

By Senator Jones

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1 A bill to be entitled

2 An act relating to environmental permitting; requiring the
3 Department of Environmental Protection to conduct a study
4 and implement a plan to provide parity in salaries for
5 permitting staff and submit such plan to the President of
6 the Senate, the Speaker of the House of Representatives,
7 and the Legislative Committee on Intergovernmental
8 Relations; requiring the department to develop a plan to
9 implement the remaining phases of an e-permitting program
10 and submit such plan to the President of the Senate, the
11 Speaker of the House of Representatives, and the
12 Legislative Committee on Intergovernmental Relations;
13 prohibiting local governments from specifying the format
14 for a determination made by the department or a water
15 management district that a proposed project meets
16 authorization requirements; amending s. 403.061, F.S.;
17 revising the department's powers and duties to include
18 maintaining a list of projects or activities that
19 applicants may consider when developing proposals for
20 certain projects or activities; amending s. 403.813, F.S.;
21 prohibiting a local government from requiring further
22 verification from the department for certain projects that
23 are exempt from permit requirements other than a general
24 permit; revising a provision relating to the replacement
25 or repair of existing docks and piers; providing an
26 effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:
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30 Section 1. The Department of Environmental Protection shall
31 conduct a study to develop a plan that will implement parity in
32 salaries for environmental permitting staff. The department shall
33 phase in the plan over 3 years, beginning with the 2009-2010
34 fiscal year. The plan must include salaries that are comparable
35 to salaries for similar positions within water management
36 districts, local governments, and the marine construction
37 industry. The plan must enable the department to obtain and
38 retain qualified staff who are involved with environmental
39 resource permitting and related wetlands permit programs at the
40 state and district levels. The department shall submit the plan
41 to the President of the Senate, the Speaker of the House of
42 Representatives, and the Legislative Committee on
43 Intergovernmental Relations by November 1, 2008.

44 Section 2. The Department of Environmental Protection shall
45 develop a project management plan that implements the remaining
46 phases of an e-permitting program that allows for timely
47 submittal, processing, and exchange of information relating to
48 permit applications and compliance. The plan must include an
49 implementation timetable, estimated costs, and transaction fees.
50 The department shall submit the plan to the President of the
51 Senate, the Speaker of the House of Representatives, and the
52 Legislative Committee on Intergovernmental Relations by November
53 1, 2008.

54 Section 3. Notwithstanding any other provisions of law to
55 the contrary, a local government may not specify the format for a
56 determination made by the Department of Environmental Protection
57 or a water management district that a project meets the

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58 requirements for authorization under chapter 253, chapter 373, or
59 chapter 403, Florida Statutes.

60 Section 4. Present subsection (40) of section 403.061,
61 Florida Statutes, is redesignated as subsection (41), and a new
62 subsection (40) is added to that section to read:

63 403.061 Department; powers and duties.--The department
64 shall have the power and the duty to control and prohibit
65 pollution of air and water in accordance with the law and rules
66 adopted and promulgated by it, for this purpose to:

67 (40) Maintain a list of projects or activities that
68 applicants may consider when developing proposals to meet the
69 requirements of chapter 253, chapter 373, or this chapter. The
70 contents of such a list are not a rule as defined in s.
71 120.52(15), and listing a specific project or activity does not
72 imply approval by the department for such project or activity.
73 Each county government shall develop an inventory of projects or
74 activities for inclusion on the list by obtaining input from
75 local stakeholder groups in the public, private, and nonprofit
76 sectors, including local governments, port authorities, marine
77 contractors, other representatives of the marine construction
78 industry, environmental or conservation organizations, and other
79 interested parties.

80
81 The department shall implement such programs in conjunction with
82 its other powers and duties and shall place special emphasis on
83 reducing and eliminating contamination that presents a threat to
84 humans, animals or plants, or to the environment.

85 Section 5. Subsections (2) and (3) of section 403.813,
86 Florida Statutes, are amended to read:

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87 403.813 Permits issued at district centers; exceptions.--

88 (2) A permit is not required under this chapter, chapter
89 373, chapter 61-691, Laws of Florida, or chapter 25214 or chapter
90 25270, 1949, Laws of Florida, and a local government may not
91 require further verification from the department for activities
92 associated with the following types of projects; however, except
93 as otherwise provided in this subsection, ~~nothing in~~ this
94 subsection does not relieve ~~relieves~~ an applicant from any
95 requirement to obtain permission to use or occupy lands owned by
96 the Board of Trustees of the Internal Improvement Trust Fund or
97 any water management district in its governmental or proprietary
98 capacity or from complying with applicable local pollution
99 control programs authorized under this chapter or other
100 requirements of county and municipal governments:

101 (a) The installation of overhead transmission lines, with
102 support structures which are not constructed in waters of the
103 state and which do not create a navigational hazard.

