



CLEAN WATERWAYS ACT STORMWATER RULE

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Stormwater and Technical Services Program
Florida Department of Environmental Protection

Florida Stormwater Association | June 14, 2024



AGENDA

- Environmental Resource Permitting (ERP) and ratification amendments.
- Implementation timeline.
- Changes to Chapter 62-330, Florida Administrative Code (F.A.C).
- Changes to Applicant's Handbook (AH) Volume I:
 - Section 2 Definitions.
 - Section 3 Grandfathering.
 - Section 8 Performance Criteria.
 - Section 9 Calculations.
 - Section 12 Operation and Maintenance (O&M) and Inspections.
- New forms.
- Performance criteria based on location.





SENATE BILL (SB) 712

CLEAN WATERWAYS ACT

- 2020 SB 712, also known as Florida's Clean Waterways Act, directed the Florida Department of Environmental Protection (DEP) to adopt new rules to support the goal of improving water quality in Florida, including updating the stormwater design and operation regulations.
- ERP applicants for stormwater management systems must abide by current provisions under Chapter 62-330, F.A.C.
- The final draft rule package was filed for adoption with the Florida Department of State on April 28, 2023.
- These rules have been ratified by the Florida Legislature with amendments to the selected rule provisions under SB 7040.



SB 7040 AMENDMENTS

- Clarified that the revised rules do not eliminate grandfather provisions in existence prior to the effective date.
- Provided that grandfathered projects can use existing forms (i.e., forms related to financial capability certification, dam system information, O&M and inspection checklists) in effect at the time the permit was originally issued, except for subsequent permits for future phases of construction and operation.
- Provided those entities implementing stormwater best management practices (BMPs) under a different permit (i.e., permittees regulated under the Everglades Agricultural Area basin program and entities implementing BMPs adopted by the Florida Department of Agriculture and Consumer Services [DACCS]) are not subject to duplicate inspections and inspections must be conducted pursuant to such entities' permits.



SB 7040 AMENDMENTS (2)

- Provided alternative treatment standards for redevelopment projects in areas with impaired waters (and upstream of such waters) and provide the minimum level of treatment for such projects.
 - The post-development pollutant loading must be less than pre-development conditions for those pollutants not meeting water quality standards and reductions of 80% total phosphorus (TP) and 45% total nitrogen (TN) must be achieved.
- Provided clarification when an applicant provides reasonable assurance that the required modeling, calculations and applicable supporting documentation satisfy the provisions specified under Sections 8.2.3 through 8.3.6 of AH Volume I, the applicant shall have demonstrated that it meets the 80% and 95% reduction of total suspended solids.



ADOPTED REVISIONS



- Rule revisions focus on stormwater management system design and operational requirements that would be permitted primarily as individual ERP projects.
- Rule revisions for new permitting requirements, specifically for dam systems are addressed in the adopted rules.
- Implementation requirements for rule revisions are primarily incorporated in ERP AH Volume I, which was revised and incorporated by reference in Rule 62-330.010, F.A.C.
- Supporting requirements are found in additional sections of Chapter 62-330, F.A.C., forms and the water management districts' (WMDs') AH Volume IIs.



IMPLEMENTATION TIMELINE SUMMARY

Section Number, AH Volume I	When it is Effective*?	Who is Affected**?
8.3 – Performance criteria	Effective date + 18 months***	All general and individual permits and major modifications of existing permits.
8.4.5 – Dam criteria	Effective date	Dam owners.
12.3.5 – O&M cost estimate	Effective date (at the time of application)	Everyone.
12.4 – O&M plan	Effective date (at the time of application)	Everyone.
12.5 – Inspection requirements and checklist	Effective date (at the time of application)	Everyone except municipal separate storm sewer system (MS4) entities, and certain activities and BMPs regulated by South Florida Water Management District or DACS.
12.5(c) – Qualified Inspector	Effective date + 12 months	

Notes:

*New stormwater rule revisions will become effective upon the ratification bill (SB 7040) becoming law, pursuant to section 120.54(3)(e)6, Florida Statutes (F.S.).

**All DEP and WMD staff working in the ERP Program, including both permitting and compliance staff, would be provided overview and topic-specific training.

***New Conceptual Approval Permits (issued after the rule effective date) will have to reflect the provisions for grandfathering of performance criteria based on the criteria that would apply for the time of application completeness for the individual construction phase permit.



ERP STRUCTURE

- Chapter 62-330, F.A.C.
 - Rules incorporating the ERP AHs.
 - Changes made to the handbook are reflected in the rule where applicable.
 - Conditions for issuance.
- ERP AH Volume I.
 - Where the bulk of rule change occurred.
 - Contains permit thresholds and exemptions.
 - Design performance standards.
 - Erosions and sediment control practices.
 - O&M requirements.
 - Wetland mitigation.
- ERP AHs Volume II.
 - Five separate handbooks; one for each of the WMDs.
 - Contain attenuation and special basin criteria.



SECTION 2

DEFINITIONS

- Select definition changes:
 - Pre-development and post-development.
 - BMPs for erosion and sediment control and BMPs for stormwater treatment.
 - Dam, levee and levee system.
 - Directly connected impervious area.
 - Redevelopment.
 - Hydrologic unit code (HUC).
 - Impaired water.





SECTION 3

GRANDFATHERING

- Existing permits will not be affected unless they have a major modification.
- ERP applications that will not be required to meet the new rule requirements.
 - Projects with complete application within 18 months from the rule effective date.
 - Florida Department of Transportation projects that have completed their project development and environment study before rule implementation.
 - Conceptual approval permits issued before the rule effective date.
 - Minor modifications or modifications that will solely bring the previously permitted system into compliance with its existing permit.
- Stormwater management and design plans approved before Jan. 1, 2024.
 - For a planned unit development final development plan.
 - For a valid development of regional impact.
 - With a binding ecosystem management agreement.
 - Submitted to local government agency as part of a local building permit or as part of a site plan or subdivision plat approval.
 - Submitted to local government agency as part of a regional stormwater management system.



SECTION 8

DAMS

- Dam systems criteria:
 - Provide basic dam safety information in application.
 - Establish a downstream hazard potential for new projects.
 - Require emergency action plans for high hazard potential and significant hazard potential dams.
 - Provide condition assessment reports for high hazard potential and significant hazard potential dams.
- Applies to all permits for construction of a new dam or major modification of an existing permit for a dam after the effective date.





SECTION 8

PERFORMANCE STANDARDS

- Additional permitting requirements:
 - Modeling or calculations required rather than presumptive BMP design.
 - Minimum stormwater treatment performance standards for design.
 - Based on a post \leq pre analysis or a nutrient reduction efficiency, whichever is more protective.
 - Treatment designs would provide 80% reductions of TP and a 55% reduction of TN.
 - Additional removal requirements of 90% for TP and 80% for TN for projects discharging within Outstanding Florida Waters (OFWs).
 - Additional provisions for projects discharging to impaired waters to ensure consistent procedures for demonstrating that a project will provide a net improvement to receiving waters.
- Redevelopment Section 8.3.5:
 - Adopted provisions would allow a reduced TN performance standard of 45% (60% for projects discharging within OFW) under limited conditions which are expected to support redevelopment in areas where there are likely little or no historical stormwater treatment.



SECTION 8

EXEMPTION FROM MINIMUM PERFORMANCE STANDARDS



- Section 8.3.6 – for redevelopment only:
 - Under one acre.
 - Result in reduced impervious surface or reduced pollutant loading.
 - Requests pursuant to Section 3.2.7.
 - Allows reduced performance standards in these areas.
- Applications deemed complete within 18 months of the effective date.



TREATMENT STANDARDS

SUMMARY OF SECTION 8.3, AH VOLUME I

Project Scenario	TP	TN	Additional Criteria
All sites	80	55	Or post \leq pre
OFW	90	80	Or post \leq pre
Impaired water	80	80	And post \leq pre plus net improvement
Impaired + OFW	95	95	And post \leq pre plus net improvement
Redevelopment	80	45	N/A
Redevelopment + OFW	90	60	N/A
Redevelopment + impaired	80	45	And net improvement for the pollutant of concern



SECTION 9

CALCULATING AND MEETING PERCENT REDUCTIONS

- Calculations:
 - Modeling or calculations outlined in new section of AH Volume I.
 - Based on land use of the site, hydrology and event mean concentration value.
 - Calculate the predevelopment loading and the post development loading before treatment.
 - Use this and the site location to determine which performance criteria to follow.
 - Updated average annual rainfall data.
- BMPs:
 - Traditional BMPs listed in Appendix O.
 - BMP treatment train.
 - Low impact design and green stormwater infrastructure.
 - Alternative designs.
- Off-site treatment:
 - Over treatment.
 - Off-site compensation.
 - Regional stormwater systems.



