm>.

146 Specific Authority 373.026, 373.043, 373.044, 373.046, 373.113, 373.4145, 373.416, 373.418, 373.421, 403.805(1) FS.
147 Law Implemented 373.026, 373.042, 373.409, 373.0421, 373.043, 373.046, 373.413, 373.4131, 373.4132, 373.4142,
148 373.4145, 373.416, 373.418, 373.423, 373.426, 373.428, 373.433, 373.436, 373.439, 380.06(9), 403.813(2) FS.
149 History — New [effective date].

150 62-347.900 Forms.

151 The following forms and instructions are incorporated by reference below for their use in
152 implementing this Chapter. The forms are listed by rule number, which is also the form number,
153 and with the subject title and effective date. Copies of forms may be obtained from the Internet
154 sites of the Department at <http://www.dep.state.fl.us/water/wetlands/erp/forms.htm>, from any

155 local district or branch office of the Department, or by writing to the Florida Department of
156 Environmental Protection, Submerged Lands and Environmental Resources Office, M.S. 2500,
157 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. The water management districts and
158 delegated local government implementing this chapter are authorized to adopt and incorporate by
159 reference forms that are functionally equivalent to the forms incorporated by reference in this
160 section, and to require applicants and permittees to use those forms in lieu of the forms adopted
161 herein.

162 (1) “Operation and Maintenance Inspection Report” [Effective Date]

163 (2) “Perpetual Off-site Treatment Easement” [Effective Date]

164 Specific Authority 373.026(7), 373.043, 373.118, 373.4145, 373.418, 373.421, 403.805(1) FS. Law Implemented
165 373.019, 373.026, 373.109, 373.117, 373.118, 373.403, 373.409, 373.413, 373.4132, 373.414, 373.4141, 373.4142,
166 373.4145, 373.416, 373.418, 373.419, 373.421, 373.4211, 373.423, 373.426, 373.428, 373.429, 380.06, 403.0877,
167 403.813(2) FS. History — New [effective date].

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169

170
171 **OPERATION AND MAINTENANCE INSPECTION REPORT**
172

173 Permit/Application Number(s): _____
174

175 Identification or Name of Stormwater Management System: _____
176

177 Phase of Stormwater Management System (if applicable): _____
178 _____
179

180 Inspection Date(s): _____
181

182 The undersigned hereby certifies that I or my designee under my direct supervision has inspected
183 this stormwater management system and has hereby determined that: (check all that apply)
184

185 The undersigned hereby certifies that the stormwater management system is functioning in
186 substantial conformance with the permit. This certification is based upon on-site
187 observation of the system conducted by me or my designee under my direct supervision and
188 my review of as-built plans certified by an appropriate registered professional.
189

190 The undersigned hereby certifies the system either is out of compliance with the terms and
191 conditions of the permit, or otherwise does not appear to be functioning in substantial
192 conformance with the permit. The following components of the system are either out of
193 compliance or do not appear to be functioning properly (attach additional pages if needed):
194 _____
195 _____
196 _____
197 _____
198

199 I am aware that corrective actions are required to bring the system into substantial
200 compliance with the terms and conditions of the permit. The following proposed
201 corrective actions are proposed to bring the system into compliance:
202 _____
203 _____
204 _____
205 _____
206

207 As appropriate, I have informed the owner of the following:

- 208 (a) The system does not appear to be functioning properly;
209 (b) That corrective actions are required to bring the system into compliance; and
210 (c) If maintenance or repair measures are not adequate to bring the system into
211 compliance, the system may have to be replaced or an alternative design
212 constructed subsequent to approval by the agency below.
213

214 **Any components of the constructed system that are not in substantial conformance with**
215 **the permitted system shall require a written request to modify the permit. If such**
216 **modification request is not approved by the agency below, the components of the system**
217 **that are not in conformance with the permit are subject to enforcement action under**
218 **Sections 373.119, .129, .136, and .430, F.S. If such modifications are approved by the**

219 **Department and implemented by the permittee, this form shall be resubmitted to the**
220 **Department upon completion of modification.**
221

222 The following maintenance was conducted since the last inspection (attach additional pages
223 if needed):
224

225 _____
226 _____
227 _____
228 _____
229

230
231 **If a registered professional is required or otherwise conducted the review:**
232

233 Name of Registered Professional: _____
234

235 Company Name: _____ Florida Registration Number: _____
236

237 Mailing Address: _____
238

239 City: _____ State: _____ Zip Code: _____
240

241 Telephone: _____ Fax: _____ E-mail: _____
242

243
244 _____
245 Signature of Appropriate Registered Professional _____ Date _____
246

247 **Report Reviewed by Permittee:**
248

249 Name of Permittee: _____
250

251 _____
252 Signature of Permittee _____ Date _____
253

254 _____
255 Title (if any) _____
256

257 **For systems that are not in compliance with the terms and conditions of the permit, or**
258 **otherwise are not functioning in substantial conformance with the permit, this certification**
259 **must be submitted to the following within 14 days of completion of the inspection.**
260

261 **For systems that are in compliance with the terms and conditions of the permit, this**
262 **certification may be retained by the operation and maintenance entity must be made**
263 **available for inspection upon request by the permitting Agency during normal business**
264 **hours; it does not otherwise have to be submitted to the permitting Agency.**
265

266 Department of Environmental Protection/ XX Water Management District



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PERPETUAL OFF-SITE TREATMENT EASEMENT

277

278

279 (This form is not yet developed)