HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 7121 PCB ENRC 07-12 Aggregate Mining
SPONSOR(S): Environment & Natural Resources Council, Mayfield and Williams
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.: Environment & Natural Resources Council	10 Y, 4 N	Deslatte	Hamby
1)			
2)			
3)			
4)			
5)			

SUMMARY ANALYSIS

The bill creates the Strategic Aggregates Review Task Force to evaluate the present situation and disposition of construction aggregate materials, and mining practices. Aggregate materials include crushed stone, limestone, dolomite, limerock, shell rock, high quality sand, and other mined resources providing the basic materials of concrete, asphalt, and road base.

The Task Force must report their findings, identify locations with significant concentrations of construction aggregate materials, and recommend actions intended to ensure the continued extraction and availability of construction aggregate materials to the Governor, the Speaker of the House of Representatives, and the President of the Senate by February 1, 2008. The Task Force will expire one year from the effective date unless re-created by the Legislature.

The Task Force will be composed of 18 members. The President of the Senate, the Speaker of the House, and the Governor will each appoint one member from mining and construction industries; transportation industries; elected county government; environmental advocacy groups. The Task Force will also include the Secretaries of the Department of Environmental Protection (DEP), the Department of Community Affairs (DCA), the Florida League of Cities, and the Department of Transportation (DOT) or their designees.

The bill directs the DOT to organize and provide support for the Task Force and to coordinate with other agencies to provide supporting information to the Task Force. The DOT is directed to act as a clearing house for information related to construction aggregate materials and to provide technical and supporting information regarding the amount of such materials used by the department on road infrastructure projects.

The bill authorizes DOT to pursue innovative engineering techniques that will provide the department with reliable and economic supplies of construction aggregate materials which have the intended effect of controlling time and cost increases on construction projects. The bill provides for exceptions from current laws and requires DOT to document the exceptions. The bill authorizes DOT to enter into agreements with both private and public entities. DOT is directed, as a pilot project, to coordinate with the applicable regional planning council, metropolitan planning organizations, and local governments to facilitate and expedite the approval of the extraction of the construction aggregate materials.

The bill prohibits counties and municipalities from enacting or enforcing any ordinance, resolution, regulation, rule, policy, or other action which prohibits or prevents the construction or operation of a limestone mine on lands where mining is a permissible use or on lands zoned or classified as mining lands as of March 1, 2007.

The bill makes limerock environmental resource permitting and reclamation applications filed after March 1, 2007, eligible for the expedited permitting process contained in s. 403.973, F.S. The bill also provides that in challenges to the state agency action in the expedited permitting process, summary proceedings must be conducted within 30 days after a party files the motion for the summary hearing, regardless of whether the parties agree to the summary proceeding.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government: The bill prohibits any county or municipality from enforcing any ordinance, resolution, regulation, rule, policy, or other action which prohibits or prevents the construction or operation of a limestone mine on lands where mining is a permissible use or on lands zoned or classified as mining lands. The bill also creates a strategic Aggregates Review Task Force.

