## 2.0 Definitions and Terms

(a) The definitions and terms below are used for purposes of Chapter 62-330, F.A.C., and this Volume I. **Section 2.1** of each District-specific Volume II contains additional definitions that apply to the design and performance standards and criteria for stormwater management systems, dams, impoundments, reservoirs, works, appurtenant works, and special basins as regulated in that District. Where a definition is in accordance with Florida Statutes, the statutory attribution is given as “[XX].”

1. through 8. No change.

1. “Aquitard” or “Confining Layer” means a layer of low permeability material, such as clay or rock, adjacent to an aquifer that functions to prevent the transmission of significant quantities of groundwater flow under normal hydraulic gradients.

~~9.~~10. “Artificial structure” means any object constructed or installed by man which has a water management effect, including, but without limitation thereof, dikes, levees, embankments, ditches, canals, conduits, channels, culverts, and pipes.

~~10.~~11. “Artificial waters,” “artificial waterway,” “artificially created waterway,” or “artificial watercourse” means bodies of water that were totally excavated from uplands, do not overlap historic wetlands or other surface waters, and were not created as a part of a mitigation plan.

~~11.~~12. “As-Built drawings” or “record drawings”means plans certified by a registered professional that accurately represent the constructed condition of a project, including identifying any substantial deviations from the permitted design. See subparagraph 62-330.310(4)(a)1, F.A.C.

~~12.~~13. “Average annual nutrient load or loading” means the product of annual runoff volumes and event mean nutrient concentrations

14. “Best Management Practice (BMP)” means the structural, vegetative, or managerial practices used to treat, prevent, or reduce water pollution. Erosion and sediment control BMPs are structural and often temporary. Stormwater BMPs treat, prevent or reduce the nutrient load and other pollutants in water, are permanent in nature, and can be structural or nonstructural.

~~13.~~15. “Borrow pit” means a location where the soil or other natural deposits on or in the earth are removed from their location so as to make them suitable for use to build up land. No processing is involved, except for the use of a scalping screen to remove large rocks, wood, and other debris. The materials are used more for their bulk than their intrinsic qualities.

~~14.~~16. “Canal” means a man-made trench, the bottom of which is normally covered by water, with the upper edges of its two sides normally above water. [Section 403.803(2), F.S.]

~~15.~~17. “Canopy” means the plant stratum composed of all woody plants and palms with a trunk four inches or greater in diameter at breast height, except vines.

~~16.~~18. “Channel” means a trench, the bottom of which is normally covered entirely by water, with the upper edges of one or both of its sides normally below water. [Section 403.803(3), F.S.]

~~17.~~19. “Common plan of development or sale” or “larger plan of other commercial or residential development” means any activity that facilitates the advancement of land use (such as multiple residences, a residential subdivision, or phased site development) on the subject property, or that comprises a total land area divided into multiple lots, parcels, tracts, tiers, blocks, sites, or units, if such areas are under common ownership or control. This includes any activity on contiguous real property that comprises a total land area divided into parcels, tracts, tiers, blocks, sites, or units, and is served by a common road or road network or common stormwater management systems within that land area. Areas of land that are divided by public or private roads are considered contiguous if such areas are under common ownership or control.

~~18.~~20. “Completion of construction” means the time when all components of the project are installed and fully functional or when the infrastructure is used for its intended purpose, whichever occurs first. For a phased system, “completion of construction” means the time when all components for a phase of the project are installed and fully functional, or when the infrastructure for a phase is used for its intended purpose, whichever occurs first.

~~19.~~21. “Construction” means the creation, alteration, or abandonment of any project, including placement of fill, land clearing, earthwork, or the placement or removal of structures. Cutting of trees or removal of vegetation is not considered land clearing, except where it involves stump removal, root raking, or grubbing.

~~20.~~22. “Construction phase” means that period of time necessary to construct, alter, abandon, or remove a system in accordance with the terms and conditions of an individual permit.

23. “Control elevation” means the lowest elevation at which water can be released through a control device.

