

c. Subsequently become perpetually maintained by the county or municipality through such means as being accepted by the county or municipality as part of a Municipal Service Taxing Unit or Municipal Service Benefit Unit; and

2. The work does not realign the road or expand the number of traffic lanes of the existing road, but may include safety shoulders, clearing vegetation, and other work reasonably necessary to repair, stabilize, pave, or repave the road, provided that the work is constructed using generally accepted roadway design standards;

* * *

8. All work is conducted in compliance with subsection 62-330.050(9), F.A.C.^[4]

64. Rule 62-330.050(9)(b) provides, in pertinent part, that:

(9) The following apply when specified in an exemption in rule 62-330.051, F.A.C.:

(b) Construction, alteration, and operation shall not:

1. Adversely impound or obstruct existing water flow, cause adverse impacts to existing surface water storage and conveyance capabilities, or otherwise cause adverse water quantity or flooding impacts to receiving water and adjacent lands;

* * *

5. Cause or contribute to a violation of state water quality standards. Turbidity, sedimentation, and erosion shall be controlled during and after construction to prevent violations of state water quality standards, ... due to construction-related activities. Erosion and sediment control best

⁴ As stipulated by the parties, rule 62-330.051(4)(e) 3., 4., and 6. are not at issue. In addition, although a notice of intent to use the Exemption was not provided to the District 30 days before performing the work, that requirement was resolved through a variance that was granted, published, and became final. Thus, rule 62-330.051(4)(e)7. is not at issue.