

Bill No. SB 2510

Barcode 522094

CHAMBER ACTION

Senate

House

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The Committee on Environmental Preservation (Lawson)
recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Paragraph (c) of subsection (3) and
subsection (4) of section 380.23, Florida Statutes, are
amended to read:

380.23 Federal consistency.--

(3) Consistency review shall be limited to review of
the following activities, uses, and projects to ensure that
such activities and uses are conducted in accordance with the
state's coastal management program:

(c) Federally licensed or permitted activities
affecting land or water uses when such activities are in or
seaward of the jurisdiction of local governments required to
develop a coastal zone protection element as provided in s.
380.24 and when such activities involve:

1. Permits and licenses required under the Rivers and

Bill No. SB 2510

Barcode 522094

1 Harbors Act of 1899, 33 U.S.C. ss. 401 et seq., as amended.

2 2. Permits and licenses required under the Marine
3 Protection, Research and Sanctuaries Act of 1972, 33 U.S.C.
4 ss. 1401-1445 and 16 U.S.C. ss. 1431-1445, as amended.

5 3. Permits and licenses required under the Federal
6 Water Pollution Control Act of 1972, 33 U.S.C. ss. 1251 et
7 seq., as amended, unless such permitting activities have been
8 delegated to the state pursuant to said act.

9 4. Permits and licenses relating to the transportation
10 of hazardous substance materials or transportation and dumping
11 which are issued pursuant to the Hazardous Materials
12 Transportation Act, 49 U.S.C. ss. 1501 et seq., as amended, or
13 33 U.S.C. s. 1321, as amended.

14 5. Permits and licenses required under 15 U.S.C. ss.
15 717-717w, 3301-3432, 42 U.S.C. ss. 7101-7352, and 43 U.S.C.
16 ss. 1331-1356 for construction and operation of interstate gas
17 pipelines and storage facilities.

18 6. Permits and licenses required for the siting and
19 construction of any new electrical power plants as defined in
20 s. 403.503(12), as amended, and the licensing and relicensing
21 of hydroelectric power plants under the Federal Power Act, 16
22 U.S.C. ss. 791a et seq., as amended.

23 7. Permits and licenses required under the Mining Law
24 of 1872, 30 U.S.C. ss. 21 et seq., as amended; the Mineral
25 Lands Leasing Act, 30 U.S.C. ss. 181 et seq., as amended; the
26 Mineral Leasing Act for Acquired Lands, 30 U.S.C. ss. 351 et
27 seq., as amended; the Federal Land Policy and Management Act,
28 43 U.S.C. ss. 1701 et seq., as amended; the Mining in the
29 Parks Act, 16 U.S.C. ss. 1901 et seq., as amended; and the OCS
30 Lands Act, 43 U.S.C. ss. 1331 et seq., as amended, for
31 drilling, and mining, pipelines, geological and geophysical

Bill No. SB 2510

Barcode 522094

1 activities, or rights-of-way on public lands, and permits and
2 licenses required under the Indian Mineral Development Act, 25
3 U.S.C. ss. 2101 et seq., as amended.

4 8. Permits and licenses for areas leased under the OCS
5 Lands Act, 43 U.S.C. ss. 1331 et seq., as amended, including
6 leases and approvals of exploration, development, and
7 production plans.

8 ~~9. Permits for pipeline rights-of-way for oil and gas~~
9 ~~transmissions.~~

10 ~~9.10.~~ Permits and licenses required for ~~deepwater~~
11 ~~ports~~ under the Deepwater Port Act of 1974, 33 U.S.C. ss. 1501
12 et seq. 33 U.S.C. s. 1503, as amended.

13 ~~10.11.~~ Permits required for the taking of marine
14 mammals under the Marine Mammal Protection Act of 1972, as
15 amended, 16 U.S.C. s. 1374.

16 (4) The department is authorized to adopt rules
17 establishing procedures for conducting consistency reviews of
18 activities, uses, and projects for which consistency review is
19 required pursuant to subsections (1), (2), and (3). Such rules
20 shall include procedures for the expeditious handling of
21 emergency repairs to existing facilities for which consistency
22 review is required. The department is also authorized to adopt
23 rules prescribing the data and information necessary ~~needed~~
24 for state ~~the~~ review of consistency certifications and
25 determinations. When an environmental impact statement or
26 environmental assessment required by the National
27 Environmental Policy Act has been prepared for a specific
28 activity, use, or project subject to federal consistency
29 review under this section, the environmental impact statement
30 or environmental assessment shall be data and information
31 necessary for the state's consistency review of that federal

Bill No. SB 2510

Barcode 522094

1 activity, use, or project under this section.

2 Section 2. This act shall take effect upon becoming a
3 law.

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

7 And the title is amended as follows:

8 Delete everything before the enacting clause

9

10 and insert:

11 A bill to be entitled

12 An act relating to the Florida Coastal
13 Management Program; amending s. 380.23, F.S.;
14 clarifying the list of federally licensed and
15 permitted activities reviewed for consistency
16 under the Florida Coastal Management Program;
17 revising provisions relating to the licensing
18 and relicensing of hydroelectric power plants;
19 requiring the inclusion of National
20 Environmental Policy Act documents in
21 consistency reviews for certain activities;
22 providing an effective date.

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