~~21.~~24. “Conversion,” for purposes of wetland mitigation, means a man-made change to a wetland [as defined in Section 373.019(27), F.S.], or surface water by draining, filling, or other means which results in the permanent change of the wetland or surface water to an upland.

~~22.~~25. “Coral” means living stony coral and soft coral.

~~23.~~26. “Creation” means the establishment of new wetlands or surface waters by conversion of other land forms.

~~24.~~27. “Dam” means any artificial or natural barrier, with appurtenant works, raised to obstruct or impound, or which does obstruct or impound, any of the surface waters of the state [Section 373.403(1), F.S.]

28. “Detention” means the collection and temporary storage of stormwater with subsequent gradual release of the stormwater

29. "Detention with filtration" or "Filtration" means the selective removal of pollutants from stormwater by the collection and temporary storage of stormwater and the subsequent gradual release of the stormwater into surface waters in the state through at least 2 feet of suitable fine textured granular media such as porous soil, uniformly graded sand, or other natural or artificial fine aggregate, which may be used in conjunction with filter fabric and/or perforated pipe.

~~25.~~30. “Department” means the Florida Department of Environmental Protection.

~~26.~~31. “Diameter at Breast Height (DBH)” means the diameter of a plant’s trunk or main stem at a height of 4.5 feet above the ground.

~~27.~~32. “Direct discharge” means a discharge without prior opportunity for mixing and dilution sufficient to prevent a lowering of the existing ambient water quality.

~~28.~~33. “Direct Hydrologic Connection” means a surface water connection which occurs on an average of 30 or more consecutive days per year. In the absence of reliable hydrologic records, a continuum of naturally occurring wetlands may be used to establish a direct hydrologic connection.

34. “Directly connected impervious area,” or “DCIA” means the area covered by a building, impermeable pavement, and/or other impervious surfaces, which drains directly into a conveyance system without first flowing across sufficient permeable vegetated land area to allow for infiltration of runoff.

~~29. “Discharge” means to allow or cause water to flow.~~

~~30.~~35. “District” means a water management district created pursuant to Section 373.069, F.S.

~~31.~~36. “Dock” means a fixed or floating structure extending from land out over water, including access walkways, terminal platforms, catwalks, mooring pilings, lifts, davits, and other associated water-dependent structures, used for mooring and accessing vessels.

~~32.~~37. “Drainage basin” means a subdivision of a watershed [Section 373.403(9), F.S.].

~~33.~~38. “Drainage ditch” or “irrigation ditch” means a man-made trench that is dug for the purpose of draining water from the land or for transporting water for use on the land and that is not built for navigational purposes. [Section 403.803(7), F.S.]

~~34.~~39. “Dredging” means excavation, by any means, in surface waters or wetlands, as delineated in Section 373.421(1), F.S. Dredging also means the excavation, or creation, of a water body which is, or is to be, connected to surface waters or wetlands, as delineated in Section 373.421(1), F.S., directly or via an excavated water body or series of water bodies [Section 373.403(13), F.S.]

~~35.~~40. “Ecological value” means the value of functions performed by uplands, wetlands and other surface waters to the abundance, diversity, and habitats of fish, wildlife, and listed species. These functions include, but are not limited to, providing cover and refuge; breeding, nesting, denning, and nursery areas; corridors for wildlife movement; food chain support; and natural water storage, natural flow attenuation, and water quality improvement, which enhances fish, wildlife and listed species utilization. [Section 373.403(18), F.S.]

~~36.~~41. “e-Permitting website” means the Agency’s Internet address established to provide for submittal and viewing of applications and notices, responses to requests from the Agencies, reports, certifications, and other submittals.

~~37.~~42. “Embedded” means the placement of transmission or distribution lines, pipes or cables into the bottom of surface waters by minimal displacement of bottom material and without the creation of a trench, or trough, through the use of techniques such as plowing-in, weighing-in, or non-trenching jets.

~~38.~~43. “Endangered or threatened species” means those animal species that are identified as endangered or threatened by the US Fish and Wildlife Service, the National Marine Fisheries Service, or the Florida Fish and Wildlife Conservation Commission, as well as those plant species identified as endangered or threatened when such plants are located in a wetland or other surface water.

