

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Artiles offered the following:

Amendment

Remove lines 2628-2657 and insert:

(13) Nothing in this part, or in any rule, regulation, or order adopted pursuant to this part, applies to construction, alteration, operation, or maintenance of any wholly owned, manmade excavated farm ponds, as defined in s. 403.927, constructed entirely in uplands. Alteration or maintenance may not involve any work to connect the farm pond to, or expand the farm pond into, other wetlands or other surface waters. This exemption does not apply to any farm pond that covers an area greater than 15 acres and has an average depth greater than 15 feet, or is less than 50 feet from any wetlands.

(14) Nothing in this part, or in any rule, regulation, or order adopted pursuant to this part, may require a permit for

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17 activities affecting wetlands created solely by the unauthorized
18 flooding or interference with the natural flow of surface water
19 caused by an unaffiliated adjoining landowner. Requests to
20 qualify for this exemption must be made within 7 years after the
21 cause of such unauthorized flooding or unauthorized interference
22 with the natural flow of surface water and must be submitted in
23 writing to the district or department. Such activities may not
24 begin without a written determination from the district or
25 department confirming that the activity qualifies for the
26 exemption. This exemption does not expand the jurisdiction of
27 the department or the water management districts and does not
28 apply to activities that discharge dredged or fill material into
29 waters of the United States, including wetlands, subject to
30 federal jurisdiction under s. 404 of the federal Clean Water
31 Act, 33 U.S.C. s. 1344.

32 (15) Any independent water control district created before
33 July 1, 2013, and operating pursuant to chapter 298 for which a
34 valid environmental resource permit has been issued pursuant to
35 this part or a federal wetlands permit authorized under s. 404
36 of the federal Clean Water Act, 33 U.S.C. s. 1344, has been
37 issued, is exempt from further wetlands regulations imposed
38 pursuant to chapters 125, 163, and 166.