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2 A bill to be entitled

3 An act relating to environmental protection; amending s.  
4 403.813, F.S.; providing for applicability of a road and  
5 bridge project permit exemption to the Suwannee River  
6 Water Management District; requiring the Department of  
7 Environmental Protection to adopt a general permit that  
8 shall be applicable to qualified projects reviewed by the  
9 department or applicable water management district;  
10 providing for the repeal of this paragraph upon adoption  
11 of the general permit; deleting an obsolete provision  
12 relating to a report; providing an effective date.

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

15  
16 Section 1. Paragraph (t) of subsection (2) of section  
17 403.813, Florida Statutes, is amended to read:

18 403.813 Permits issued at district centers; exceptions.--

19 (2) A permit is not required under this chapter, chapter  
20 373, chapter 61-691, Laws of Florida, or chapter 25214 or  
21 chapter 25270, 1949, Laws of Florida, for activities associated  
22 with the following types of projects; however, except as  
23 otherwise provided in this subsection, nothing in this  
24 subsection relieves an applicant from any requirement to obtain  
25 permission to use or occupy lands owned by the Board of Trustees  
26 of the Internal Improvement Trust Fund or any water management  
27 district in its governmental or proprietary capacity or from  
28 complying with applicable local pollution control programs

29 | authorized under this chapter or other requirements of county  
30 | and municipal governments:

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

36 |           1. The road and associated bridge were in existence and in  
37 | use as a public road or bridge, and were maintained by the  
38 | county as a public road or bridge on or before January 1, 2002;

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

46 |           3. The construction activity does not expand the existing  
47 | width of an existing vehicular bridge in excess of that  
48 | reasonably necessary to properly connect the bridge with the  
49 | road being repaired, stabilized, paved, or repaved to safely  
50 | accommodate the traffic expected on the road, which may include  
51 | expanding the width of the bridge to match the existing  
52 | connected road. However, no debris from the original bridge  
53 | shall be allowed to remain in waters of the state, including  
54 | wetlands;

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

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

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

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

70  
71 Within 30 days after this act becomes a law, the department  
72 shall initiate rulemaking to adopt a no fee general permit for  
73 the repair, stabilization, or paving of existing roads that are  
74 maintained by the county and the repair or replacement of  
75 bridges that are part of the roadway where such activities do  
76 not cause significant adverse impacts to occur individually or  
77 cumulatively. The general permit shall apply statewide and, with  
78 no additional rulemaking required, apply to qualified projects  
79 reviewed by the Suwannee River Water Management District, the  
80 St. Johns River Water Management District, the Southwest Florida  
81 Water Management District, and the South Florida Water  
82 Management District under the division of responsibilities  
83 contained in the operating agreements applicable to part IV of  
84 chapter 373. Upon adoption, this general permit shall, pursuant

85 | to the provisions of subsection (3), supersede and replace the  
86 | exemption in this paragraph. ~~The department shall submit a~~  
87 | ~~report to the Governor and the Legislature by March 1, 2004, to~~  
88 | ~~evaluate the effects of this exemption and make recommendations~~  
89 | ~~for the exemption to apply statewide.~~

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