~~39.~~44. “Enhancement” means improving the ecological value of wetlands, other surface waters, or uplands in comparison to their current condition.

~~40.~~45. “Entrenchment” means the placement of transmission or distribution lines, pipes or cables into the bottoms of waters of the state by the creation of a defined trench, or trough, through the use of such devices as clamshells, dredges, trenching jets, or other devices that produce similar results.

~~41.~~46. “Estuary” means a semi-enclosed, naturally existing coastal body of water which has a free connection with the open sea and within which seawater is measurably diluted with fresh water derived from riverine systems. [Section 373.403(15), F.S.]

~~42.~~47. “Existing nesting or denning” refers to an upland site that is currently being used for nesting or denning, or is expected, based on reasonable scientific judgment, to be used for such purposes based on past nesting or denning at the site.

~~43.~~48. “Exotic species” means a plant species introduced to Florida, purposefully or accidentally, from a natural range outside of Florida, including naturalized exotic species (an exotic plant that sustains itself outside cultivation) and invasive exotic species (an exotic plant that not only has naturalized, but is expanding on its own in Florida native plant communities). Additional information on Florida’s exotic plant species is available at: http://www.fleppc.org/.

~~44.~~49. “Farm pond” means a pond located on agricultural lands as defined in Section 193.461, F.S, used for agricultural activities as described in Section 403.927, F.S., and constructed, altered, maintained, and operated using the agricultural best management practices as provided in Section 403.927, F.S.

~~45.~~50. “Filling” means the deposition, by any means, of materials in wetlands or other surface waters, as delineated in Section 373.421(1), F.S. [Section 373.403(14), F.S.]

~~46.~~51. “Floodplain” means land area subject to inundation by flood waters from a river, watercourse, or lake. Floodplains are delineated according to their estimated frequency of flooding.

~~47.~~52. “Forested wetlands,” for purposes of how this term is used in the exemptions and general permits in Chapter 62-330, F.A.C., means those wetlands where the canopy coverage by trees with a diameter at breast height of greater than 4 inches is greater than 10 percent, as well as those areas required to be planted with tree species to establish or reestablish forested wetlands pursuant to a permit issued, or enforcement action taken, under rules adopted under Part IV of Chapter 373, F.S., or Sections 403.91 through 403.929, F.S. (1984 Supp.), as amended, and those areas where the canopy has been temporarily removed but are expected to revegetate to a forested wetland if use of the area would remain unchanged.

~~48.~~53. “Governing Board” means the governing board of a water management district created under Section 373.069, F.S.

~~49.~~54. “Groundwater” means water beneath the surface of the ground, whether or not flowing through known and definite channels [Section 373.019(9), F.S.]

~~50.~~55. “Herbaceous wetlands,” for purposes of how this term is used in the general permits in Chapter 62-330, F.A.C., means those wetlands dominated by non-woody vegetation that have less than a 10 percent canopy coverage of tree species with a diameter at breast height of greater than 4 inches, and/or subcanopy or woody shrub species with a diameter at breast height of one inch to four inches.

56. “Hydrologic Unit Code” or “HUC” means the hydrologic cataloging unit assigned to a geographic area representing a surface watershed drainage basin. A complete list of Hydrologic Unit codes, descriptions, names, and drainage areas can be found in the United States Geological Survey Water-Supply Paper 2294, entitled "Hydrologic Unit Maps".

~~51.~~57. “Hydroperiod” means the duration and range of elevation of inundation in a wetland.

~~52.~~58. “Impaired water” means a water body or water body segment that does not meet its applicable water quality standards as set forth in Chapters 62-302 and 62-4, F.A.C., as determined by the methodology in Part IV of Chapter 62-303, F.A.C., due in whole or in part to discharges of pollutants from point or nonpoint sources.

