

1                                   A bill to be entitled  
 2           An act relating to dredge and fill activities;  
 3           amending s. 373.4144, F.S.; revising the acreage of  
 4           wetlands and other surface waters subject to impact by  
 5           dredge and fill activities under a state programmatic  
 6           general permit; providing that seeking to use such a  
 7           permit consents to specified federal wetland  
 8           jurisdiction criteria; authorizing the Department of  
 9           Environmental Protection to delegate federal  
 10          permitting programs for the discharge of dredged or  
 11          fill material under certain conditions; providing an  
 12          effective date.

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

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 16           Section 1. Subsections (2) and (3) of section 373.4144,  
 17   Florida Statutes, are amended to read:

18           373.4144 Federal environmental permitting.—

19           (2) (a) In order to effectuate efficient wetland permitting  
 20   and avoid duplication, the department and water management  
 21   districts are authorized to implement a voluntary state  
 22   programmatic general permit for all dredge and fill activities  
 23   impacting 10 ~~3~~ acres or less of wetlands or other surface  
 24   waters, including navigable waters, subject to agreement with  
 25   the United States Army Corps of Engineers, if the general permit  
 26   is at least as protective of the environment and natural

27 resources as existing state law under this part and federal law  
 28 under the Clean Water Act and the Rivers and Harbors Act of  
 29 1899.

30 (b) By seeking to use a statewide programmatic general  
 31 permit, an applicant consents to applicable federal wetland  
 32 jurisdiction criteria, which are not included pursuant to this  
 33 part, but which are authorized by the regulations implementing  
 34 s. 404 of the Clean Water Act, Pub. L. No. 92-500, as amended,  
 35 33 U.S.C. ss. 1251 et seq., and s. 10 of the Rivers and Harbors  
 36 Act of 1899 as required by the United States Army Corps of  
 37 Engineers, notwithstanding s. 373.4145 and for the limited  
 38 purpose of implementing the state programmatic general permit  
 39 authorized by this subsection.

40 (3) The department may pursue ~~This section may not~~  
 41 ~~preclude the department from pursuing~~ a series of regional  
 42 general permits for construction activities in wetlands or  
 43 surface waters or delegation or ~~complete~~ assumption of federal  
 44 permitting programs regulating the discharge of dredged or fill  
 45 material pursuant to s. 404 of the Clean Water Act, Pub. L. No.  
 46 92-500, as amended, 33 U.S.C. ss. 1251 et seq., and s. 10 of the  
 47 Rivers and Harbors Act of 1899, so long as the delegation or  
 48 assumption encompasses all dredge and fill activities in, on, or  
 49 over jurisdictional wetlands or waters, including navigable  
 50 waters, within the state.

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