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LEGISLATIVE ACTION

Senate

House

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Floor: WD/3R

04/30/2010 03:41 PM

Senator Altman moved the following:

Senate Amendment (with title amendment)

Between lines 34 and 35

insert:

Section 1. Paragraph (a) of subsection (19) of section 373.414, Florida Statutes, is amended to read:

373.414 Additional criteria for activities in surface waters and wetlands.—

(19) (a) Financial responsibility for mitigation for wetlands and other surface waters required by a permit issued pursuant to this part for activities associated with the extraction of limestone and phosphate are subject to approval by the department as part of permit application review. Financial



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14 responsibility for permitted activities which will occur over a
15 period of 3 years or less of mining operations must be provided
16 to the department prior to the commencement of mining operations
17 and shall be in an amount equal to 110 percent of the estimated
18 mitigation costs for wetlands and other surface waters affected
19 under the permit. For permitted activities which will occur over
20 a period of more than 3 years of mining operations, the initial
21 financial responsibility demonstration shall be in an amount
22 equal to 110 percent of the estimated mitigation costs for
23 wetlands and other surface waters affected in the first 3 years
24 of operation under the permit; and, for each year thereafter,
25 the financial responsibility demonstration shall be updated,
26 including to provide an amount equal to 110 percent of the
27 estimated mitigation costs for the next year of operations under
28 the permit for which financial responsibility has not already
29 been demonstrated and to release portions of the financial
30 responsibility mechanisms in accordance with applicable rules.

31 Section 2. Subsection (2) of section 378.901, Florida
32 Statutes, is amended to read:

33 378.901 Life-of-the-mine permit.—

34 (2) As an alternative to, and in lieu of, separate
35 applications for permits required by part IV of chapter 373 and
36 part IV of this chapter, any each operator who mines or extracts
37 or proposes to mine or extract heavy minerals, limestone, or
38 fuller's earth clay may apply to the bureau for a life-of-the-
39 mine permit. This section does not limit or restrict the
40 authority of a local government to approve, approve with
41 conditions, deny, or impose a permit with a duration different
42 from the duration of a permit issued pursuant to this section.



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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 2

and insert:

An act relating to permitting; amending s. 373.414, F.S.; providing that financial responsibility for mitigation for wetlands and other surface waters required by a permit for activities associated with the extraction of limestone are subject to approval by the Department of Environmental Protection as part of permit application review; amending s. 378.901, F.S.; authorizing certain mine operators to apply for a life-of-the-mine permit; preserving certain authority of local governments; amending s. 403.973,