SECTION 12

OPERATION AND MAINTENANCE

- Increased O&M requirements:
 - Strengthened training, documentation and inspection frequency requirements help ensure that new stormwater management systems will be properly operated and maintained over time.
 - New permitting requirements to ensure that entities will be capable of performing operation and maintenance over time.
 - Required for applications submitted after effective date.
- Detailed O&M plan:
 - At time of application develop O&M plan for BMPs used on site.
 - Provide this O&M to all subsequent permit holders and O&M entities.
- Cost estimate:
 - Provide annual cost for maintaining stormwater system for its operation life and the replacement cost.



SECTION 12

INSPECTION

- Inspections to be done regularly by a qualified inspector.
 - Qualified inspector can be a Professional Engineer (PE), under supervision of a PE, or have specific training in stormwater inspections.
 - Would be required 12 months after effective date.
 - Required at interval indicated by the permit based on the BMP's complexity.
 - Projects under Chapter 40E-63, F.A.C., and DACS under Title 5M, F.A.C., are not subject to duplicative inspection requirements or the qualified inspector requirement.
- Options for MS4s:
 - O&M: "... 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."
 - Inspections: "An MS4 Entity shall conduct and report inspections ... in accordance with their MS4 permit requirements and any associated Standard Operating Procedures (SOPs) required pursuant to Chapter 62-624, F.A.C."



SUMMARY

- Provide minimum stormwater treatment performance criteria.
- Increase treatment and removal of nutrients (TP and TN).
- Establish updated stormwater BMPs that more accurately reflect latest scientific information on their performance.
- Strengthen Florida's overall water resource protections.
- Ensure consistent application of net improvement performance standards.
- Strengthen requirements for O&M of stormwater systems.
- Improve permitting requirements and information for dam systems.



IMPLEMENTATION TIMELINE SUMMARY

EFFECTIVE IMMEDIATELY

Unless otherwise grandfathered, these requirements are to be included at time of effective date.

- Dam system criteria, Section 8.4.5:
 - Form 62-330.301(25).
 - Form 62-330.311(4).
- Cost estimate form, Section 12.3.5:
 - Form 62-330.301(26).
- O&M plan, Section 12.4:
 - Form 62-330.311(1).
- Performance criteria for conceptual permits.





IMPLEMENTATION TIMELINE SUMMARY

DELAYED EFFECTIVE DATES



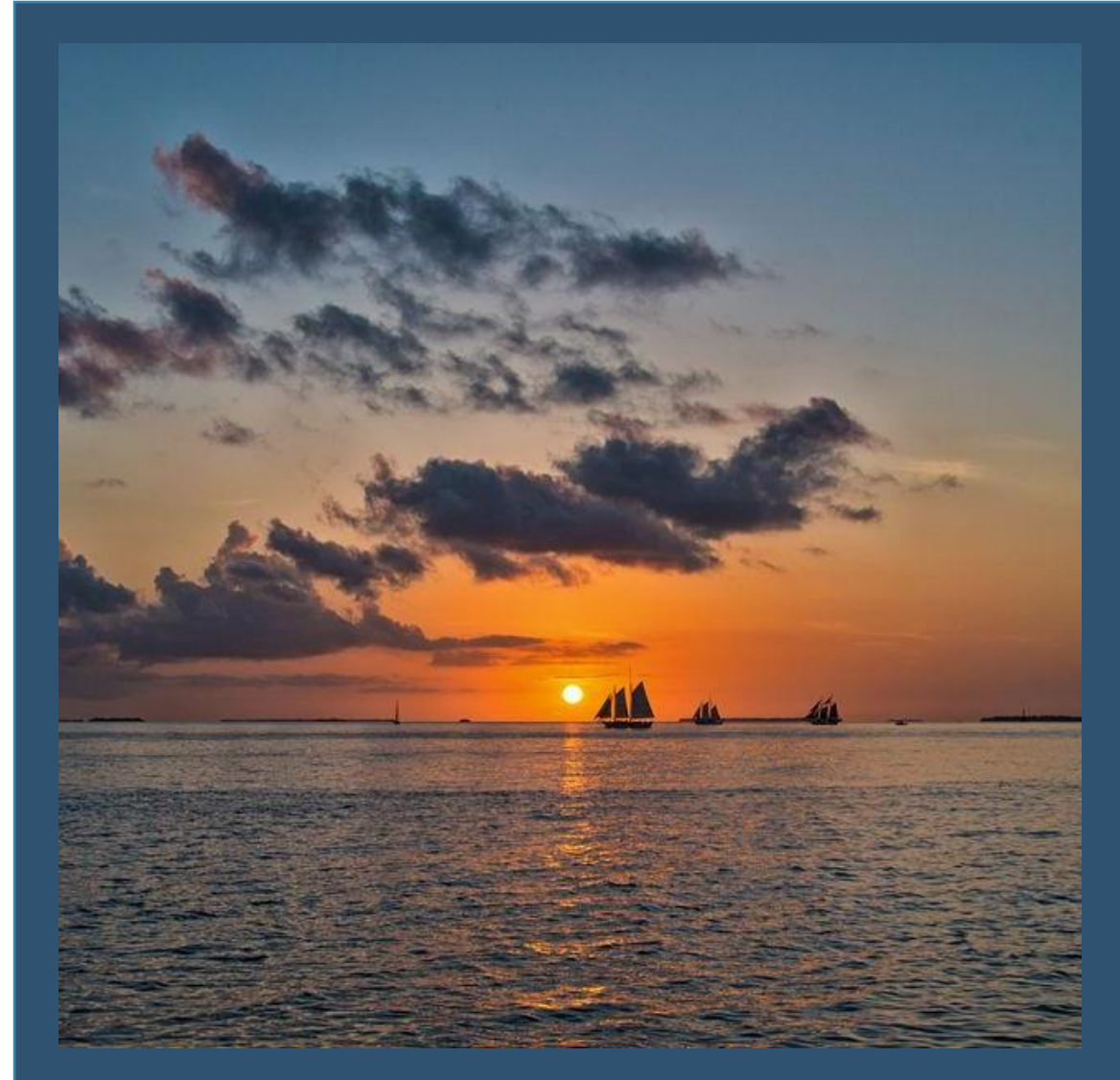
- Applications deemed complete after the effective date + 12 months will be required to utilize a qualified inspector for all required inspections.
 - Section 12.5, Form 62-330.311(3).
 - Excludes MS4 entities and certain activities and BMPs regulated by South Florida Water Management District or DACS.
- Applications deemed complete after the effective date + 18 months will be required to meet the stormwater quality nutrient permitting requirements.
 - Performance criteria found in Section 8.3.



NEW FORMS NEEDED FOR ERP APPLICATIONS

EFFECTIVE IMMEDIATELY

- Form 62-330.311(2), Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity.
- Form 62-330.301(25), Dam System Information.
- Form 62-330.311(4), Condition Assessment Report for Florida Dams.
- Form 62-330.301(26), Certification Of Financial Capability For Perpetual Operations And Maintenance Entities.
- Form 62-330.311(1), Operation And Maintenance Inspection Certification.
- Form 62-330.311(3), Stormwater Facility Inspection Checklist.





NEW FORMS NEEDED FOR ERP APPLICATIONS

TRANSFER TO O&M ENTITY

- Form 62-330.311(2), Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity.
- Update of an existing form.
- New version only required for permits deemed complete after the effective date.
 - Not required for permits completed before and are only just now transferring to O&M phase.
- Ensures that the maintenance entity is aware of all its duties for the permitted system.
- Adds the new required documents as part of the package:
 - O&M plan.
 - Cost estimate.
 - Financial capability certification form.

Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity	
<p>Instructions: Complete this form to transfer the permit to the operation and maintenance entity. This form can be completed concurrently with, or within 30 days of approval of, the As-Built Certification and Request for Conversion to Operation Phase (Form 62-330.310(1)). Please include all documentation required under Section 12.2.1(b) of Applicant's Handbook Volume I (see checklist below). Failure to submit the appropriate final documents will result in the permittee remaining liable for operation and maintenance of the permitted activities.</p>	
Permit No.:	Application No(s):
Project Name:	Phase (if applicable):
A. Request to Transfer: The permittee requests that the permit be transferred to the legal entity responsible for operation and maintenance (O&M).	
By:	
Signature of Permittee	Name and Title
Company Name	Company Address
Phone/email address	City, State, Zip
B. Agreement for System Operation and Maintenance Responsibility: The below-named legal entity agrees to operate and maintain the works or activities in compliance with all permit conditions and provisions of Chapter 62-330, Florida Administrative Code (F.A.C.) and Applicant's Handbook Volumes I and II.	
<div>The operation and maintenance entity does not need to sign this form if it is the same entity that was approved for operation and maintenance in the issued permit.</div>	
Authorization for any proposed modification to the permitted activities shall be applied for and obtained prior to conducting such modification.	
By:	
Signature of Representative of O&M Entity	Name of Entity for O&M
Name and Title	Address
Email Address	City, State, Zip
Phone	Date



NEW FORMS NEEDED FOR ERP APPLICATIONS

DAM SYSTEM INFORMATION

- Required for new or major modification applications that contain a dam system.
- Provide dam parameters for the dam system:
 - General information.
 - Specific parameters.
 - Supplemental information.
 - Condition assessment for existing high-risk dams.
- All parameters are defined and linked clearly in the form.
- Must be signed by the applicant or their authorized agent.
 - Not necessary to be a registered professional.