104 (b) The installation and repair of mooring pilings and
105 dolphins associated with private docking facilities or piers and
106 the installation of private docks, piers and recreational docking
107 facilities, or piers and recreational docking facilities of local
108 governmental entities when the local governmental entity's
109 activities will not take place in any manatee habitat, any of
110 which docks:

111 1. Has 500 square feet or less of over-water surface area
112 for a dock which is located in an area designated as Outstanding
113 Florida Waters or 1,000 square feet or less of over-water surface
114 area for a dock which is located in an area which is not
115 designated as Outstanding Florida Waters;

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116 2. Is constructed on or held in place by pilings or is a
117 floating dock which is constructed so as not to involve filling
118 or dredging other than that necessary to install the pilings;

119 3. Shall not substantially impede the flow of water or
120 create a navigational hazard;

121 4. Is used for recreational, noncommercial activities
122 associated with the mooring or storage of boats and boat
123 paraphernalia; and

124 5. Is the sole dock constructed pursuant to this exemption
125 as measured along the shoreline for a distance of 65 feet, unless
126 the parcel of land or individual lot as platted is less than 65
127 feet in length along the shoreline, in which case there may be
128 one exempt dock allowed per parcel or lot.

129
130 Nothing in this paragraph shall prohibit the department from
131 taking appropriate enforcement action pursuant to this chapter to
132 abate or prohibit any activity otherwise exempt from permitting
133 pursuant to this paragraph if the department can demonstrate that
134 the exempted activity has caused water pollution in violation of
135 this chapter.

136 (c) The installation and maintenance to design
137 specifications of boat ramps on artificial bodies of water where
138 navigational access to the proposed ramp exists or the
139 installation of boat ramps open to the public in any waters of
140 the state where navigational access to the proposed ramp exists
141 and where the construction of the proposed ramp will be less than
142 30 feet wide and will involve the removal of less than 25 cubic
143 yards of material from the waters of the state, and the
144 maintenance to design specifications of such ramps; however, the

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145 material to be removed shall be placed upon a self-contained
146 upland site so as to prevent the escape of the spoil material
147 into the waters of the state.

148 (d) The replacement or repair of existing docks and piers,
149 except that no fill material is to be used and provided that the
150 replacement or repaired dock or pier is in the same location and
151 the size does not exceed ~~of the same configuration and dimensions~~
152 ~~as~~ the dock or pier being replaced or repaired.

153 (e) The restoration of seawalls at their previous locations
154 or upland of, or within 1 foot waterward of, their previous
155 locations. However, this shall not affect the permitting
156 requirements of chapter 161, and department rules shall clearly
157 indicate that this exception does not constitute an exception
158 from the permitting requirements of chapter 161.

159 (f) The performance of maintenance dredging of existing
160 manmade canals, channels, intake and discharge structures, and
161 previously dredged portions of natural water bodies within
162 drainage rights-of-way or drainage easements which have been
163 recorded in the public records of the county, where the spoil
164 material is to be removed and deposited on a self-contained,
165 upland spoil site which will prevent the escape of the spoil
166 material into the waters of the state, provided that no more
167 dredging is to be performed than is necessary to restore the
168 canals, channels, and intake and discharge structures, and
169 previously dredged portions of natural water bodies, to original
170 design specifications or configurations, provided that the work
171 is conducted in compliance with s. 370.12(2)(d), provided that no
172 significant impacts occur to previously undisturbed natural
173 areas, and provided that control devices for return flow and best