~~53.~~59. “Impervious” for purposes of applying permitting thresholds and exemption criteria, means surfaces that do not allow, or minimally allow, the penetration of water, including semi-impervious areas, but excluding wetlands or other surface waters. For other purposes, “impervious” means all artificial surfaces that that are not pervious. Included as examples are building roofs and normal concrete and asphalt pavements.

~~54.~~60. “Impoundment” means any lake, reservoir, pond, or other containment of surface water occupying a bed or depression in the earth’s surface and having a discernible shoreline. [Sections 373.403(3) and 373.019(10), F.S.]

~~55.~~61. “Insect control impoundment dikes” means artificial structures, including earthen berms, constructed and used to impound waters for the purpose of insect control. [Section 403.803(10), F.S.]

~~56.~~62. “Isolated wetland” means any area that is determined to be a wetland in accordance with Chapter 62-340, F.A.C., but that does not have any connection to other wetlands or other surface waters via wetlands or other surface waters as determined using Rule 62-340.600, F.A.C.

~~57.~~63. “Lagoon” means a naturally existing coastal zone depression which is below mean high water and which has permanent or ephemeral communications with the sea, but which is protected from the sea by some type of naturally existing barrier. [Section 373.403(16), F.S.]

~~58.~~64. “Listed Species” means those species that are endangered or threatened species (as defined in definition 2.0(a)37, above), or species of special concern (as defined in definition 2.0(a)95, below).

65. “Littoral zone” means that portion of stormwater management system that is designed to contain rooted emergent plants.

~~59.~~66. “Mail” shall mean when a document is properly addressed, stamped, and deposited in the United States mail, and the postmark date shall be the date of mailing. “Mail” also shall mean when the Agency electronically sends a document to the e-mail address provided to the Agency.

~~60.~~67. “Maintenance” or “Repair” means remedial work of a nature as may affect the safety of any dam, impoundment, reservoir, or appurtenant work or works, but excludes routine custodial maintenance. [Section 373.403(8), F.S.]

~~61.~~68. “Material,” when used in the context of “filling,” means matter of any kind, such as, sand, clay, silt, rock, dredged material, construction debris, solid waste, pilings or other structures, ash, and residue from industrial and domestic processes. The term does not include the temporary use and placement of lobster pots, crab traps, or similar devices or the placement of oyster cultch pursuant to Section 597.010, F.S.

~~62.~~69. “Mine” means an area of land that is related to the removal from its location of solid substances of commercial value found in natural deposits on or in the earth, so as to make the substances suitable for commercial, industrial, or construction use, but does not include excavation solely in aid of on-site farming or on-site construction, nor the process of prospecting. As used in Chapter 62-330, F.A.C., this does not include mining operations conducted in conjunction with land development that will result in residential, industrial, commercial, or land fill uses at the end of construction. Borrow pits that use extracted material in on-site locations are not mines. For the purposes of this definition, “on-site” means, “within the contiguous limits of an area of land under one ownership or control, and upon which agricultural or construction projects are taking place. Areas of land that are divided by public or private roads are considered contiguous if such areas are under one ownership or control.”

~~63.~~70. “Mitigation” means an action or series of actions to offset the adverse impacts that would otherwise cause an activity regulated under Part IV of Chapter 373, F.S., to fail to meet the criteria set forth in Sections 10.1.1 through 10.2.8.2 of this Volume. Mitigation usually consists of restoration, enhancement, creation, preservation, or a combination thereof.

~~64.~~71. “Mitigation bank,” “Mitigation bank permit,” “Mitigation banker” or “banker,” “Mitigation credit,” and “Mitigation service area” shall have the same meanings as provided in Chapter 62-342, F.A.C.

~~65.~~72. “Natural systems” for the purpose of this rule means an ecological system supporting aquatic and wetland-dependent natural resources, including fish and aquatic and wetland-dependent wildlife habitat.

73. “Net improvement performance standard” means the minimum performance standard(s) for treating stormwater wherein the nutrient or other pollutant loads discharged from the existing land use of the project area are reduced from those pollutant loads generated in the pre-development conditions. See Section 8 for Performance Standard(s) criteria.