DAM SYSTEM INFORMATION

Applicability and Instructions

Applicability
This form must be completed to provide information and parameters describing the characteristics of the dam system. This information shall be submitted in the permit application to construct a new dam or alter an existing dam, in accordance with Rule 62-330.301(2), Florida Administrative Code, and Section 8.4.5, *Dam Systems*, and Appendix L, *Dam Systems*, in the Applicant's Handbook Volume I. The applicant or applicant's authorized agent, as provided in Form 62-330,060(1), *Application for Individual and Conceptual Approval Environmental Resource Permit, State 404 Program Permit, and Authorization to Use State-Owned Submerged Lands*, must sign this form.

Instructions
Each parameter is hyperlinked to its definition, listed alphabetically at the bottom of this form. See the definitions for a range of acceptable answers and units of measurement. Do not leave any parameters blank. If a response is unknown, enter "UNK," or if a parameter is not applicable, enter "N/A".

Submit the completed form to the permitting agency in the application submittal and preferably email it to DamSafety@FloridaDEP.gov or mail it to the State Dam Safety Officer, Florida Department of Environmental Protection, 2600 Blair Stone Road, Mail Station 3595, Tallahassee, Florida 32399.

Dam Parameters

Part 1: General Information

1. Dam Name:		2. Other Dam Names:	
3. Former Dam Name(s):			
4. State Agency / Permit Number:		5. NID ID:	
6. Number Separate Structures:		7. Other Structure ID:	
8. Longitude:		9. Latitude:	
10. Section:		Township:	Range:
11. County:		12. River or Stream:	
13. Nearest Downstream City/Town:			
14. Distance to Nearest Downstream City/Town (miles):			



NEW FORMS NEEDED FOR ERP APPLICATIONS

CONDITION ASSESSMENT REPORT FOR FLORIDA DAMS

- Form 62-330.311(4), Condition Assessment Report for Florida Dams.
- Required for new or major modification applications that contain a dam system to be deemed complete after the effective date.
- In conjunction with the requirements of Appendix L, Additional Criteria for Dam Systems.
- Information in this form may be from inspections of the dam within the last five years.
- Form provides dam information:
 - General information.
 - Dam inspection.
 - Overall condition assessment.
- Certification from a registered professional that the information provided is true, accurate and reflects the current condition of the dam.

Condition Assessment Report for Florida Dams

Purpose and Content

Purpose

This Condition Assessment Report (CAR) shall be completed in compliance with Section 5, *Condition Assessment*, of Appendix L, *Additional Criteria for Dam Systems*, in the *Environmental Resource Permit Applicant's Handbook Volume I (General and Environmental)*, Chapter 62-330, Florida Administrative Code. Inspection information is to be submitted in support of an application for an individual Environmental Resource Permit to alter an existing dam system with a High Hazard Potential or Significant Hazard Potential classification (as defined in Section 3, *Downstream Hazard Potential*, in Appendix L). The information in this form may be completed through a combination of new and historical inspections that were performed within the past five years, as long as the data are still representative of the dam condition. Copies of the original inspection reports are to be included in the Condition Assessment Report (CAR).

Content

This form is grouped into five sections: Purpose and Content, General Information, Dam Inspection, Overall Condition Assessment, and Certification. Information for the dam, dam owner(s), and dam owner's engineer are shown in the General Information section. The dam and appurtenant structure components of the crest, upstream and downstream slopes, plunge pool, principle and emergency spillways, instrumentation, outlet pipe(s), stilling basin, waterbody structures, downstream hazards, drawings, pictures, and underwater video are listed in the Dam Inspection section. The overall condition assessment ratings of Satisfactory, Fair, Poor, and Unsatisfactory are defined in the Overall Condition Assessment section. Lastly, the certification statement to include in the submittal is provided in the Certification section.

General Information

Date of Inspection(s):

Date CAR Prepared:

Dam Information



NEW FORMS NEEDED FOR ERP APPLICATIONS

FINANCIAL CAPABILITY CERTIFICATION

- Form 62-330.301(26), Certification Of Financial Capability For Perpetual Operations And Maintenance Entities.
- Certifies the O&M entity understands the costs of (1) operating and maintaining the system and (2) repairing and replacing the system.
- Indicates the type of financial institution that will be responsible:
 - MS4, nonprofit, homeowners' association, temporary construction permittee, government agency, public utility, etc.
- Includes cost estimate – total annual operating expenses, including maintenance costs, for the estimated life of the system; current year dollars.
 - Accounts for annualized capital or replacement costs or deferred maintenance expenses for each BMP in the system and any associated infrastructure.

**Certification Of Financial Capability
For Perpetual Operations And Maintenance Entities**

Permit No.: _____ Application No.: _____ Date Issued (if modification): _____

Identification or Name of Stormwater Management System: _____

Phase of Stormwater Management System (if applicable): _____

Name of Operation and Maintenance Entity: _____

Address of Operation and Maintenance Entity: _____

☐ Cost estimate attached

Total annual operating expenses, including maintenance costs, for the estimated remaining useful life of the system accounting for annualized capital or replacement costs or deferred maintenance expenses for the system, including those components where maintenance or replacement frequencies are less frequent than once per year, for each BMP in the stormwater management system and any associated infrastructure, in current year dollars.

Operation and Maintenance Entity (Select All That Apply):

☐ Local, state, or federal government agencies; municipal service other special taxing units, water control or drainage districts; community development, special assessment, or water management districts

☐ Communication, water, sewer, stormwater, electrical, or other public utility

☐ Construction permittee (see Section 12, Volume I)

☐ Non-profit corporations, including homeowners' associations, property owners' associations, condominium owners' or master associations

☐ Other (Describe the Other Operation and Maintenance Entity below)

Certification by Operation and Maintenance Entity:

Certification Provisions for the Operation and Maintenance Entity (Select All That Apply):

☐ Municipal Separate Storm Sewer System (MS4) permittee subject to Chapter 62-624, F.A.C. (Identify the applicable Florida Department of Environmental MS4 permit below):

☐ Non-profit corporation subject to the Homeowners' Association Act under Chapter 720, Florida Statutes



NEW FORMS NEEDED FOR ERP APPLICATIONS

O&M CERTIFICATION

- Form 62-330.311(1), Operation And Maintenance Inspection Certification.
- Required at time of permitted inspection frequency.
- Optionally attach the inspection checklist, O&M, cost estimate and monitoring reports if any have been updated.
- Must be signed by a PE, someone working under a PE or a qualified inspector.
- Certifies under the inspector's qualifications that the system is or is not in compliance with its permit.
- Any components of the constructed system that are not conformance with the permitted system must be returned to conformance or shall require a written request to modify the permit.

**OPERATION AND MAINTENANCE INSPECTION
CERTIFICATION**

Instructions: Submit this form to the Agency within 30 days of completion of the inspection, or after any failure of a stormwater management system or deviation from the permit. This form will be used to document inspections required under Section 12.5 of Applicant's Handbook Volume I.

Permit No.: _____ Application No.: _____ Date Issued: _____

Identification or Name of Stormwater Management System: _____

Phase of Stormwater Management System (if applicable): _____

Inspection Date: _____

Included Documentation: (check all that are attached)

☐ Form 62-330.311(X) "Inspection Checklist" (Required for permitted inspection frequency)

☐ Updated O&M cost estimate

☐ Updated O&M Plan

☐ Monitoring Reports

Inspection results: (check all that apply)

☐ The undersigned hereby certifies that the works or activities are functioning in substantial conformance with the permit. This certification is based upon on-site observation of the system conducted by me or my designee under my direct supervision and my review of as-built plans.

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

☐ The undersigned hereby certifies that I or my designee under my direct supervision has inspected this surface water management system and the system does not appear to be functioning in substantial conformance with the permit. I am aware that maintenance or alteration is required to bring the system into substantial compliance with the terms and conditions of the permit. As appropriate, I have informed the owner of the following:

a) The system does not appear to be functioning properly.

b) That maintenance or repair is required to bring the system into compliance; and

c) If maintenance or repair measures are not adequate to bring the system into compliance, the system may have to be replaced or an alternative design constructed subsequent to approval by the agency below.