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174 management practices for erosion and sediment control are
175 utilized to prevent bank erosion and scouring and to prevent
176 turbidity, dredged material, and toxic or deleterious substances
177 from discharging into adjacent waters during maintenance
178 dredging. Further, for maintenance dredging of previously dredged
179 portions of natural water bodies within recorded drainage rights-
180 of-way or drainage easements, an entity that seeks an exemption
181 must notify the department or water management district, as
182 applicable, at least 30 days prior to dredging and provide
183 documentation of original design specifications or configurations
184 where such exist. This exemption applies to all canals and
185 previously dredged portions of natural water bodies within
186 recorded drainage rights-of-way or drainage easements constructed
187 prior to April 3, 1970, and to those canals and previously
188 dredged portions of natural water bodies constructed on or after
189 April 3, 1970, pursuant to all necessary state permits. This
190 exemption does not apply to the removal of a natural or manmade
191 barrier separating a canal or canal system from adjacent waters.
192 When no previous permit has been issued by the Board of Trustees
193 of the Internal Improvement Trust Fund or the United States Army
194 Corps of Engineers for construction or maintenance dredging of
195 the existing manmade canal or intake or discharge structure, such
196 maintenance dredging shall be limited to a depth of no more than
197 5 feet below mean low water. The Board of Trustees of the
198 Internal Improvement Trust Fund may fix and recover from the
199 permittee an amount equal to the difference between the fair
200 market value and the actual cost of the maintenance dredging for
201 material removed during such maintenance dredging. However, no
202 charge shall be exacted by the state for material removed during

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203 such maintenance dredging by a public port authority. The
204 removing party may subsequently sell such material; however,
205 proceeds from such sale that exceed the costs of maintenance
206 dredging shall be remitted to the state and deposited in the
207 Internal Improvement Trust Fund.

208 (g) The maintenance of existing insect control structures,
209 dikes, and irrigation and drainage ditches, provided that spoil
210 material is deposited on a self-contained, upland spoil site
211 which will prevent the escape of the spoil material into waters
212 of the state. In the case of insect control structures, if the
213 cost of using a self-contained upland spoil site is so excessive,
214 as determined by the Department of Health, pursuant to s.
215 403.088(1), that it will inhibit proposed insect control, then-
216 existing spoil sites or dikes may be used, upon notification to
217 the department. In the case of insect control where upland spoil
218 sites are not used pursuant to this exemption, turbidity control
219 devices shall be used to confine the spoil material discharge to
220 that area previously disturbed when the receiving body of water
221 is used as a potable water supply, is designated as shellfish
222 harvesting waters, or functions as a habitat for commercially or
223 recreationally important shellfish or finfish. In all cases, no
224 more dredging is to be performed than is necessary to restore the
225 dike or irrigation or drainage ditch to its original design
226 specifications.

227 (h) The repair or replacement of existing functional pipes
228 or culverts the purpose of which is the discharge or conveyance
229 of stormwater. In all cases, the invert elevation, the diameter,
230 and the length of the culvert shall not be changed. However, the
231 material used for the culvert may be different from the original.

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232 (i) The construction of private docks of 1,000 square feet
233 or less of over-water surface area and seawalls in artificially
234 created waterways where such construction will not violate
235 existing water quality standards, impede navigation, or affect
236 flood control. This exemption does not apply to the construction
237 of vertical seawalls in estuaries or lagoons unless the proposed
238 construction is within an existing manmade canal where the
239 shoreline is currently occupied in whole or part by vertical
240 seawalls.

241 (j) The construction and maintenance of swales.

242 (k) The installation of aids to navigation and buoys
243 associated with such aids, provided the devices are marked
244 pursuant to s. 327.40.

245 (l) The replacement or repair of existing open-trestle foot
246 bridges and vehicular bridges that are 100 feet or less in length
247 and two lanes or less in width, provided that no more dredging or
248 filling of submerged lands is performed other than that which is
249 necessary to replace or repair pilings and that the structure to
250 be replaced or repaired is the same length, the same
251 configuration, and in the same location as the original bridge.
252 No debris from the original bridge shall be allowed to remain in
253 the waters of the state.

254 (m) The installation of subaqueous transmission and
255 distribution lines laid on, or embedded in, the bottoms of waters
256 in the state, except in Class I and Class II waters and aquatic
257 preserves, provided no dredging or filling is necessary.

258 (n) The replacement or repair of subaqueous transmission
259 and distribution lines laid on, or embedded in, the bottoms of
260 waters of the state.

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261 (o) The construction of private seawalls in wetlands or
262 other surface waters where such construction is between and
263 adjoins at both ends existing seawalls; follows a continuous and
264 uniform seawall construction line with the existing seawalls; is
265 no more than 150 feet in length; and does not violate existing
266 water quality standards, impede navigation, or affect flood
267 control. However, in estuaries and lagoons the construction of
268 vertical seawalls is limited to the circumstances and purposes
269 stated in s. 373.414(5)(b)1.-4. This paragraph does not affect
270 the permitting requirements of chapter 161, and department rules
271 must clearly indicate that this exception does not constitute an
272 exception from the permitting requirements of chapter 161.

