

By the Committee on Natural Resources; and Senator Lawson

312-2090-04

1 A bill to be entitled
2 An act relating to environmental permits for
3 roads and bridges; amending s. 403.813, F.S.;
4 granting road or bridge projects within the
5 Suwannee River Water Management District the
6 same exemption from permitting requirements
7 granted a project to repair, stabilize, or pave
8 a county-maintained road or to repair or
9 replace a bridge in the North Florida Water
10 Management District if the project meets
11 certain conditions; removing a requirement that
12 the Department of Environmental Protection
13 evaluate and make recommendations regarding
14 statewide application of the permitting
15 exemption granted within the Northwest Florida
16 Water Management District; requiring the
17 department to initiate rulemaking to apply
18 statewide the exemption from certain permitting
19 requirements granted to the North Florida Water
20 Management District; providing an effective
21 date.

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23 Be It Enacted by the Legislature of the State of Florida:

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25 Section 1. Paragraph (t) of subsection (2) of section
26 403.813, Florida Statutes, is amended to read:

27 403.813 Permits issued at district centers;
28 exceptions.--

29 (2) A permit is not required under this chapter,
30 chapter 373, chapter 61-691, Laws of Florida, or chapter 25214
31 or chapter 25270, 1949, Laws of Florida, for activities

1 associated with the following types of projects; however,
2 except as otherwise provided in this subsection, nothing in
3 this subsection relieves an applicant from any requirement to
4 obtain permission to use or occupy lands owned by the Board of
5 Trustees of the Internal Improvement Trust Fund or any water
6 management district in its governmental or proprietary
7 capacity or from complying with applicable local pollution
8 control programs authorized under this chapter or other
9 requirements of county and municipal governments:

10 (t) The repair, stabilization, or paving of existing
11 county-maintained ~~county-maintained~~ roads and the repair or
12 replacement of bridges that are part of the roadway, within
13 the Northwest Florida Water Management District or the
14 Suwannee River Water Management District, provided:

15 1. The road and associated bridge were in existence
16 and in use as a public road or bridge, and were maintained by
17 the county as a public road or bridge on or before January 1,
18 2002;

19 2. The construction activity does not realign the road
20 or expand the number of existing traffic lanes of the existing
21 road; however, the work may include the provision of safety
22 shoulders, clearance of vegetation, and other work reasonably
23 necessary to repair, stabilize, pave, or repave the road,
24 provided that the work is constructed by generally accepted
25 engineering standards;

26 3. The construction activity does not expand the
27 existing width of an existing vehicular bridge in excess of
28 that reasonably necessary to properly connect the bridge with
29 the road being repaired, stabilized, paved, or repaved to
30 safely accommodate the traffic expected on the road, which may
31 include expanding the width of the bridge to match the

1 existing connected road. However, no debris from the original
2 bridge shall be allowed to remain in waters of the state,
3 including wetlands;

4 4. Best management practices for erosion control shall
5 be employed as necessary to prevent water quality violations;

6 5. Roadside swales or other effective means of
7 stormwater treatment must be incorporated as part of the
8 project; ~~and~~

9 6. No more dredging or filling of wetlands or water of
10 the state is performed than that which is reasonably necessary
11 to repair, stabilize, pave, or repave the road or to repair or
12 replace the bridge, in accordance with generally accepted
13 engineering standards; ~~and-~~

14 7. Thirty days before any work is performed under the
15 exemption, notice of intent to use the exemption is provided
16 to:

17 a. The department, if the road or bridge is within the
18 Northwest Florida Water Management District; or

19 b. The Suwannee River Water Management District, if
20 the road or bridge is within that district.

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22 Within 30 days after this act becomes law, the department
23 shall initiate rulemaking to adopt by rule a no-fee general
24 permit for the repair, stabilization, or paving of existing
25 county-maintained roads and the repair or replacement of
26 bridges that are part of the roadway where such activities do
27 not cause significant adverse impacts to occur individually or
28 cumulatively. The general permit shall apply statewide and,
29 with no additional rulemaking required, apply to qualified
30 projects reviewed by the Suwannee River Water Management
31 District, the St. Johns River Water Management District, the

1 Southwest Florida Water Management District, and the South
2 Florida Water Management District under the division of
3 responsibilities in the operating agreements applicable to
4 part IV of chapter 373. Upon adoption, this general permit
5 shall, pursuant to subsection (3), supersede the exemption in
6 this subparagraph.~~The department shall submit a report to the~~
7 ~~Governor and the Legislature by March 1, 2004, to evaluate the~~
8 ~~effects of this exemption and make recommendations for the~~
9 ~~exemption to apply statewide.~~

10 Section 2. This act shall take effect upon becoming a
11 law.

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13 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
14 COMMITTEE SUBSTITUTE FOR
15 Senate Bill 2200

16 The committee substitute provides that the general permit to
17 be established by the Department of Environmental Protection
18 shall be a no fee permit.
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