

Committee on Environmental Preservation and Conservation

CS/SB 1176 — Dredge and Fill Activities

by Environmental Preservation and Conservation Committee; and Senator Diaz de la Portilla

The bill authorizes the Department of Environmental Protection, subject to agreement with the United States Army Corps of Engineers, to implement a voluntary state programmatic general permit for all dredge and fill activities impacting ten acres or less of wetlands or other surface waters, if the general permit is at least as protective of the environment and natural resources as existing state law under part IV of ch. 373, F.S., and federal law under the Clean Water Act and the Rivers and Harbors Act of 1899.

The bill clarifies that by seeking to use a statewide programmatic general permit, an applicant consents to applicable federal wetland jurisdictional criteria as required by the United States Army Corp of Engineers.

The bill authorizes the Department of Environmental Protection to pursue delegation or assumption of federal permitting programs regulating the discharge of dredged or fill material, rather than only complete assumption which encompasses all dredge and fill activities in, on, or over jurisdictional wetlands or waters, including navigable waters, within the state.

If approved by the Governor, these provisions take effect upon becoming a law.

Vote: Senate 34-0; House 112-2