The following components of the system do not appear to be functioning properly (attach additional pages if needed):



NEW FORMS NEEDED FOR ERP APPLICATIONS

INSPECTION CHECKLIST

- Form 62-330.311(3), Stormwater Facility Inspection Checklist.
- List of items to be checked during a standard inspection.
- Not required; functional equivalent is acceptable.
- Sections should be edited/minimized to better match site-specific conditions.
- Included in O&M plan.
- Used to inform owner where additional maintenance or repairs need to be made.
- Inspected by PE, someone working under a PE or a qualified inspector.

Stormwater Facility Inspection Checklist

Instructions

Prior to the inspection, the Inspector should review the permit for the facility and the design or as-built drawing for the facility.

This inspection checklist is required for the documentation of the annual inspection of all permitted stormwater systems. Complete all parts of the general data section for the project site. Attach any additional required documentation, if necessary. In the "All Technologies" category, mark all items as "satisfactory" or "unsatisfactory." For all other categories, either select "N/A" and minimize the category or mark all inspection items as "satisfactory" or "unsatisfactory." If the system described does not contain a component that is listed for inspection mark that item as "N/A"

For any item marked unsatisfactory, provide a comment below the BMP technology describing maintenance action needed to bring the system back into compliance. Within 30 days of any failure of a stormwater management system or if any components of the constructed system are found to be not in substantial conformance with the permitted system, a report shall be submitted by the permittee or their authorized representative to the Agency using Form 62-330.311(1), "Operation and Maintenance Inspection Certification," (effective date)), as per 62-330.331(2) F.A.C., describing the remedial actions taken to resolve the failure or deviation.

Inspection reports will be submitted by the permittee or their authorized representative to the applicable permitting agency. Each inspection report must be signed by a certified inspector or a registered professional to certify its authenticity.

Inspection Checklist

General Data

Inspection Date
Location

Project Name
Permit Number

Time since last storm event ☐ <24 hours

☐ 24-48 hours ☐ 48-72 hours ☐ >72 hours

Permit Holder

Permit Effective Date

Inspector Name

Inspector Contact Information

Multiple BMP types in the system No ☐ Yes ☐ List All: _____



NEW FORMS NEEDED FOR ERP APPLICATIONS

INSPECTION CHECKLIST (2)

All (or other unlisted) Technologies

Items for inspection	Satisfactory	Unsatisfactory
General		
BMPs and treatment facilities are in good repair and operational	<input type="checkbox"/>	<input type="checkbox"/>
BMPs and treatment facilities are free from debris buildup that may impair function	<input type="checkbox"/>	<input type="checkbox"/>
Berms, embankments, curbing, or other methods used to impound, divert, and direct discharges are adequate and in good condition	<input type="checkbox"/>	<input type="checkbox"/>
The discharge (if any) is free of floating materials, visible oil sheen, discoloration, turbidity, odor, foam, or any other signs of contamination	<input type="checkbox"/>	<input type="checkbox"/>
Vegetation		
Mowing done when needed	<input type="checkbox"/>	<input type="checkbox"/>
Grass clippings removed	<input type="checkbox"/>	<input type="checkbox"/>
No evidence of erosion	<input type="checkbox"/>	<input type="checkbox"/>
Inlets		
Good condition, no need for repair	<input type="checkbox"/>	<input type="checkbox"/>
No evidence of erosion*	<input type="checkbox"/>	<input type="checkbox"/>
Outlets/overflow spillway		
Good condition, no need for repair	<input type="checkbox"/>	<input type="checkbox"/>
No evidence of erosion*	<input type="checkbox"/>	<input type="checkbox"/>

Comments: _____

Traditional BMPS

- ▶ Swales N/A ☐
- ▶ Wet Pond N/A ☐

Dry Pond N/A ☐

Type of dry pond _____

Items for inspection	Satisfactory	Unsatisfactory
Debris Cleanout		
Basin bottom clear of debris*	<input type="checkbox"/>	<input type="checkbox"/>
Emergency spillway clear of debris*	<input type="checkbox"/>	<input type="checkbox"/>
Recovery		
Pond recovers between storms	<input type="checkbox"/>	<input type="checkbox"/>
Vegetation		
No signs of damage from animal activity	<input type="checkbox"/>	<input type="checkbox"/>
No signs of stress or disease	<input type="checkbox"/>	<input type="checkbox"/>
No emergent invasive plant life	<input type="checkbox"/>	<input type="checkbox"/>
Does not need replanting	<input type="checkbox"/>	<input type="checkbox"/>
Not overgrown	<input type="checkbox"/>	<input type="checkbox"/>
Sediment cleanout of pond		
No evidence of sedimentation in pond	<input type="checkbox"/>	<input type="checkbox"/>
No evidence of erosion at downstream toe	<input type="checkbox"/>	<input type="checkbox"/>
Structural		
Embankment condition	<input type="checkbox"/>	<input type="checkbox"/>

No evidence of erosion or flooding *	<input type="checkbox"/>	<input type="checkbox"/>
Underdrain N/A <input type="checkbox"/>		
All cleanouts clear from clogging or blockages	<input type="checkbox"/>	<input type="checkbox"/>
Cleanouts in good condition	<input type="checkbox"/>	<input type="checkbox"/>

Comments: _____

Non-Traditional BMPS

Other Manufactured BMPs N/A ☐

Type of System _____

Items for inspection	Satisfactory	Unsatisfactory
Functioning based on permit and manufacturer specifications	<input type="checkbox"/>	<input type="checkbox"/>
No evidence of damage or clogging	<input type="checkbox"/>	<input type="checkbox"/>

Comments: _____

Monitoring Devices and Adaptive Controls N/A ☐

Type of Monitoring Device(s) _____

Items for inspection	Satisfactory	Unsatisfactory
Computer components		
Functioning as intended	<input type="checkbox"/>	<input type="checkbox"/>
Recording data at permitted intervals	<input type="checkbox"/>	<input type="checkbox"/>
No signs of rusting, corrosion, or other weather damage	<input type="checkbox"/>	<input type="checkbox"/>

Comments: _____

* That May Impair Function

Signature

Inspector Name: _____

Signature of Inspector: _____

Florida Registration Number: _____



QUALIFIED INSPECTORS

- Required to be used 12 months after the rule goes into effect.
- Three options:
 - A registered professional.
 - Inspector under the supervision of a registered professional.
 - Have completed training no more than five years prior to the date of the inspection.
- Training must include the following:
 - The ability to read construction drawings, plans, specifications and modeling of recovery timeframes.
 - Principles of traditional BMPs for stormwater treatment, including functions that convey and remove pollutants from stormwater.
 - For traditional BMPs, the potential causes of failure or malfunction, replacement needs and reduction in treatment efficiency.
 - Understanding of the purpose, design and function of manufactured devices or non-traditional BMPs, and the ability to ensure the device meets manufacturers' specifications and maintenance requirements.
 - Performance of inspections, including field inspection experience and the completion of required reports and documentation, consistent with the requirements of Section 12 of AH Volume I, any relevant requirements of the applicable AH Volume II and all other applicable rules and regulations.