~~66.~~74. “Nuisance species” means any species of flora or fauna whose noxious characteristics or presence in sufficient number, biomass, or areal extent that prevents, or interferes with, uses or management of resources, and which are native or naturalized in the area where it occurs.

~~67.~~75. “Obstruction” means any fill, structure, work, appurtenant work, or system placed in waters, a floodway, or a work of the district which may impede the flow of water or otherwise result in increased water surface elevations.

~~68.~~76. “Offsite regional mitigation” means mitigation on land off of the site of an activity permitted under Part IV of Chapter 373, F.S., where an applicant proposes to mitigate the adverse impacts of only the applicant's specific activity as a requirement of the permit, which provides regional ecological value, and which is not a mitigation bank permitted under Section [373.4136, F.S.](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0373/Sec4136.HTM) [Section 373.403(22), F.S.]

~~69.~~77. “Operate” or “operation” means to cause or to allow a project, or a completed independent phase thereof, to function.

~~70.~~78. “Ordinary high water line” or “OHWL,” for the regulatory purposes of Chapter 62-330, F.A.C., means that point on the slope or bank where the surface water from the water body ceases to exert a dominant influence on the character of the surrounding vegetation and soils. The OHWL frequently encompasses areas dominated by non-listed vegetation and non-hydric soils.

~~71.~~79. “Other surface waters” means surface waters as described and delineated pursuant to Rule 62-340.600, F.A.C., as ratified by Section 373.4211, F.S., other than wetlands.

~~72.~~80. “Other watercourse” means any canal, ditch, or other artificial watercourse in which water usually flows in a defined bed or channel. It is not essential that the flowing be uniform or uninterrupted. [Section 373.019(14), F.S.]

81. “Permanent pool” means that portion of a wet detention pond that normally holds water between the normal water level and the top of the anoxic zone or pond bottom excluding any water volume claimed as wet detention treatment volume.

~~73.~~82. “Permit area” means the area where works occur as part of an activity requiring a permit under Part IV of Chapter 373, F.S., and any mitigation, buffer, and preservation areas, and all portions of the stormwater management system serving the project area.

~~74.~~83. “Pier” means a fixed or floating structure extending from land out over water, that is used primarily for fishing or swimming and not designed or used for mooring or accessing vessels.

~~75.~~84. “Pollution” is the presence in the outdoor atmosphere or waters of the state of any substances, contaminants, noise, or manmade or human-induced impairment of air or waters or alteration of the chemical, physical, biological, or radiological integrity of air or water in quantities or at levels which are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property or which unreasonably interfere with the enjoyment of life or property, including outdoor recreation unless authorized by applicable law. [Section 403.031(7), F.S.]

85. “Post-development nutrient loading” means the average annual nutrient loading based on the land use on the project area that will exist in accordance with the permitted project design.

86. “Predevelopment nutrient loading” means the average annual nutrient loading based on the land use and land cover that is legally in existence at the time of rule implementation (date).

~~76.~~87. “Preservation” means the protection of wetlands, other surface waters or uplands from adverse impacts by placing a conservation easement as defined in and meeting the requirements of Section 704.06, F.S., over the property, or by donation of fee simple interest in the property to an entity having purposes as described in Section 704.06(3), F.S.

~~77.~~88. “Project” — see “system.”

~~78.~~89. “Project area” means the area where works occur as part of an activity requiring a permit under part IV of Chapter 373, F.S., or Section 403.814, F.S.

~~79.~~90. “Prospecting” means activities considered normal and reasonably necessary to retrieve samples of subsurface geologic sediments for the specific purpose of locating, mapping, and determining the quality and quantity of sedimentary strata or natural deposits.

~~80.~~91. “Reclaimed water,” except as specifically provided in Chapter 62-610, F.A.C., means water that has received at least secondary treatment and basic disinfection, and is reused after flowing out of a domestic wastewater treatment facility.

~~81.~~92. “Recreational path” means an improved lane, path, road, trail, or walkway, whether paved, cleared, or hardened with shell, clay, rock, or other materials, to provide a corridor for travel between destinations primarily by walking, biking, or use of non-internal combustion vehicles.

