



1 ~~one quarter and the east one half of the northwest~~  
2 ~~one quarter, and tracts 38 through 41, and tracts 49 through~~  
3 ~~64 inclusive, section 13, except tracts 17 through 35 and~~  
4 ~~tracts 46 through 48, of Florida Fruit Lands Company~~  
5 ~~Subdivision No. 1 according to the plat thereof as recorded in~~  
6 ~~plat book 2, page 17, public records of Miami Dade County, and~~  
7 ~~section 14, except the west three quarters, Township 52 South,~~  
8 ~~Range 39 East, lying north of the Miami Canal, sections 35 and~~  
9 36 and the east one-half of sections 24 and 25, Township 53  
10 South, Range 39 East and Government Lots 1 and 2, lying  
11 between Townships 53 and 54 South, Range 39 East and those  
12 portions of sections 1 and 2, Township 54 South, Range 39  
13 East, lying north of Tamiami Trail.

14 Section 2. Subsections (2), (5), and (7), paragraph  
15 (a) of subsection (6), and paragraph (b) of subsection (9) of  
16 section 373.41492, Florida Statutes, are amended to read:

17 373.41492 Miami-Dade County Lake Belt Mitigation Plan;  
18 mitigation for mining activities within the Miami-Dade County  
19 Lake Belt.--

20 (2) To provide for the mitigation of wetland resources  
21 lost to mining activities within the Miami-Dade County Lake  
22 Belt Plan, effective October 1, 1999, a mitigation fee is  
23 imposed on each ton of limerock and sand extracted by any  
24 person who engages in the business of extracting limerock or  
25 sand from within the Miami-Dade County Lake Belt Area ~~and~~  
26 ~~sections 10, 11, 13, 14, Township 52 South, Range 39 East, and~~  
27 the east one-half of sections 24 and 25 and all of sections  
28 35 and 36, Township 53 South, Range 39 East. The mitigation  
29 fee is imposed ~~at the rate of 5 cents~~ for each ton of limerock  
30 and sand sold from within the properties where the fee applies  
31 in raw, processed, or manufactured form, including, but not

1 limited to, sized aggregate, asphalt, cement, concrete, and  
2 other limerock and concrete products. The mitigation fee  
3 imposed by this subsection for each ton of limerock and sand  
4 that is sold shall be 12 cents per ton beginning October 1,  
5 2006, 18 cents per ton beginning October 1, 2007, and 24 cents  
6 per ton beginning October 1, 2008. Any limerock or sand that  
7 is used within the mine from which the limerock or sand is  
8 extracted is exempt from the fee. The amount of the mitigation  
9 fee imposed under this section must be stated separately on  
10 the invoice provided to the purchaser of the limerock or sand  
11 product from the limerock or sand miner, or its subsidiary or  
12 affiliate, for which the mitigation fee applies. The limerock  
13 or sand miner, or its subsidiary or affiliate, who sells the  
14 limerock or sand product shall collect the mitigation fee and  
15 forward the proceeds of the fee to the Department of Revenue  
16 on or before the 20th day of the month following the calendar  
17 month in which the sale occurs.

18 (5) Beginning October 1, 2009 ~~January 1, 2001~~, and  
19 each October 1 ~~January 1~~ thereafter, the per-ton mitigation  
20 fee shall be increased by 2.1 percentage points, plus a cost  
21 growth index. The cost growth index shall be the percentage  
22 change in the weighted average of the Employment Cost Index  
23 for All Civilian Workers (ecu 10001I), issued by the United  
24 States Department of Labor for the most recent 12-month period  
25 ending on September 30, and the percentage change in the  
26 Producer Price Index for All Commodities (WPU 00000000),  
27 issued by the United States Department of Labor for the most  
28 recent 12-month period ending on September 30, compared to the  
29 weighted average of these indices for the previous year. The  
30 weighted average shall be calculated as 0.6 times the  
31 percentage change in the Employment Cost Index for All

1 Civilian Workers (ecu 10001I), plus 0.4 times the percentage  
2 change in the Producer Price Index for All Commodities (WPU  
3 00000000). If either index is discontinued, it shall be  
4 replaced by its successor index, as identified by the United  
5 States Department of Labor.

6 (6)(a) The proceeds of the mitigation fee must be used  
7 to conduct mitigation activities that are appropriate to  
8 offset the loss of the value and functions of wetlands as a  
9 result of mining activities and must be used in a manner  
10 consistent with the recommendations contained in the reports  
11 submitted to the Legislature by the Miami-Dade County Lake  
12 Belt Plan Implementation Committee and adopted under s.  
13 373.4149. ~~The Such~~ mitigation may include the purchase,  
14 enhancement, restoration, and management of wetlands and  
15 uplands, the purchase of mitigation credit from a permitted  
16 mitigation bank, and any structural modifications to the  
17 existing drainage system to enhance the hydrology of the  
18 Miami-Dade County Lake Belt Area. Funds may also be used to  
19 reimburse other funding sources, including the Save Our Rivers  
20 Land Acquisition Program, ~~and~~ the Internal Improvement Trust  
21 Fund, the South Florida Water Management District, and  
22 Miami-Dade County, for the purchase of lands that were  
23 acquired in areas appropriate for mitigation due to rock  
24 mining and to reimburse governmental agencies that exchanged  
25 land under s. 373.4149 for mitigation due to rock mining  
26 ~~rockmining~~.

27 (7) Payment of the fee imposed by this section  
28 satisfies the mitigation requirements imposed under ss.  
29 373.403-373.439 and any applicable county ordinance for loss  
30 of the value and functions from mining of the wetlands  
31 identified as rock mining ~~rockmining~~ supported and allowable

1 areas of the Miami-Dade County Lake Plan adopted by s.  
2 373.4149(1). In addition, it is the intent of the Legislature  
3 that the payment of the mitigation fee imposed by this section  
4 satisfy all federal mitigation requirements for the wetlands  
5 mined.

6 (9)

7 (b) No sooner than January 31, 2010, and no more  
8 frequently than every 5 ~~10~~ years thereafter, the interagency  
9 committee shall submit to the Legislature a report  
10 recommending any needed adjustments to the mitigation fee to  
11 ensure that the revenue generated reflects the actual costs of  
12 the mitigation.

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

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16 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
17 COMMITTEE SUBSTITUTE FOR  
18 Senate Bill 1306

19 The committee substitute further revises the boundaries of the  
20 Lake Belt Area and the properties within the Lake Belt Area  
21 that are subject to the mitigation fee. The interagency  
22 committee created in s. 373.41492, F.S., to oversee the  
23 mitigation expenditures, is required to submit a report to the  
24 Legislature every 5 years instead of every 10 years  
25 recommending any needed adjustments to the mitigation fee to  
26 ensure that the revenue generated reflects the actual costs of  
27 the mitigation.  
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