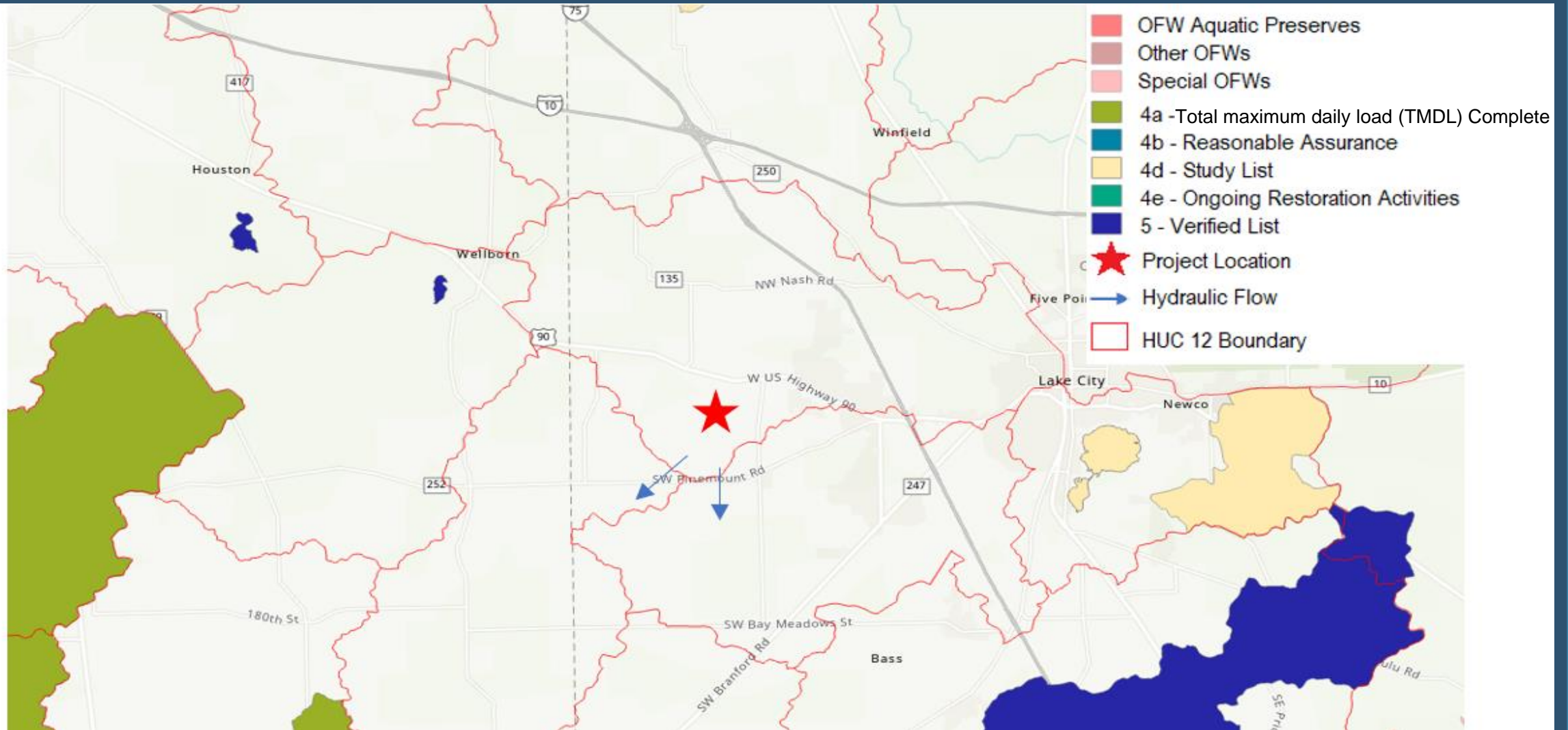


USE OF HUC 12s IN DETERMINING CRITERIA

- HUC 12:
 - Denotes a surface watershed drainage basin.
 - Determined by the U.S. Geological Survey and National Resources Conservation Service.
- Performance criteria are determined by the following:
 - Whether the stormwater treatment system is located within a HUC 12 subwatershed containing an OFW and located upstream of that OFW.
 - Whether a proposed activity is located within a HUC 12 subwatershed containing an impaired water and the project is located upstream of that impaired waterbody, and an adjacent HUC 12 subwatershed containing an impaired water that is hydrologically downstream, either under routine or tidally induced flow conditions, from the proposed activity's HUC 12 subwatershed, unless the applicant can demonstrate that the proposed activity cannot reasonably cause or contribute to the existing downstream HUC 12 subwatershed impairment.
- HUC 12 maps can be reviewed or downloaded at <https://drecp.databasin.org/datasets/76d0322aff6a4de8a1c3169d1ecced98/>.

