

Bill No. SB 594

Barcode 685084

CHAMBER ACTION

Senate

House

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The Committee on Environmental Preservation and Conservation (Saunders) recommended the following **amendment to amendment** (754116):

**Senate Amendment (with title amendment)**

On page 15, between lines 11 and 12,

and insert:

Section 5. Subsections (15), (16), (17), and (18) of section 378.403, Florida Statutes, are renumbered as subsections (16), (17), (18), and (19) and a new subsection (15) is added to said section to read:

378.403 Definitions.--As used in this part:

(15) "Peat" means a naturally occurring substance derived primarily from plant materials in a range of decomposing conditions and formed in a water-saturated environment.

~~(16)(15)~~ "Reclamation" means the reasonable rehabilitation of land where resource extraction has occurred.

~~(17)(16)~~ "Resource" means soil, clay, peat, stone, gravel, sand, limerock, metallic ore, or any other solid

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1 substance of commercial value found in natural deposits on or  
2 in the earth, except phosphate, which is regulated by part  
3 III.

4 ~~(18)(17)~~ "Secretary" means the Secretary of  
5 Environmental Protection.

6 ~~(19)(18)~~ "Wetlands" means any area as defined in s.  
7 373.019, as delineated using the methodology adopted by rule  
8 and ratified pursuant to s. 373.421(1). For areas included in  
9 an approved conceptual reclamation plan or modification  
10 application submitted prior to July 1, 1994, wetlands mean any  
11 area having dominant vegetation as defined and listed in  
12 Department of Environmental Protection ~~Regulation~~ rule  
13 62-301.200 ~~17-4.022~~, Florida Administrative Code, regardless  
14 of whether the area is within the Department of Environmental  
15 Protection's ~~Regulation's~~ jurisdiction or whether the water  
16 bodies are connected.

17 Section 6. Section 378.503, Florida Statutes, is  
18 amended to read:

19 378.503 Limestone reclamation performance standards.--

20 (7) Resource extraction which results in a water body  
21 shall provide one of the following shoreline treatments:

22 (a) A littoral shelf not less than 18 feet in width  
23 with a berm on the waterward side.

24 (b) A straight slope not steeper than 1 vertical to 3  
25 horizontal, and extending downward from average water level to  
26 6 feet below the average water level.

27 (c) Where a sheer wall results, then in lieu of a  
28 shoreline treatment, access shall be controlled by the use of  
29 berms, fences, or other restrictive methods, all of which  
30 shall be used in conjunction with a transition shelf of at  
31 least 10 feet in width.

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1 (d) Slope requirements of the United States Army Corps  
 2 of Engineers or the Department of Environmental Protection  
 3 ~~Regulation~~ under Part IV of ch. 373. ~~the Warren S. Henderson~~  
 4 ~~Wetlands Protection Act of 1984.~~

5 (e) The secretary may allow other shoreline treatments  
 6 to achieve appropriate safety and environmental  
 7 considerations.

8 Section 7. Section 378.804, Florida Statutes, is  
 9 amended to read:

10 378.804 Exemption.--Any operator who extracts  
 11 resources from ~~1 acre or less at any one site in a given year,~~  
 12 not to exceed 205 acres over the life of the mine, or who  
 13 extracts peat for agricultural purposes is exempt from the  
 14 provisions of s. 378.801.

15 Section 8. Section 403.265, Florida Statutes, is  
 16 repealed.

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

20 And the title is amended as follows:

21 On page 16, line 7, after the semicolon

22  
 23 insert:

24 amending s. 378.403, F.S.; revising  
 25 definitions; amending s. 378.503, F.S.;  
 26 revising department name; amending s. 378.804,  
 27 F.S.; revising the exemption for peat  
 28 extraction; repealing s. 403.265, F.S.;  
 29 relating to the permitting of peat mining;

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