93. “Redevelopment” means the construction on sites having existing commercial, industrial, institutional, or residential land uses, excluding silviculture or agriculture, where all or part of the existing impervious surface will be replaced with the same or lesser intense land use as part of the proposed activity and has not been previously permitted.

~~82.~~94. “Regional stormwater management system” means a system designed, constructed, operated, and maintained to collect convey, store, absorb, inhibit, treat, use or reuse stormwater to prevent or reduce flooding, overdrainage, environmental degradation and water pollution or otherwise affect the quantity and quality of discharges from multiple parcels and projects within the drainage area served by the regional system, where the term “drainage area” refers to the land or development that is served by or contributes stormwater to the regional system.

~~83.~~95. “Regional watershed” means a watershed as delineated in Rule 62-342.200, F.A.C.

~~84.~~96. “Residential Canal System” means those canals whose uplands are occupied predominantly by residential single-family or multi-family dwelling units.

~~85.~~97. “Registered Professional” means a professional registered or licensed by and in the State of Florida and practicing under Chapter 471, 472, 481, or 492, F.S.

~~86.~~98. “Remove” or “removal” means cessation of use and maintenance of a project, or part of a project, accompanied by elimination of all or part of the project.

~~87.~~99. “Reservoir” means any artificial or natural holding area that contains or will contain the water impounded by a dam. [Section 373.403(4), F.S.]

~~88.~~100. “Restoration” means converting back to a historic condition those wetlands, surface waters, or uplands that currently exist as a land form that differs from the historic condition. For phosphate mining and reclamation, “restoration” shall mean the recontouring and revegetation of the lands in a manner, consistent with the criteria and standards of Part II of Chapter 378, F.S., which will maintain or improve the water quality and functions of the biological systems present at the site prior to mining.

~~89.~~101. “Retention” means a system designed to prevent the discharge of a given volume of stormwater runoff into surface waters in the state by complete on-site storage. Examples are systems such as excavated or natural depression storage areas, pervious pavement with subgrade, or above ground storage areas.

~~90.~~102. “Reuse” means the deliberate application of reclaimed water, in compliance with Department and District rules, for a beneficial purpose.

~~91.~~103. “Riprap” means a sloping retaining structure or stabilization made to reduce the force of waves and to protect the shore from erosion, and consists of unconsolidated boulders, rocks, or clean concrete rubble with no exposed reinforcing rods or similar protrusions, and having a size large enough to be stable under normal hydrologic, tidal, and wave conditions unless a different specific size is specified by rule or permit.

~~92.~~104. “Routine custodial maintenance” means those activities described in **section 3.1.1** of this Volume.

105. “Seasonal high ground water table” (SHGWT) means the zone of saturated soil at the highest average elevationduring the wettest season of the year during periods of normal rainfall.

~~93.~~106. “Seasonal High Water Level (SHWL)” means the elevation to which the ground and surface water can be expected to rise due to a normal wet season.

~~94.~~107.“Seawall” means a man-made wall or encroachment, except riprap, which is made to break the force of waves and to protect the shore from erosion. [Section 373.403(17), F.S.]

~~95.~~108.“Semi-impervious” means land surfaces that partially restrict the penetration of water; such as porous concrete and asphalt pavements, gravel, limerock, and certain compacted soils.

109. “Soil Survey” means a document prepared by the U.S. Natural Resources Conservation Service that provides soil maps and interpretations useful for guiding decisions about soil selection, use, and management

~~96.~~110. “Species of special concern” means those species identified as such by the Florida Fish and Wildlife Conservation Commission.

~~97.~~111. “State-owned submerged lands” means those lands defined as “sovereignty submerged lands” in Rule 18-21.003, F.A.C., which are: “those lands including but not limited to, tidal lands, islands, sand bars, shallow banks, and lands waterward of the ordinary or mean high water line, beneath navigable fresh water or beneath tidally-influenced waters, to which the State of Florida acquired title on March 3, 1845, by virtue of statehood, and which have not been heretofore conveyed or alienated. For the purposes of [Chapter 18-21] sovereignty submerged lands shall include all submerged lands title to which is held by the Board.”