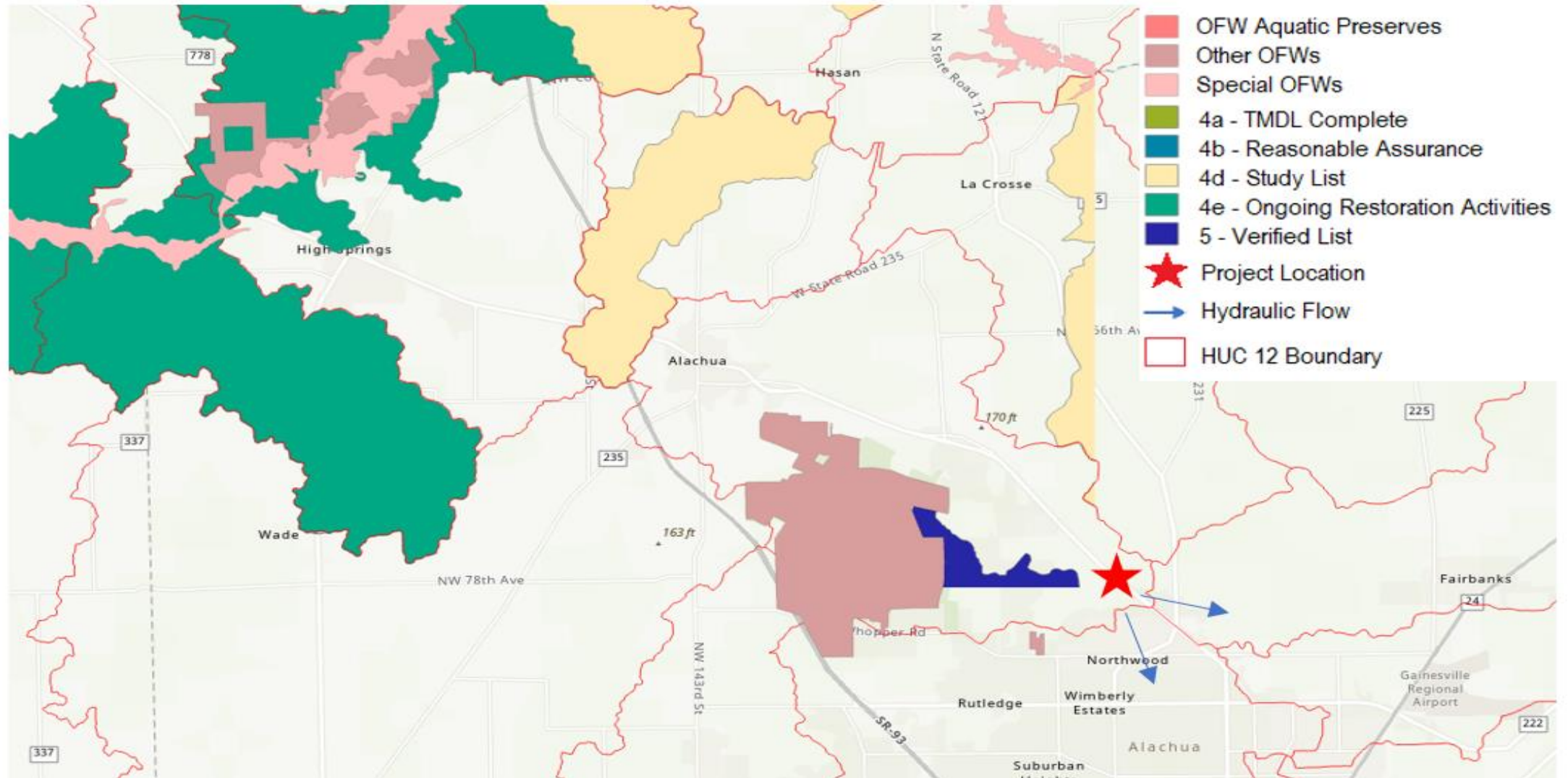


PROJECT IN HUC 12 WITH NO OFWs OR IMPAIRED WATERS



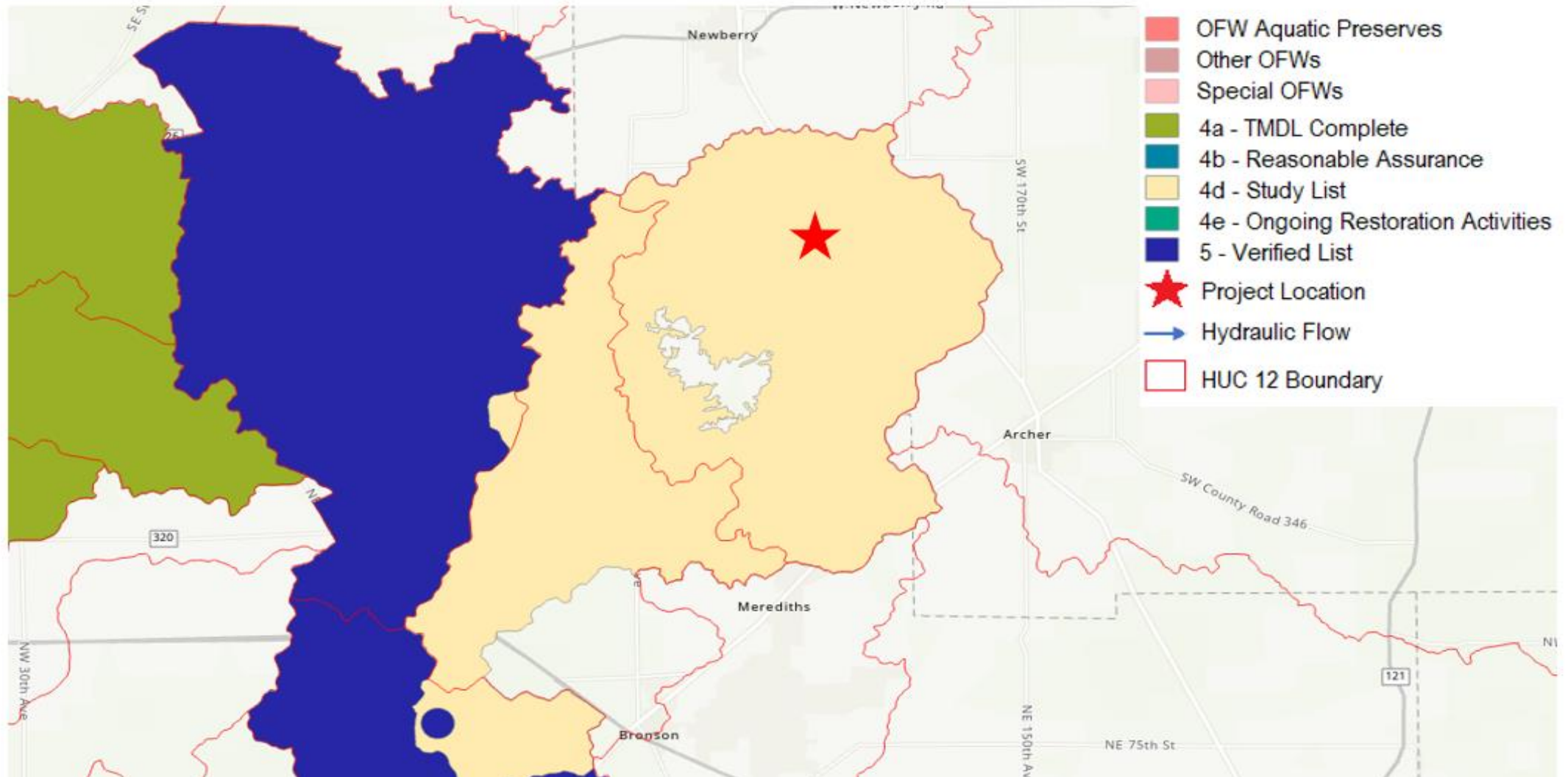


PROJECT IN HUC 12 CONTAINING OFW AND IMPAIRED WATERS



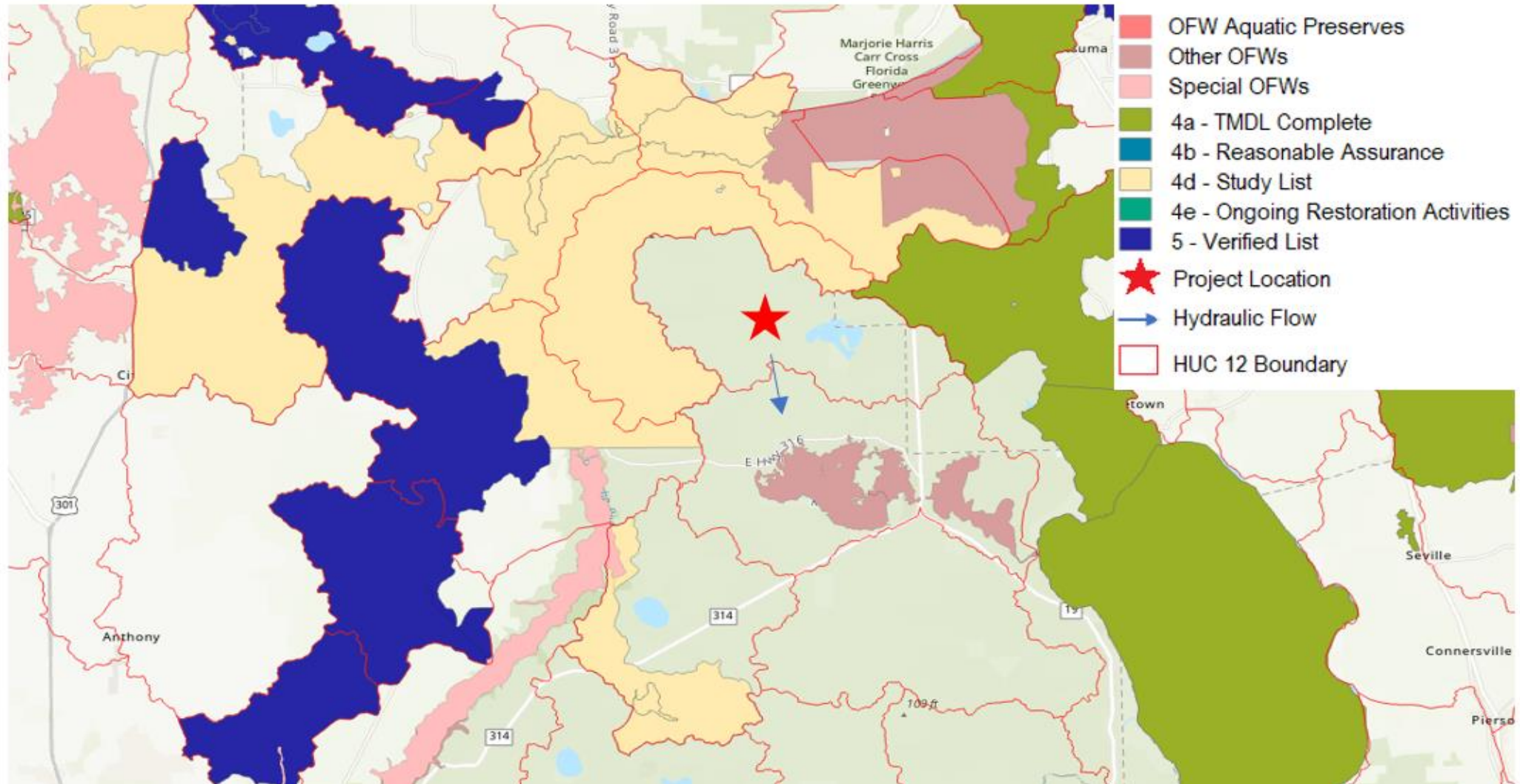


PROJECT IN HUC 12 CONTAINING WATERS ON THE STUDY LIST



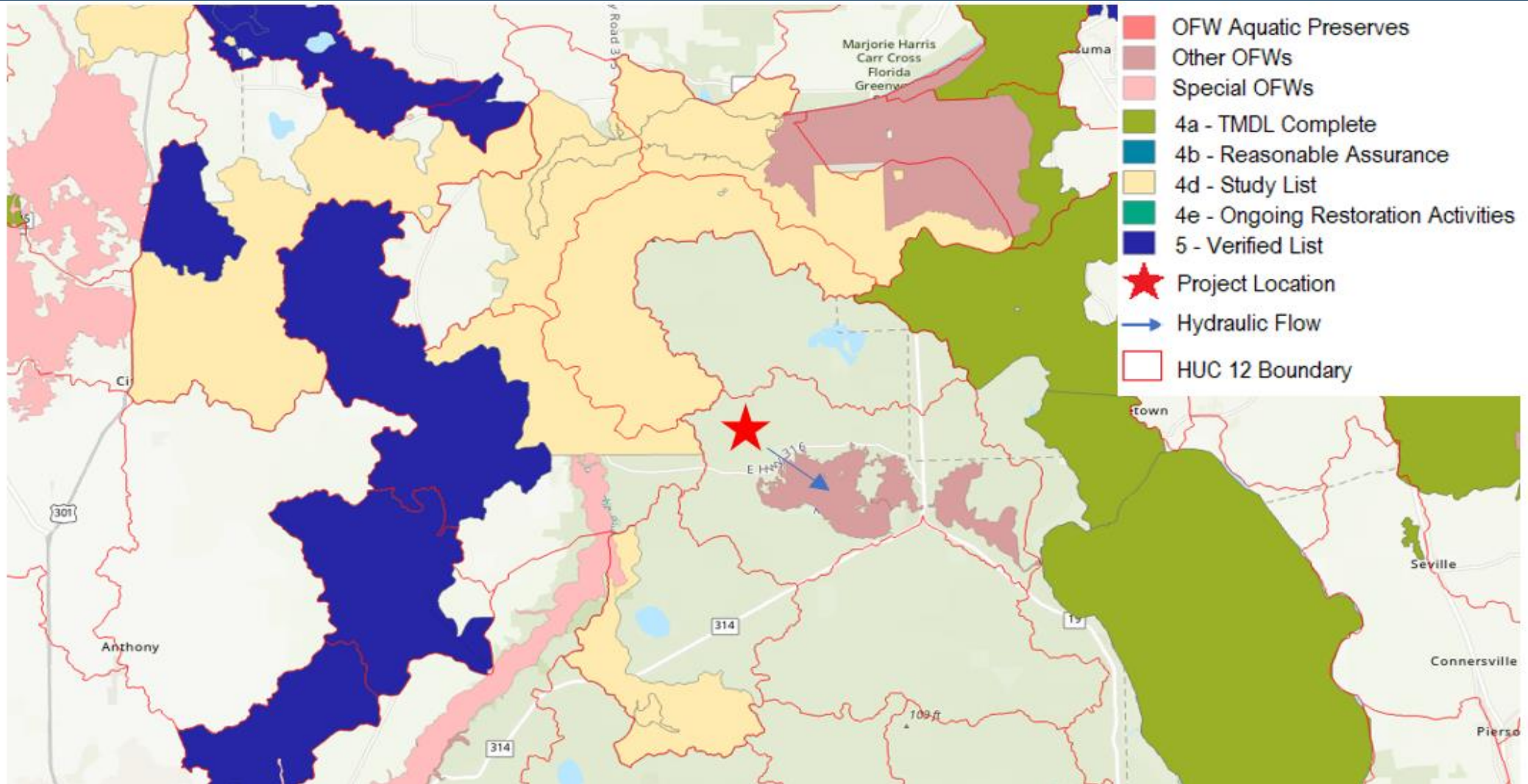