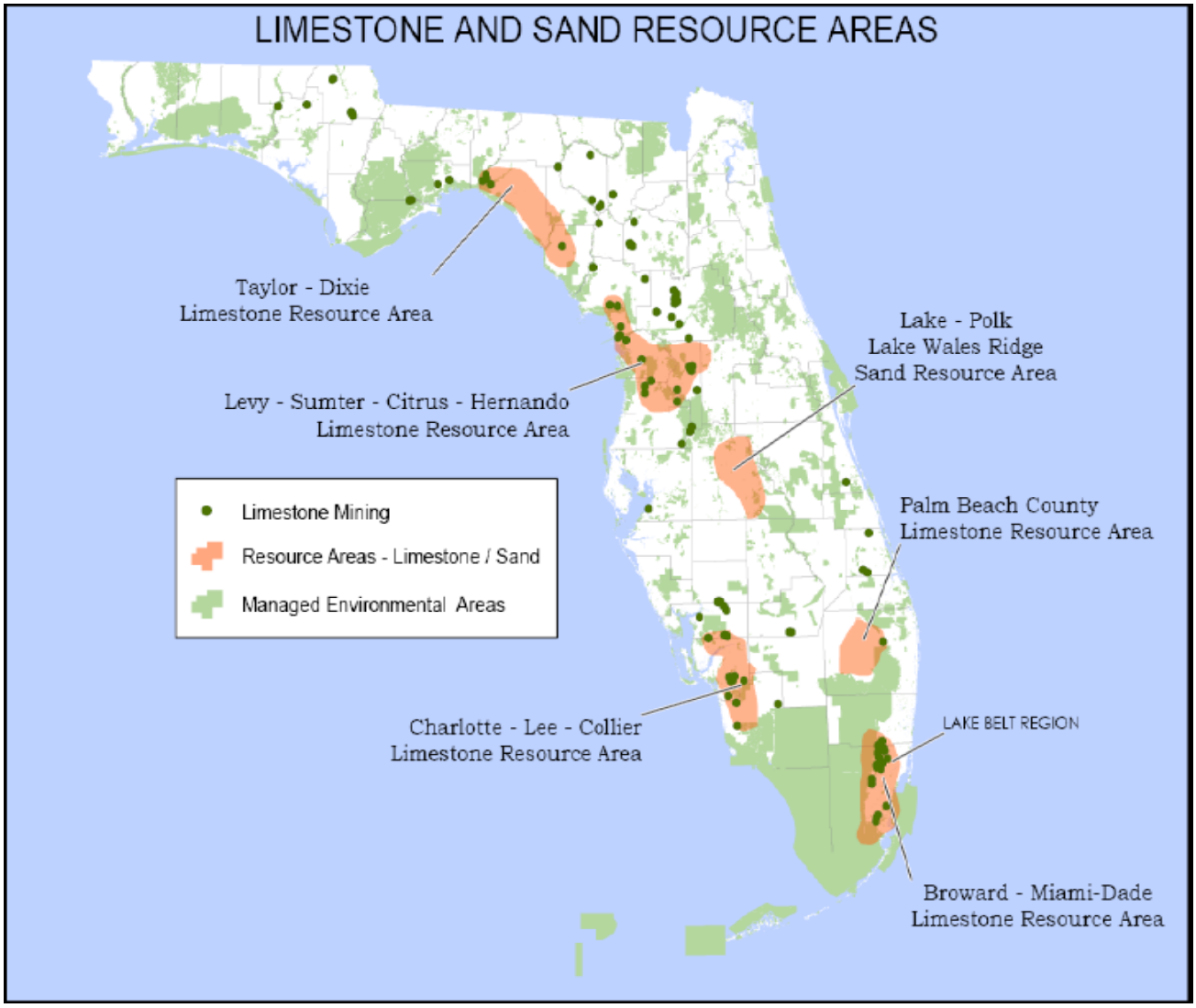
B. EFFECT OF PROPOSED CHANGES:

Current Situation

Construction Aggregate

The Florida DOT has undertaken a study to document the importance of aggregate materials and to evaluate ways to insure the quantity and quality of materials essential to the economic well-being of the state. Rock and high quality sand are mined and processed for construction of roads, bridges, and buildings. Currently, 143 million tons of construction aggregate is used in Florida each year (2007 estimate). Of this amount:

- 120 million tons produced in state, 8 million tons imported domestically, and 5 million tons imported internationally
- 10 million tons are recycled
- Housing and commercial construction use 86 million tons
- Roads and infrastructure use 42 million tons
- 55 million tons of highest quality aggregate are from Lake Belt
- FDOT as largest single user contracts for about 10% of supply



Lake Belt

For the past 40 years, approximately 50 percent of the aggregate used by the DOT for road construction has come from the mines in the Lake Belt region. The Lake Belt is an approximately 57,515-acre area that was established by the Florida Legislature in 1997 for the purpose of implementing the Miami-Dade County Lake Belt Plan. The area lies west of Miami and east of Everglades National Park. In 1992, the Florida Legislature recognized the importance of the Lake Belt Area's limestone resources to the state as well as the need to sensitively plan for protection of the public drinking water supply.[1] In South Florida, groundwater occurs so near the surface of the ground, that when rock is mined, even in shallow pits, the excavation areas fill with water and man-made "lakes" are formed. The "lakes" that form after rock is mined are the feature after which the "Lake Belt" is named. Mining in the Lake Belt area has thus far created approximately 4,900 acres of lakes.

On March 22, 2006, the United States District Court for the Southern District of Florida ruled that several mining permits for the Lake Belt area in South Florida had been improperly issued. The ruling affects most of the 12 mining permits issued for this area. The Court remanded the permitting process to the U.S. Army Corps of Engineers for further review and consideration. It is not known whether mining will be interrupted pending the Army Corps of Engineers' reconsideration of the permits or whether the permits will be reissued to mining companies holding permits in the Lake Belt area.

