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LEGISLATIVE ACTION

Senate

House

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Floor: WD/3R

04/30/2010 03:41 PM

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Senator Altman moved the following:

1           **Senate Substitute for Amendment (176250) (with title**  
2 **amendment)**

3  
4           Between lines 188 and 189  
5 insert:

6           Section 4. Paragraph (a) of subsection (19) of section  
7 373.414, Florida Statutes, is amended to read:

8           373.414 Additional criteria for activities in surface  
9 waters and wetlands.—

10           (19) (a) Financial responsibility for mitigation for  
11 wetlands and other surface waters required by a permit issued  
12 pursuant to this part for activities associated with the  
13 extraction of limestone and phosphate are subject to approval by



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

32 Section 5. Subsection (2) of section 378.901, Florida  
33 Statutes, is amended to read:

34 378.901 Life-of-the-mine permit.—

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



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43 from the duration of a permit issued pursuant to this section.

44

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

46 And the title is amended as follows:

47 Delete line 10

48 and insert:

49 site rehabilitation; amending s. 373.414, F.S.;

50 providing that financial responsibility for mitigation

51 for wetlands and other surface waters required by a

52 permit for activities associated with the extraction

53 of limestone are subject to approval by the Department

54 of Environmental Protection as part of permit

55 application review; amending s. 378.901, F.S.;

56 authorizing certain mine operators to apply for a

57 life-of-the-mine permit; preserving certain authority

58 of local governments; amending s. 403.973,