PROJECT IN HUC 12 ADJACENT TO HUC 12 CONTAINING AN OFW



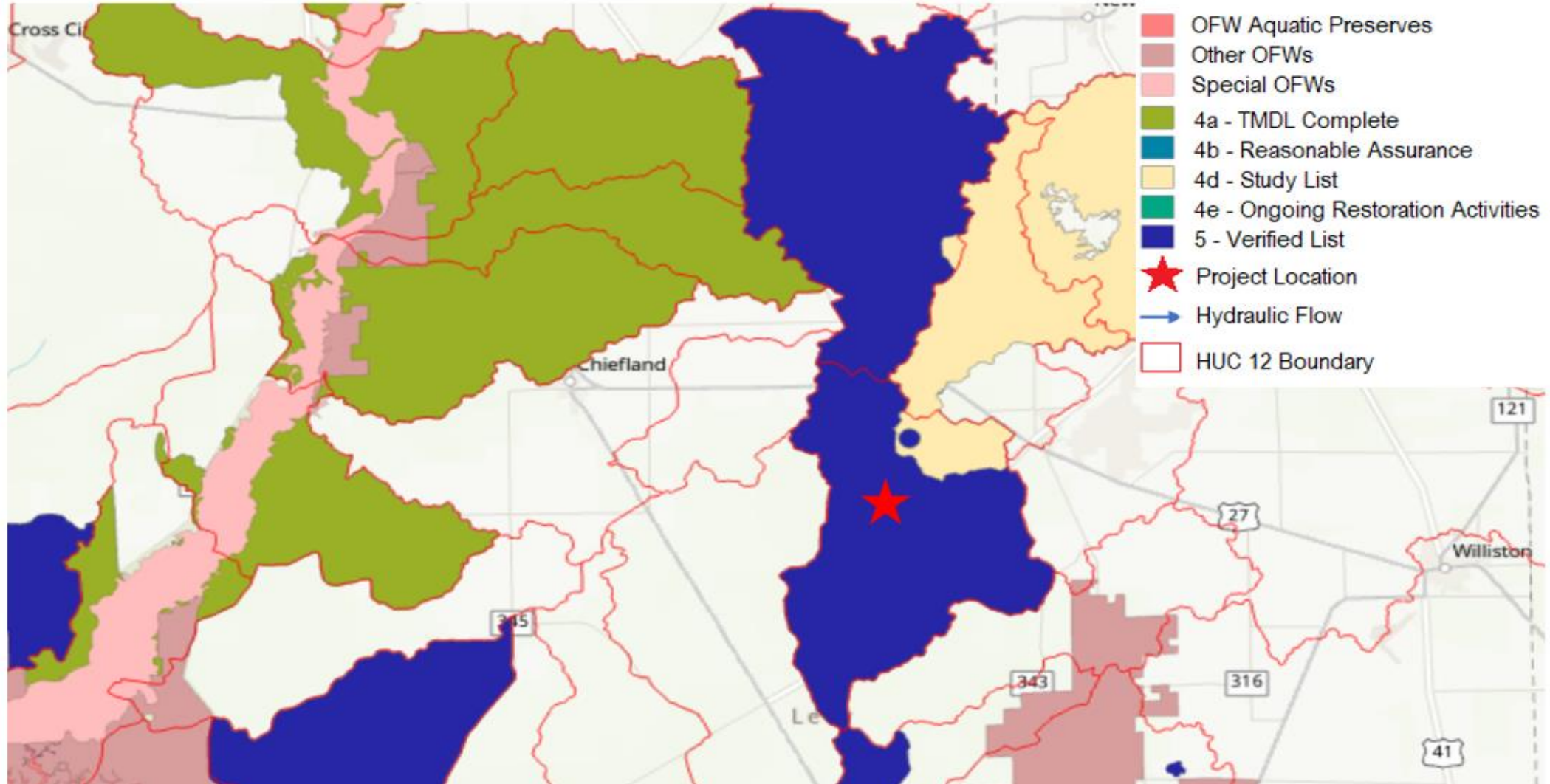


PROJECT IN HUC 12 CONTAINING AN OFW



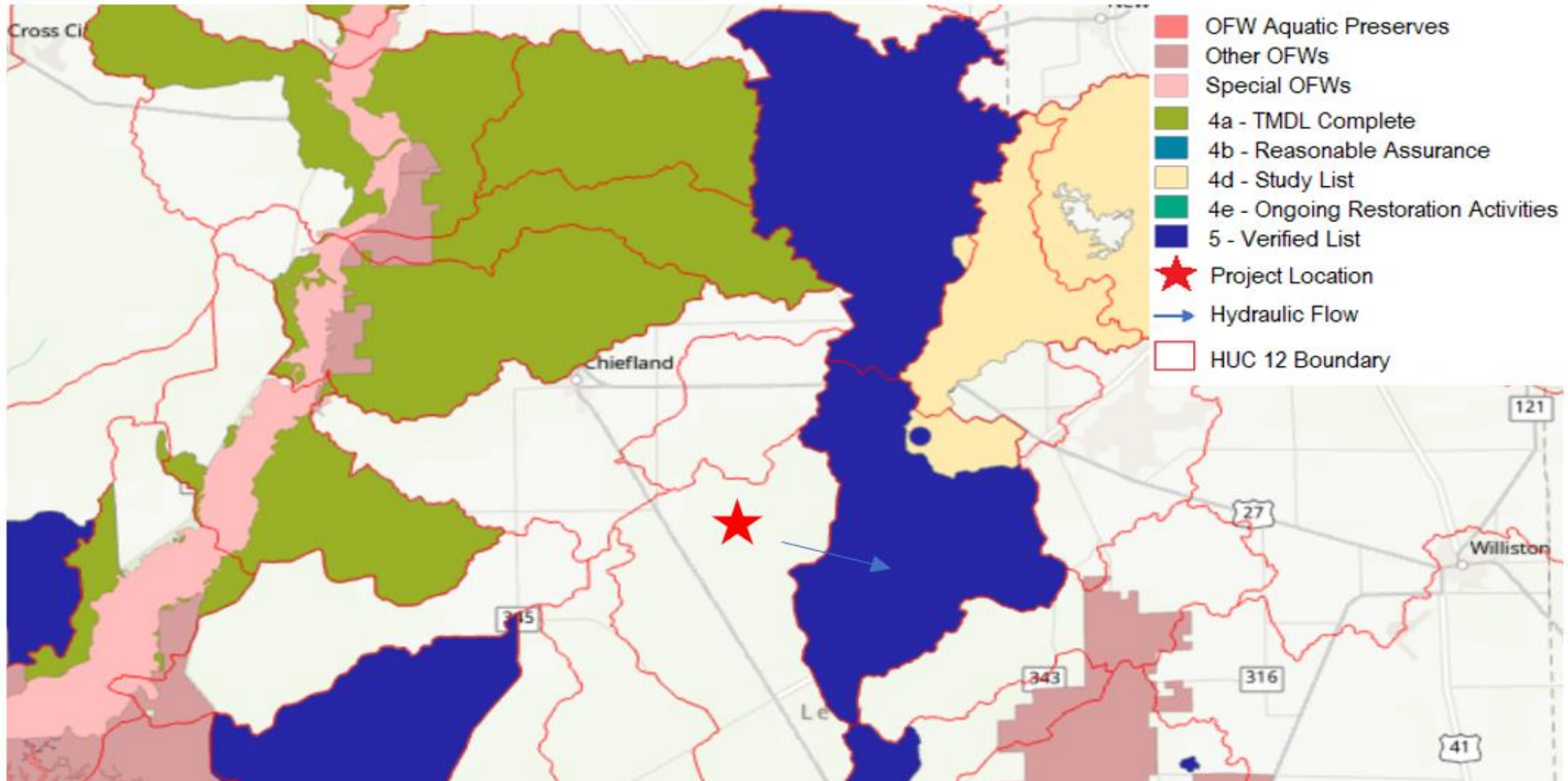


PROJECT IN HUC 12 CONTAINING AN IMPAIRED WATER



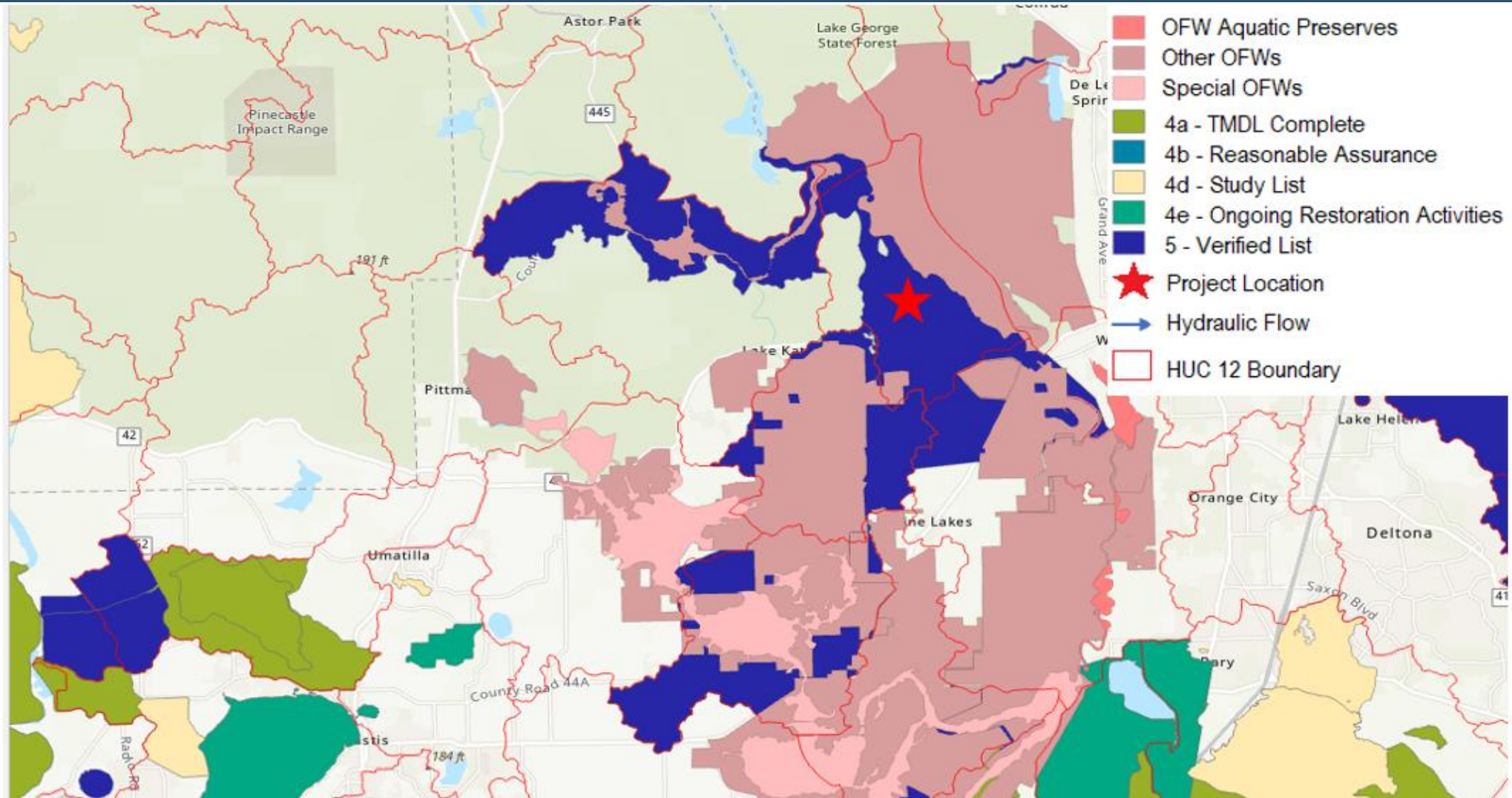


PROJECT IN HUC 12 ADJACENT TO A HUC 12 CONTAINING AN IMPAIRED WATER