According to Ananth Prasa, Chief Engineer, Florida DOT, this case causes serious setbacks for the mining industry including:

[1] S. 373.4149, F.S.

- High probability of temporary mine closures for 60-180 days even on appeal with stay granted
- Emergency permit with Corps of Engineers has potential 90-150 day delay
- FDOT has independently verified 30 days of stockpiled reserves
- Economic impacts will begin to be felt in 30-45 days
- Losses in construction output and labor income (roads, housing, commercial construction)
- Worst case of prolonged compete shutdown scenario (annual):
  - $28.6 billion in lost economic output (total statewide)
  - $11.2 billion in lost wages (total statewide)
  - 288,000 jobs

Regarding current problems relating to the supply of construction aggregates, the DOT study's preliminary findings include:

- Existing mine permits are routinely challenged and seriously delayed. Output from permitted mines continues but quality is declining for many engineering applications
- Temporary Bans on mining at local level
- Developments, particularly large DRI's in rural counties, are impinging on mining and future expansions
- Infrastructure for increasing imports is not in place

The DOT study has made the following preliminary findings:

- Known in-state aggregate reserves to produce 150 million tons per year do not appear to be adequate for 5-10 year growth period and beyond. Florida is heavily dependent on sources from a single area: the Lake Belt of Miami-Dade County
- Regulatory changes will be needed to continue to mine existing reserves efficiently and cost effectively. Local Governments may not be viewing this from the "Big Picture" perspective.
- Port capacities will need to be increased 5-10 fold.
- Rail infrastructure improvements needed for imports and efficient intra-state distribution of aggregates.

The next step is for the DOT to present its preliminary findings to the Governor, Legislature, and other stakeholders. The DOT recommends the Governor/Legislature should direct follow up review by a task force to seek solutions, including exploring potential remedies and recommend an overall strategy to:

- Enhance in-state aggregate reserves
- Inventory aggregate handling needs and required investment for imports by ports and rail
- Coordinate public investments in port and rail infrastructure
- Explore public/private investment options

<u>Regulation of mining</u>
The Mandatory Nonphosphate program, within DEP's Bureau of Mine Reclamation, administers the laws and regulations related to the reclamation of mined land and the protection of water resources (water quality, water quantity and wetlands) at mines extracting heavy minerals, fuller's earth, limestone, dolomite & shell, gravel, sand, dirt, clay, peat, and other solid resources (except phosphate). The section administers two regulatory programs: Permitting (ERP) and Reclamation.

- ERP regulates the creation or alteration of water bodies, including old mine pits. It may also be required for the creation of impervious areas, and for certain projects exclusively in uplands. These permits focus on how the activity will affect wetlands, water quality, and water quantity. They also consider how changes to wetlands affect wildlife.

- Reclamation means the reasonable rehabilitation of land where resource extraction has occurred. Areas disturbed by mining operations, and subject to the reclamation requirements, must be reclaimed after mining is complete. Debris, litter, junk, worn-out or unusable equipment or materials must be appropriately disposed. The land must be recontoured and stabilized to control erosion. Bare areas must be revegetated. Prior to mining, the operator must provide a conceptual mining and reclamation plan, or a reclamation notice.

Specific to limestone mining, s. 378.501, F.S., provides that no operator may begin the process of limestone resource extraction at a new mine without notifying the Secretary of DEP of the intention to mine. The operator's notice of intent to mine must include, but not be limited to:

- The operator's conceptual mining plan which is comprised of such maps and other supporting documents as may be reasonably required by the DEP, the operator's time schedule that assures that the reclamation process is achieved in a timely manner, and the operator's estimated life of the mine.
- The operator's signed acknowledgment of the limestone reclamation performance standards provided by s. 378.503, F.S.

The DEP is required to notify the operator as to the sufficiency of the notice of intent to mine. The review of the notice must be accomplished in accordance with the provisions of s. 378.405, F.S., which requires that within 30 days after receipt of an operator's conceptual reclamation plan, the DEP or the affected agency must review the plan and request submittal of all additional information the agency is permitted by law to require. If the applicant believes any agency request for additional information is not authorized by law or agency rule, the applicant may request a hearing under ss. 120.569 and 120.57, F.S. Within 30 days after receipt of such additional information, the agency must review it and may request only such further information as is needed to clarify the additional information. If the applicant believes the request of the agency for such additional information is not authorized by law or agency rule, the agency, at the applicant's request, shall proceed to process the plan. A plan must be approved or denied within 90 days after receipt of the original plan, the last item of timely requested additional information, or the applicant's written request to begin processing the plan.

