

CHAMBER ACTION

1 The Committee on Natural Resources recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to environmental protection; amending s.
7 403.813, F.S.; providing for applicability of a road and
8 bridge project permit exemption to the Suwannee River
9 Water Management District; requiring the Department of
10 Environmental Protection to adopt a general permit that
11 shall be applicable to qualified projects reviewed by the
12 department or applicable water management district;
13 providing for the repeal of this paragraph upon adoption
14 of the general permit; deleting an obsolete provision
15 relating to a report; providing an effective date.

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

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19 Section 1. Paragraph (t) of subsection (2) of section
20 403.813, Florida Statutes, is amended to read:

21 403.813 Permits issued at district centers; exceptions.--

22 (2) A permit is not required under this chapter, chapter
23 373, chapter 61-691, Laws of Florida, or chapter 25214 or

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24 chapter 25270, 1949, Laws of Florida, for activities associated
25 with the following types of projects; however, except as
26 otherwise provided in this subsection, nothing in this
27 subsection relieves an applicant from any requirement to obtain
28 permission to use or occupy lands owned by the Board of Trustees
29 of the Internal Improvement Trust Fund or any water management
30 district in its governmental or proprietary capacity or from
31 complying with applicable local pollution control programs
32 authorized under this chapter or other requirements of county
33 and municipal governments:

34 (t) The repair, stabilization, or paving of existing
35 county maintained roads and the repair or replacement of bridges
36 that are part of the roadway, within the Northwest Florida Water
37 Management District and the Suwannee River Water Management
38 District, provided:

39 1. The road and associated bridge were in existence and in
40 use as a public road or bridge, and were maintained by the
41 county as a public road or bridge on or before January 1, 2002;

42 2. The construction activity does not realign the road or
43 expand the number of existing traffic lanes of the existing
44 road; however, the work may include the provision of safety
45 shoulders, clearance of vegetation, and other work reasonably
46 necessary to repair, stabilize, pave, or repave the road,
47 provided that the work is constructed by generally accepted
48 engineering standards;

49 3. The construction activity does not expand the existing
50 width of an existing vehicular bridge in excess of that
51 reasonably necessary to properly connect the bridge with the

52 road being repaired, stabilized, paved, or repaved to safely
 53 accommodate the traffic expected on the road, which may include
 54 expanding the width of the bridge to match the existing
 55 connected road. However, no debris from the original bridge
 56 shall be allowed to remain in waters of the state, including
 57 wetlands;

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

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

62 6. No more dredging or filling of wetlands or water of the
 63 state is performed than that which is reasonably necessary to
 64 repair, stabilize, pave, or repave the road or to repair or
 65 replace the bridge, in accordance with generally accepted
 66 engineering standards; and

67 7. Notice of intent to use the exemption is provided to
 68 the department, if the work is to be performed within the
 69 Northwest Florida Water Management District, or to the Suwannee
 70 River Water Management District, if the work is to be performed
 71 within the Suwannee River Water Management District, 30 days
 72 prior to performing any work under the exemption.

73
 74 Within 30 days after this act becomes a law, the department
 75 shall initiate rulemaking to adopt a no fee general permit for
 76 the repair, stabilization, or paving of existing roads that are
 77 maintained by the county and the repair or replacement of
 78 bridges that are part of the roadway where such activities do
 79 not cause significant adverse impacts to occur individually or

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80 cumulatively. The general permit shall apply statewide and, with
81 no additional rulemaking required, apply to qualified projects
82 reviewed by the Suwannee River Water Management District, the
83 St. Johns River Water Management District, the Southwest Florida
84 Water Management District, and the South Florida Water
85 Management District under the division of responsibilities
86 contained in the operating agreements applicable to part IV of
87 chapter 373. Upon adoption, this general permit shall, pursuant
88 to the provisions of subsection (3), supersede and replace the
89 exemption in this paragraph. The department shall submit a
90 report to the Governor and the Legislature by March 1, 2004, to
91 evaluate the effects of this exemption and make recommendations
92 for the exemption to apply statewide.

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