273 (p) The restoration of existing insect control impoundment
274 dikes which are less than 100 feet in length. Such impoundments
275 shall be connected to tidally influenced waters for 6 months each
276 year beginning September 1 and ending February 28 if feasible or
277 operated in accordance with an impoundment management plan
278 approved by the department. A dike restoration may involve no
279 more dredging than is necessary to restore the dike to its
280 original design specifications. For the purposes of this
281 paragraph, restoration does not include maintenance of
282 impoundment dikes of operating insect control impoundments.

283 (q) The construction, operation, or maintenance of
284 stormwater management facilities which are designed to serve
285 single-family residential projects, including duplexes,
286 triplexes, and quadruplexes, if they are less than 10 acres total
287 land and have less than 2 acres of impervious surface and if the
288 facilities:

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289 1. Comply with all regulations or ordinances applicable to
290 stormwater management and adopted by a city or county;

291 2. Are not part of a larger common plan of development or
292 sale; and

293 3. Discharge into a stormwater discharge facility exempted
294 or permitted by the department under this chapter which has
295 sufficient capacity and treatment capability as specified in this
296 chapter and is owned, maintained, or operated by a city, county,
297 special district with drainage responsibility, or water
298 management district; however, this exemption does not authorize
299 discharge to a facility without the facility owner's prior
300 written consent.

301 (r) The removal of aquatic plants, the removal of tussocks,
302 the associated replanting of indigenous aquatic plants, and the
303 associated removal from lakes of organic detrital material when
304 such planting or removal is performed and authorized by permit or
305 exemption granted under s. 369.20 or s. 369.25, provided that:

306 1. Organic detrital material that exists on the surface of
307 natural mineral substrate shall be allowed to be removed to a
308 depth of 3 feet or to the natural mineral substrate, whichever is
309 less;

310 2. All material removed pursuant to this paragraph shall be
311 deposited in an upland site in a manner that will prevent the
312 reintroduction of the material into waters in the state except
313 when spoil material is permitted to be used to create wildlife
314 islands in freshwater bodies of the state when a governmental
315 entity is permitted pursuant to s. 369.20 to create such islands
316 as a part of a restoration or enhancement project;

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317 3. All activities are performed in a manner consistent with
318 state water quality standards; and

319 4. No activities under this exemption are conducted in
320 wetland areas, as defined by s. 373.019(25), which are supported
321 by a natural soil as shown in applicable United States Department
322 of Agriculture county soil surveys, except when a governmental
323 entity is permitted pursuant to s. 369.20 to conduct such
324 activities as a part of a restoration or enhancement project.

325

326 The department may not adopt implementing rules for this
327 paragraph, notwithstanding any other provision of law.

328 (s) The construction, installation, operation, or
329 maintenance of floating vessel platforms or floating boat lifts,
330 provided that such structures:

331 1. Float at all times in the water for the sole purpose of
332 supporting a vessel so that the vessel is out of the water when
333 not in use;

334 2. Are wholly contained within a boat slip previously
335 permitted under ss. 403.91-403.929, 1984 Supplement to the
336 Florida Statutes 1983, as amended, or part IV of chapter 373, or
337 do not exceed a combined total of 500 square feet, or 200 square
338 feet in an Outstanding Florida Water, when associated with a dock
339 that is exempt under this subsection or associated with a
340 permitted dock with no defined boat slip or attached to a
341 bulkhead on a parcel of land where there is no other docking
342 structure;

343 3. Are not used for any commercial purpose or for mooring
344 vessels that remain in the water when not in use, and do not
345 substantially impede the flow of water, create a navigational

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346 | hazard, or unreasonably infringe upon the riparian rights of
347 | adjacent property owners, as defined in s. 253.141;

348 | 4. Are constructed and used so as to minimize adverse
349 | impacts to submerged lands, wetlands, shellfish areas, aquatic
350 | plant and animal species, and other biological communities,
351 | including locating such structures in areas where seagrasses are
352 | least dense adjacent to the dock or bulkhead; and

353 | 5. Are not constructed in areas specifically prohibited for
354 | boat mooring under conditions of a permit issued in accordance
355 | with ss. 403.91-403.929, 1984 Supplement to the Florida Statutes
356 | 1983, as amended, or part IV of chapter 373, or other form of
357 | authorization issued by a local government.