Currently, s. 373.4141, F.S., provides that a permit under Part IV of Chapter 373, F.S., including ERP and wetland resource permits, shall be approved or denied within 90 days after receipt of the original application, the last item of timely requested additional material, or the applicant's written request to begin processing the permit application.

In addition to the regulatory programs discussed above, many mining activities are subject to other regulatory requirements. If water will be pumped or moved, a water/consumptive use permit may be required from the water management district. If wetlands or surface waters will be altered, a federal dredge and fill permit may be required from the U.S. Army Corps of Engineers. In order to address stormwater runoff and industrial waste discharges, an industrial wastewater permit may be required from the Industrial Wastewater Program within the DEP.

In addition to state and federal regulations, there are 67 counties and 390 municipalities that may regulate activities at mines. Local ordinances may include: conformance with the Comprehensive Land Use Plan, impacts to wetlands, operating permits, reclamation, set backs from property lines, storm water management, truck routes, noise, dust, hours of operation, blasting, performance bonding, garbage disposal, etc.

Florida's Growth Management System

Florida's current growth management system includes: ss. 163.3161-163.3246, F.S., the Local Government Comprehensive Planning and Land Development Regulation Act of 1985; chapter 380, F.S., the Florida Environmental Land and Water Management Act, that includes the Development of Regional Impact (DRI) and the Areas of Critical State Concern programs; chapter 186, F.S., establishing regional planning councils and requiring the development of state and regional plans; and chapter 187, F.S., the State Comprehensive Plan.

The Local Government Comprehensive Planning and Land Development Regulation Act of 1985 ("Act"), ss. 163.3161-163.3246, F.S., establishes a growth management system in Florida which requires each local government (or combination of local governments) to adopt a comprehensive land use plan that includes certain required elements, such as: a future land use plan; capital improvements element; and an intergovernmental coordination element. The local government comprehensive plan is intended to be the policy document guiding local governments in their land use decision-making. Under the Act, the Department of Community Affairs adopted by rule minimum criteria for the review and determination of compliance of the local government comprehensive plan elements with the requirements of the Act. Such minimum criteria require that the elements of the plan are consistent with each other and with the state comprehensive plan and the regional policy plan; that the elements include policies to guide future decisions and programs to ensure the plans would be implemented; that the elements include processes for intergovernmental coordination; and that the elements identify procedures for evaluating the implementation of the plan.

A local government may amend its comprehensive plan provided certain conditions are met including two advertised public hearings on a proposed amendment before its adoption and mandatory review by the DCA. A local government may amend its comprehensive plan only twice per year with certain exceptions.

Section 380.06, F.S., governs the DRI program and establishes the basic process for DRI review. The DRI program is a vehicle that provides state and regional review of local land use decisions regarding large developments that, because of their character, magnitude, or location, would have a substantial effect on the health, safety, or welfare of the citizens of more than one county. For those land uses that are subject to review, numerical thresholds are identified in s. 380.0651, F.S., and Chapter 28-24, Florida Administrative Code. Mining is one of several land uses subject to DRI review.

Expedited Permitting

Section 403.973, F.S., creates an expedited permitting program for certain economic development projects. The section states it is the intent of the Legislature to encourage and facilitate the location and expansion of those types of economic development projects which offer job creation and high wages, strengthen and diversify the state's economy, and have been thoughtfully planned to take into consideration the protection of the state's environment. It is also the intent of the Legislature to provide for an expedited permitting and comprehensive plan amendment process for such projects.

To be eligible, an applicant business must be creating either: 100 jobs, 50 jobs if the business is located in an enterprise zone or in a county of a certain population, or on a case-by-case basis at the request of a county or municipal government.

The Governor, through the Office of Tourism, Trade, and Economic Development (Office), is required to direct the creation of regional permit action teams, for the purpose of expediting review of permit applications and local comprehensive plan amendments submitted by specified entities. The section allows the Office to delegate to a Quick Permitting County designated under s. 288.1093, F.S., the responsibility for convening regional permit teams and, in consultation with the Office, for certifying as eligible for expedited review projects. In order to receive such a delegation, the Quick Permitting County must hold the public hearing required under the section and agree to execute a memorandum of agreement for each qualified project.