~~98.~~112. “State water quality standards” means water quality standards adopted pursuant to Chapter 403, F.S. [Section 373.403(11), F.S.], including standards composed of designated most beneficial uses (classification of waters), the numerical and narrative criteria applied to the specific water use or classification, the Florida anti-degradation policy (Rules 62-4.242 and 62-302.300, F.A.C.), and the moderating provisions contained in Chapters 62-4, 62-302, 62-520, and 62-550, F.A.C.

~~99.~~113. “Stormwater” means the flow of water that results from, and that occurs immediately following, a rainfall event.

~~100.~~114. “Stormwater management system” means a surface water management system that is designed and constructed or implemented to control discharges which are necessitated by rainfall events, incorporating methods to collect, convey, store, absorb, inhibit, treat, use, or ~~reuse~~ harvestwater to prevent or reduce flooding, over drainage, environmental degradation, and water pollution or otherwise affect the quantity and quality of discharges from the system. [Sections 373.403(10) and 403.031(16), F.S.]

~~101.~~115. “Stormwater harvesting” means capturing stormwater for irrigation or other beneficial use.

~~102.~~116. “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.

117. “Stormwater treatment system” means a kind of stormwater management system specifically designed and constructed or implemented to reduce the discharge of pollutants in stormwater by incorporating methods to collect, convey, store, absorb, treat, use, or harvest stormwater

~~103.~~118. “Stormwater utility” means the entity through which funding for a stormwater management program is obtained by assessing the cost of the program to the beneficiaries based on their relative contribution to its need. It is operated as a typical utility that bills services regularly, similar to water and wastewater services.

~~104.~~119. “Stream” means any river, creek, slough, or natural watercourse in which water usually flows in a defined bed or channel. It is not essential that the flowing be uniform or uninterrupted. The fact that some part of the bed or channel shall have been dredged or improved does not prevent the watercourse from being a stream. [Section 373.019(20), F.S.]

~~105.~~120.“Structure” means anything constructed, installed, or portable, the use of which requires a location on a parcel of land. It includes a movable structure while it is located on the land which can be used for housing, business, commercial, agricultural, or office purposes either temporarily or permanently.

~~106.~~121.Submerged grassbeds” means any native, herbaceous, submerged vascular plant community that is growing on the bottoms of surface waters waterward of the mean high water line or ordinary high water line.

~~107.~~122. “Surface water” means water upon the surface of the earth, whether contained in bounds created naturally or artificially or diffused. Water from natural springs shall be classified as surface water when it exits from the spring onto the earth’s surface. [Section 373.019(21), F.S.]

~~108.~~123. “Swale” means a man-made trench that:

* 1. Has a top width-to-depth ratio of the cross-section equal to or greater than 6:1, or side slopes equal to or greater than three feet horizontal to one foot vertical;
  2. Contains contiguous areas of standing or flowing water only following a rainfall event;
  3. Is planted with or has stabilized vegetation suitable for soil stabilization, stormwater treatment, and nutrient uptake; and
  4. Is designed to take into account the soil erodibility, soil percolation, slope, slope length, and drainage area so as to prevent erosion and reduce pollutant concentration of any discharge. [Section 403.803(14), F.S.]

~~Note: when a swale is used for stormwater treatment, it must meet the standards and criteria in Volume II.~~

~~109.~~124. “System” or “surface water management system” means a stormwater management system, dam, impoundment, reservoir, appurtenant work, or works, or any combination thereof, including areas of dredging or filling, as those terms are defined in Sections 373.403(13) and (14), F.S. For purposes of Chapter 62-330, F.A.C., and this Handbook, the term “project” generally will be used in lieu of the term “system.”

~~110.~~125. “Total land area” means land holdings under common ownership that are contiguous, or land holdings that are served by common surface water management facilities.