358 |
359 | Structures that qualify for this exemption are relieved from any
360 | requirement to obtain permission to use or occupy lands owned by
361 | the Board of Trustees of the Internal Improvement Trust Fund and,
362 | with the exception of those structures attached to a bulkhead on
363 | a parcel of land where there is no docking structure, shall not
364 | be subject to any more stringent permitting requirements,
365 | registration requirements, or other regulation by any local
366 | government. Local governments may require either permitting or
367 | one-time registration of floating vessel platforms to be attached
368 | to a bulkhead on a parcel of land where there is no other docking
369 | structure as necessary to ensure compliance with local
370 | ordinances, codes, or regulations. Local governments may require
371 | either permitting or one-time registration of all other floating
372 | vessel platforms as necessary to ensure compliance with the
373 | exemption criteria in this section; to ensure compliance with
374 | local ordinances, codes, or regulations relating to building or

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375 zoning, which are no more stringent than the exemption criteria
376 in this section or address subjects other than subjects addressed
377 by the exemption criteria in this section; and to ensure proper
378 installation, maintenance, and precautionary or evacuation action
379 following a tropical storm or hurricane watch of a floating
380 vessel platform or floating boat lift that is proposed to be
381 attached to a bulkhead or parcel of land where there is no other
382 docking structure. The exemption provided in this paragraph shall
383 be in addition to the exemption provided in paragraph (b). The
384 department shall adopt a general permit by rule for the
385 construction, installation, operation, or maintenance of those
386 floating vessel platforms or floating boat lifts that do not
387 qualify for the exemption provided in this paragraph but do not
388 cause significant adverse impacts to occur individually or
389 cumulatively. The issuance of such general permit shall also
390 constitute permission to use or occupy lands owned by the Board
391 of Trustees of the Internal Improvement Trust Fund. No local
392 government shall impose a more stringent regulation, permitting
393 requirement, registration requirement, or other regulation
394 covered by such general permit. Local governments may require
395 either permitting or one-time registration of floating vessel
396 platforms as necessary to ensure compliance with the general
397 permit in this section; to ensure compliance with local
398 ordinances, codes, or regulations relating to building or zoning
399 that are no more stringent than the general permit in this
400 section; and to ensure proper installation and maintenance of a
401 floating vessel platform or floating boat lift that is proposed
402 to be attached to a bulkhead or parcel of land where there is no
403 other docking structure.

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404 (t) The repair, stabilization, or paving of existing county
405 maintained roads and the repair or replacement of bridges that
406 are part of the roadway, within the Northwest Florida Water
407 Management District and the Suwannee River Water Management
408 District, provided:

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

412 2. The construction activity does not realign the road or
413 expand the number of existing traffic lanes of the existing road;
414 however, the work may include the provision of safety shoulders,
415 clearance of vegetation, and other work reasonably necessary to
416 repair, stabilize, pave, or repave the road, provided that the
417 work is constructed by generally accepted engineering standards;

418 3. The construction activity does not expand the existing
419 width of an existing vehicular bridge in excess of that
420 reasonably necessary to properly connect the bridge with the road
421 being repaired, stabilized, paved, or repaved to safely
422 accommodate the traffic expected on the road, which may include
423 expanding the width of the bridge to match the existing connected
424 road. However, no debris from the original bridge shall be
425 allowed to remain in waters of the state, including wetlands;

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

428 5. Roadside swales or other effective means of stormwater
429 treatment must be incorporated as part of the project;

430 6. No more dredging or filling of wetlands or water of the
431 state is performed than that which is reasonably necessary to
432 repair, stabilize, pave, or repave the road or to repair or

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433 | replace the bridge, in accordance with generally accepted
434 | engineering standards; and

435 | 7. Notice of intent to use the exemption is provided to the
436 | department, if the work is to be performed within the Northwest
437 | Florida Water Management District, or to the Suwannee River Water
438 | Management District, if the work is to be performed within the
439 | Suwannee River Water Management District, 30 days prior to
440 | performing any work under the exemption.

