

1 A bill to be entitled
 2 An act relating to management and storage of surface
 3 waters; amending s. 373.406, F.S.; providing an
 4 exemption from surface water management and storage
 5 regulations for the implementation of certain measures
 6 and practices for environmental habitat creation,
 7 restoration, and enhancement activities and water
 8 quality improvements on specified agricultural lands
 9 and government-owned lands; providing a condition and
 10 requirements for the measures and practices; removing
 11 requirements for adverse impacts on water resources,
 12 certain notification by the Department of
 13 Environmental Protection and water management
 14 districts, and commencement of activities; providing
 15 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. Subsection (9) of section 373.406, Florida
 20 Statutes, is amended to read:

21 373.406 Exemptions.—The following exemptions shall apply:

22 (9) Implementation of measures or practices for ~~having~~ the
 23 primary purpose of environmental habitat creation, restoration,
 24 or enhancement activities or water quality improvements
 25 ~~improvement~~ on lands classified as agricultural pursuant to s.

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26 | 193.461 or government-owned lands are exempt from regulation
27 | under this part. The measures or practices may alter the
28 | topography of the land, including activities and improvements
29 | that divert the flow of surface waters or impact wetlands on the
30 | land, if the activities or improvements result in a net increase
31 | in wetland resource functions. The activities or improvements
32 | must be planned, designed, and implemented to result in a
33 | wetland habitat that resembles the characteristics of a
34 | functional wetland habitat in the same region, such as an
35 | herbaceous or a forested wetland ~~where these measures or~~
36 | ~~practices are determined by the district or department, on a~~
37 | ~~case-by-case basis, to have minimal or insignificant individual~~
38 | ~~and cumulative adverse impact on the water resources of the~~
39 | ~~state. The district or department shall provide written~~
40 | ~~notification as to whether the proposed activity qualifies for~~
41 | ~~the exemption within 30 days after receipt of a written notice~~
42 | ~~requesting the exemption. No activity under this exemption shall~~
43 | ~~commence until the district or department has provided written~~
44 | ~~notice that the activity qualifies for the exemption.~~

45 | Section 2. This act shall take effect July 1, 2023.