

1 A bill to be entitled
 2 An act relating to areas of critical state concern;
 3 amending s. 380.055, F.S.; removing the designation of
 4 area of critical state concern from certain units within
 5 the Plantation Island Subdivision Mobile Homesites in
 6 Collier County; reenacting s. 380.11(2)(c), F.S., relating
 7 to administrative remedies, to incorporate the amendment
 8 to s. 380.055, F.S., in references thereto; providing an
 9 effective date.

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

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13 Section 1. Subsection (3) of section 380.055, Florida
 14 Statutes, is amended to read:

15 380.055 Big Cypress Area.--

16 (3) DESIGNATION AS AREA OF CRITICAL STATE CONCERN.--The
 17 "Big Cypress Area," as defined in this subsection, is hereby
 18 designated as an area of critical state concern. "Big Cypress
 19 Area" means the area generally depicted on the map entitled
 20 "Boundary Map, Big Cypress National Freshwater Reserve,
 21 Florida," numbered BC-91,001 and dated November 1971, which is
 22 on file and available for public inspection in the office of the
 23 National Park Service, Department of the Interior, Washington,
 24 D.C., and in the office of the Board of Trustees of the Internal
 25 Improvement Trust Fund, which is the area proposed as the
 26 Federal Big Cypress National Freshwater Reserve, Florida, and
 27 that area described as follows: Sections 1, 2, 11, 12 and 13 in
 28 Township 49 South, Range 31 East; and Township 49 South, Range

HB 0769

2005

29 32 East, less Sections 19, 30 and 31; and Township 49 South,
30 Range 33 East; and Township 49 South, Range 34 East; and
31 Sections 1 through 5 and 10 through 14 in Township 50 South,
32 Range 32 East; and Sections 1 through 18 and 20 through 25 in
33 Township 50 South, Range 33 East; and Township 50 South, Range
34 34 East, less Section 31; and Sections 1 and 2 in Township 51
35 South, Range 34 East; All in Collier County, Florida, which
36 described area shall be known as the "Big Cypress National
37 Preserve Addition, Florida," together with such contiguous land
38 and water areas as are ecologically linked with the Everglades
39 National Park, certain of the estuarine fisheries of South
40 Florida, or the freshwater aquifer of South Florida, less and
41 except that area known as Plantation Island Subdivision Mobile
42 Homesites, Units 1, 2, and 3 (unrecorded) located in Sections 13
43 and 24, Township 53 South, Range 29 East, Collier County,
44 Florida, the definitive boundaries of which shall be set in the
45 following manner: Within 120 days following the effective date
46 of this act, the state land planning agency shall recommend
47 definitive boundaries for the Big Cypress Area to the
48 Administration Commission, after giving notice to all local
49 governments and regional planning agencies which include within
50 their boundaries any part of the area proposed to be included in
51 the Big Cypress Area and holding such hearings as the state land
52 planning agency deems appropriate. Within 45 days following
53 receipt of the recommended boundaries, the Administration
54 Commission shall adopt, modify, or reject the recommendation and
55 shall by rule establish the boundaries of the area defined as
56 the Big Cypress Area.

57 Section 2. For the purpose of incorporating the amendment
 58 to section 380.055, Florida Statutes, in references thereto,
 59 paragraph (c) of subsection (2) of section 380.11, Florida
 60 Statutes, is reenacted to read:

61 380.11 Enforcement; procedures; remedies.--

62 (2) ADMINISTRATIVE REMEDIES.--

63 (c) The state land planning agency may institute an
 64 administrative proceeding against any developer or responsible
 65 party pertaining to any area of critical state concern
 66 designated in s. 380.05, s. 380.055, s. 380.0551, or s.
 67 380.0552:

68 1. To enjoin development activity if the damage or injury
 69 is caused by the development activity or by a violation of s.
 70 380.05, s. 380.055, s. 380.0551, s. 380.0552, a rule of any
 71 governmental agency, or a development order.

72 2. To require the responsible party to replace or restore
 73 a deteriorated, damaged, injured, or otherwise significantly
 74 impacted natural, historical, or archaeological resource, major
 75 public facility, or area of major public investment if the
 76 damage or injury is caused by the development activity or by a
 77 violation of s. 380.05, s. 380.055, s. 380.0551, s. 380.0552, a
 78 rule of any governmental agency, or a development order.

79 3. To require the governmental agency to properly
 80 administer critical area regulations.

81 Section 3. This act shall take effect July 1, 2005.