

By Senator Brown-Waite

10-1195-02

1 A bill to be entitled
2 An act relating to the Department of
3 Environmental Protection; amending s. 403.061,
4 F.S.; prescribing powers and duties of the
5 department with respect to approval of spoil
6 sites; providing an effective date.

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8 Be It Enacted by the Legislature of the State of Florida:

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10 Section 1. Subsection (24) of section 403.061, Florida
11 Statutes, is amended to read:

12 403.061 Department; powers and duties.--The department
13 shall have the power and the duty to control and prohibit
14 pollution of air and water in accordance with the law and
15 rules adopted and promulgated by it and, for this purpose, to:

16 (24)(a) Establish a permit system to provide for spoil
17 site approval, as may be requested and required by local
18 governmental agencies ~~as defined in s. 403.1822(3)~~, or
19 mosquito control districts as defined in s. 388.011(5), to
20 facilitate these agencies in providing spoil sites for the
21 deposit of spoil from maintenance dredging of navigation
22 channels, port harbors, turning basins, and harbor berths, as
23 part of a federal project, when the agency is acting as
24 sponsor of a contemplated dredge and fill operation involving
25 an established navigation channel, harbor, turning basin, or
26 harbor berth. A spoil site approval granted to the agency
27 shall be granted for a period of 10 to 25 years when such site
28 is not inconsistent with an adopted local governmental
29 comprehensive plan and the requirements of this chapter. The
30 department shall periodically review each permit to determine

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1 compliance with the terms and conditions of the permit. Such
2 review shall be conducted at least once every 10 years.

3 (b) This subsection applies only to those maintenance
4 dredging operations permitted after July 1, 1980, where the
5 United States Army Corps of Engineers is the prime dredge and
6 fill agent and the local governmental agency is acting as
7 sponsor for the operation, and does not require the
8 redesignation of currently approved spoil sites under such
9 previous operations.

10 Section 2. This act shall take effect July 1, 2002.

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SENATE SUMMARY

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Revises powers and duties of the Department of
Environmental Protection with respect to the approval of
spoil sites.

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