



HB 863

2024

26 creation activities or water quality improvements ~~improvement~~ on  
27 lands classified as agricultural pursuant to s. 193.461 or  
28 government-owned lands are exempt from regulation under this  
29 part. The measures or practices may alter the topography of the  
30 land, divert or impede the flow of surface waters on the land,  
31 or impact wetlands, if the activities or improvements result in  
32 a net increase in wetland resource functions. The activities or  
33 improvements must be implemented to result in a wetland habitat  
34 that resembles the characteristics of a wetland habitat in the  
35 same region, such as an herbaceous or a forested wetland where  
36 ~~these measures or practices are determined by the district or~~  
37 ~~department, on a case-by-case basis, to have minimal or~~  
38 ~~insignificant individual and cumulative adverse impact on the~~  
39 ~~water resources of the state. The district or department shall~~  
40 ~~provide written notification as to whether the proposed activity~~  
41 ~~qualifies for the exemption within 30 days after receipt of a~~  
42 ~~written notice requesting the exemption. No activity under this~~  
43 ~~exemption shall commence until the district or department has~~  
44 ~~provided written notice that the activity qualifies for the~~  
45 ~~exemption.~~ This exemption may not be used to establish a  
46 mitigation bank or regional offsite mitigation area under s.  
47 373.4135 or s. 373.4136.

48 Section 2. This act shall take effect July 1, 2024.