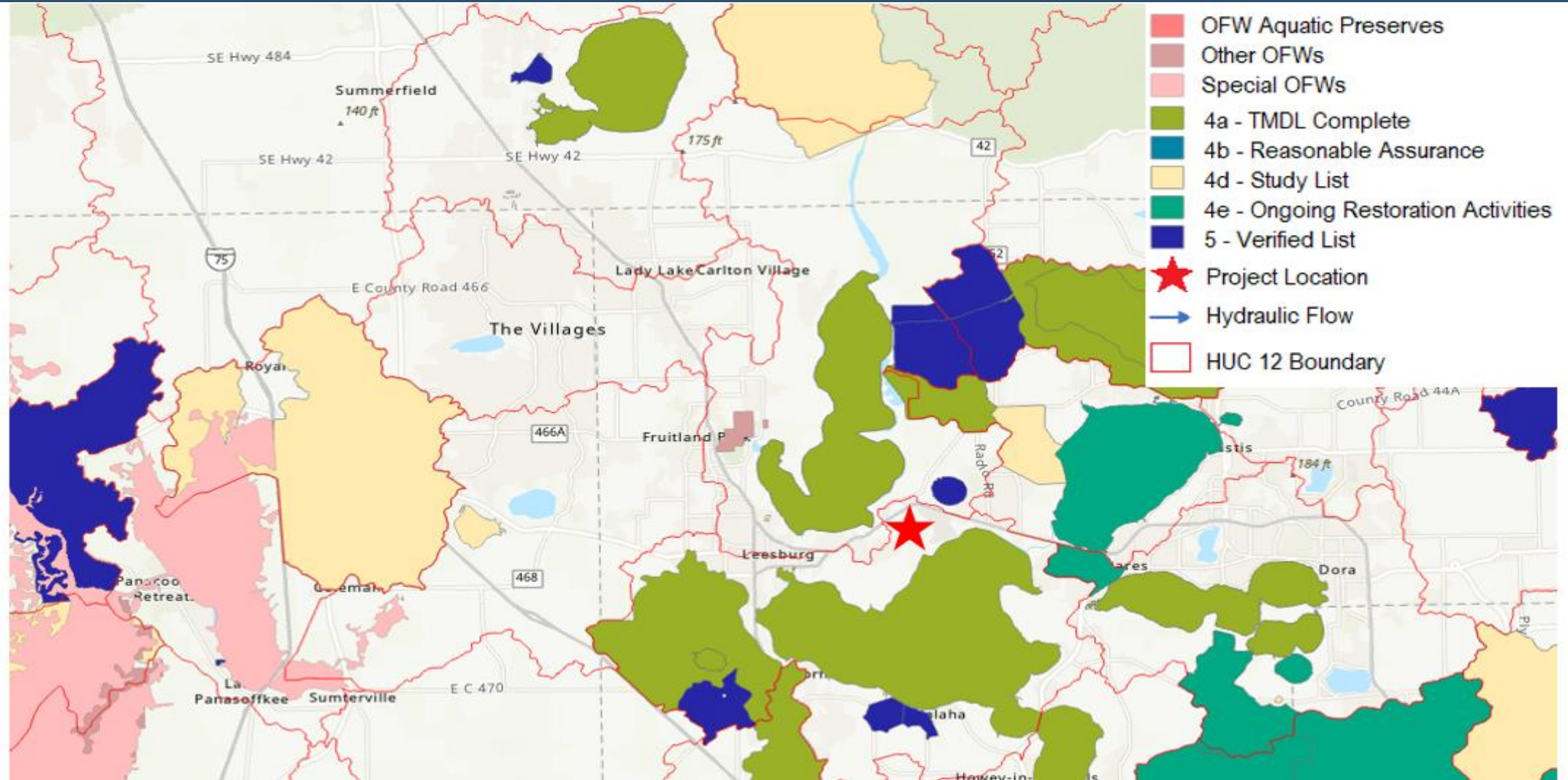


PROJECT IN HUC 12 CONTAINING AN IMPAIRED WATER AND OFW





PROJECT IN HUC 12 CONTAINING A TMDL





THANK YOU

Division of Water Resource Management
Stormwater and Technical Services Program
Florida Department of Environmental Protection

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