441 |
442 | Within 30 days after this act becomes a law, the department shall
443 | initiate rulemaking to adopt a no fee general permit for the
444 | repair, stabilization, or paving of existing roads that are
445 | maintained by the county and the repair or replacement of bridges
446 | that are part of the roadway where such activities do not cause
447 | significant adverse impacts to occur individually or
448 | cumulatively. The general permit shall apply statewide and, with
449 | no additional rulemaking required, apply to qualified projects
450 | reviewed by the Suwannee River Water Management District, the St.
451 | Johns River Water Management District, the Southwest Florida
452 | Water Management District, and the South Florida Water Management
453 | District under the division of responsibilities contained in the
454 | operating agreements applicable to part IV of chapter 373. Upon
455 | adoption, this general permit shall, pursuant to the provisions
456 | of subsection (3), supersede and replace the exemption in this
457 | paragraph.

458 | (u) Notwithstanding any provision to the contrary in this
459 | subsection, a permit or other authorization under chapter 253,
460 | chapter 369, chapter 373, or this chapter is not required for an
461 | individual residential property owner for the removal of organic

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462 detrital material from freshwater rivers or lakes that have a
463 natural sand or rocky substrate and that are not Aquatic
464 Preserves or for the associated removal and replanting of aquatic
465 vegetation for the purpose of environmental enhancement,
466 providing that:

467 1. No activities under this exemption are conducted in
468 wetland areas, as defined by s. 373.019(25), which are supported
469 by a natural soil as shown in applicable United States Department
470 of Agriculture county soil surveys.

471 2. No filling or peat mining is allowed.

472 3. No removal of native wetland trees, including, but not
473 limited to, ash, bay, cypress, gum, maple, or tupelo, occurs.

474 4. When removing organic detrital material, no portion of
475 the underlying natural mineral substrate or rocky substrate is
476 removed.

477 5. Organic detrital material and plant material removed is
478 deposited in an upland site in a manner that will not cause water
479 quality violations.

480 6. All activities are conducted in such a manner, and with
481 appropriate turbidity controls, so as to prevent any water
482 quality violations outside the immediate work area.

483 7. Replanting with a variety of aquatic plants native to
484 the state shall occur in a minimum of 25 percent of the
485 preexisting vegetated areas where organic detrital material is
486 removed, except for areas where the material is removed to bare
487 rocky substrate; however, an area may be maintained clear of
488 vegetation as an access corridor. The access corridor width may
489 not exceed 50 percent of the property owner's frontage or 50
490 feet, whichever is less, and may be a sufficient length waterward

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491 to create a corridor to allow access for a boat or swimmer to
492 reach open water. Replanting must be at a minimum density of 2
493 feet on center and be completed within 90 days after removal of
494 existing aquatic vegetation, except that under dewatered
495 conditions replanting must be completed within 90 days after
496 reflooding. The area to be replanted must extend waterward from
497 the ordinary high water line to a point where normal water depth
498 would be 3 feet or the preexisting vegetation line, whichever is
499 less. Individuals are required to make a reasonable effort to
500 maintain planting density for a period of 6 months after
501 replanting is complete, and the plants, including naturally
502 recruited native aquatic plants, must be allowed to expand and
503 fill in the revegetation area. Native aquatic plants to be used
504 for revegetation must be salvaged from the enhancement project
505 site or obtained from an aquatic plant nursery regulated by the
506 Department of Agriculture and Consumer Services. Plants that are
507 not native to the state may not be used for replanting.

508 8. No activity occurs any farther than 100 feet waterward
509 of the ordinary high water line, and all activities must be
510 designed and conducted in a manner that will not unreasonably
511 restrict or infringe upon the riparian rights of adjacent upland
512 riparian owners.

513 9. The person seeking this exemption notifies the
514 applicable department district office in writing at least 30 days
515 before commencing work and allows the department to conduct a
516 preconstruction site inspection. Notice must include an organic-
517 detrital-material removal and disposal plan and, if applicable, a
518 vegetation-removal and revegetation plan.

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519 | 10. The department is provided written certification of
520 | compliance with the terms and conditions of this paragraph within
521 | 30 days after completion of any activity occurring under this
522 | exemption.

523 | (3) The provisions of subsection (2) are superseded by
524 | general permits established pursuant to ss. 373.118 and 403.814
525 | which include the same activities. Until such time as general
526 | permits are established, or if ~~should~~ general permits are ~~be~~
527 | suspended or repealed, the exemptions under subsection (2) shall
528 | remain or shall be reestablished in full force and effect.

529 | Section 6. This act shall take effect upon becoming a law.