~~111.~~126. “Total maximum daily load,” or TMDL, means the sum of the individual wasteload allocations for point sources and the load allocations for nonpoint sources and natural background as defined and applied in Chapter 62-303, F.A.C.

~~112.~~127. “Traversing work” means any artificial structure or construction that is placed in or across a stream or other watercourse, or an impoundment.

~~113.~~128. “Uplands” means areas that are not wetlands or other surface waters, as delineated pursuant to Rules 62-340.100 through 62-340.550, F.A.C., as ratified by Section 373.4211, F.S.

~~114.~~129.“Vertical seawall” is a seawall the waterward face of which is at a slope steeper than 75 degrees to the horizontal. A seawall with sloping riprap covering the waterward face to the mean high water line shall not be considered a vertical seawall.

~~115.~~130. “Vessel,” is synonymous with “boat” as referenced in s. 1(b), Art. VII of the State Constitution, and includes every description of watercraft, barge, and airboat, other than a seaplane on the water, used or capable of being used as a means of transportation on water. [Section 327.02(43), F.S.]

~~116.~~131.“Water” or “waters in the state” means any and all water on or beneath the surface of the ground or in the atmosphere, including natural or artificial watercourses, lakes, ponds, or diffused surface water and water percolating, standing, or flowing beneath the surface of the ground, as well as all coastal waters within the jurisdiction of the state. [Section 373.019(22), F.S.]

~~117.~~132.“Waters of the state” shall be as defined in Section 403.031(13), F.S.

~~118.~~133.Watershed” means the land area that contributes to the flow of water into a receiving body of water. [Sections 373.403(12) and 403.031(18), F.S.]

~~119.~~134.“Water Management District” or “District” means a Water Management District created pursuant to Section 373.069, F.S.

~~120.~~135. “Water quality standards” or “State water quality standards” means those standards set forth in Chapters 62-4, 62-302, 62-520, and 62-550, F.A.C., including the antidegradation provisions of paragraphs 62-4.242(1)(a) and (b), F.A.C., subsections 62-4.242(2) and (3), F.A.C., and Rule 62-302.300, F.A.C.

~~121.~~136. “Wet detention” means the collection and temporary storage of stormwater in a permanently wet impoundment in such a manner as to provide for treatment through physical, chemical, and biological processes with subsequent gradual release of the stormwater.

~~122.~~137. “Wetlands,” means those areas that are inundated or saturated by surface water or ground water at a frequency and a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto. [Section 373.019(27), F.S.] The landward extent of wetlands is delineated pursuant to Rules 62-340.100 through 62-340.550, F.A.C., as ratified by Section 373.4211, F.S.

~~123.~~138.“Wetland Normal Pool Elevation” means the elevation of sustained water levels in a wetland during the wet season under normal conditions, as reflected by biological indicators. Normal pool elevation is lower than the SHWL.

~~124.~~139.“Work of the District” means those projects and works, including, but not limited to, structures, impoundments, wells, streams, and other watercourses, together with the appurtenant facilities and accompanying lands, which have been officially adopted by the Governing Board of the District as “Works of the District.” [Section 373.019(28), F.S.]

~~125.~~140. “Works” means all artificial structures, including, but not limited to, ditches, canals, conduits, channels, culverts, pipes, and other construction that connects to, draws water from, drains water into, or is placed in or across the waters in the state [Section 373.403(5), F.S.] and includes all types of dredging and filling to create, remove, or locate structures in, on, or over wetlands or other surface waters.

~~126.~~141. “Zone of discharge” means a volume underlying or surrounding the site and extending to the base of a specifically designated aquifer or aquifers, within which an opportunity for the treatment, mixture or dispersion of wastes into receiving ground water is afforded. ~~Generally, stormwater treatment systems have a zone of discharge 100 feet from the system boundary or to the project's property boundary, whichever is less.~~

1. Definitions and terms that are not defined above shall be given their ordinary and customary meaning or usage of the trade or will be defined using published, generally accepted dictionaries, together with any rules and statutes of the Agencies that have additional authority over the regulated activities.