The regional teams must be established through the execution of memoranda of agreement between the Office and the respective heads of the DEP, the DCA, the DOT and its district offices, the Department of Agriculture and Consumer Services, the Fish and Wildlife Conservation Commission, appropriate regional planning councils, appropriate water management districts, and voluntarily participating municipalities and counties. The memoranda of agreement should also accommodate participation in this expedited process by other local governments and federal agencies as circumstances warrant.

In order to facilitate local government's option to participate in this expedited review process, the Office must, in cooperation with local governments and participating state agencies, create a standard form memorandum of agreement. A local government must hold a duly noticed public workshop to review and explain to the public the expedited permitting process and the terms and conditions of the standard form memorandum of agreement. The local government must hold a duly noticed public hearing to execute a memorandum of agreement for each qualified project. The memorandum of agreement that a local government signs must include a provision identifying necessary local government procedures and time limits that will be modified to allow for the local government decision on the project within 90 days. The memorandum of agreement applies to projects, on a case-by-case basis, that qualify for special review and approval as specified in this section. The memorandum of agreement must make it clear that this expedited permitting and review process does not modify, qualify, or otherwise alter existing local government nonprocedural standards for permit applications, unless expressly authorized by law.

At the option of the participating local government, appeals of its final approval for a project may be pursuant to the summary hearing provisions of s. 120.574, F.S., pursuant to subsection (15), or pursuant to other appellate processes available to the local government. The local government's decision to enter into a summary hearing must be made as provided in s. 120.574, F.S., or in the memorandum of agreement.

Each memorandum of agreement must include a process for final agency action on permit applications and local comprehensive plan amendment approvals within 90 days after receipt of a completed application, unless the applicant agrees to a longer time period or the Office determines that unforeseen or uncontrollable circumstances preclude final agency action within the 90-day timeframe. Permit applications governed by federally delegated or approved permitting programs whose requirements would prohibit or be inconsistent with the 90-day timeframe are exempt from this provision, but must be processed by the agency with federally delegated or approved program responsibility as expeditiously as possible.

The memoranda of agreement may provide for the waiver or modification of procedural rules prescribing forms, fees, procedures, or time limits for the review or processing of permit applications under the jurisdiction of those agencies that are party to the memoranda of agreement. Notwithstanding any other provision of law to the contrary, a memorandum of agreement must to the extent feasible provide for proceedings and hearings otherwise held separately by the parties to the memorandum of agreement to be combined into one proceeding or held jointly and at one location. Such waivers or modifications must not be available for permit applications governed by federally delegated or approved permitting programs, the requirements of which would prohibit, or be inconsistent with, such a waiver or modification.

The memoranda of agreement must include guidelines to be used in working with state, regional, and local permitting authorities. Guidelines may include, but are not limited to, the following:

- A central contact point for filing permit applications and local comprehensive plan amendments and for obtaining information on permit and local comprehensive plan amendment requirements;
- Identification of the individual or individuals within each respective agency who will be responsible for processing the expedited permit application or local comprehensive plan amendment for that agency;
- A mandatory preapplication review process to reduce permitting conflicts by providing guidance to applicants regarding the permits needed from each agency and governmental entity, site planning and development, site suitability and limitations, facility design, and steps the applicant can take to ensure expeditious permit application and local comprehensive plan amendment review. As a part of this process, the first interagency meeting to discuss a project shall be held within 14 days after the office's determination that the project is eligible for expedited review. Subsequent interagency meetings may be scheduled to accommodate the needs of participating local governments that are unable to meet public notice requirements for executing a memorandum of agreement within this timeframe. This accommodation may not exceed 45 days from the office's determination that the project is eligible for expedited review;
- The preparation of a single coordinated project description form and checklist and an agreement by state and regional agencies to reduce the burden on an applicant to provide duplicate information to multiple agencies;
- Establishment of a process for the adoption and review of any comprehensive plan amendment needed by any certified project within 90 days after the submission of an application for a comprehensive plan amendment. However, the memorandum of agreement may not prevent affected persons as defined in s. 163.3184, F.S., from appealing or participating in this expedited plan amendment process and any review or appeals of decisions made under this paragraph; and
- Additional incentives for an applicant who proposes a project that provides a net ecosystem benefit.

The applicant, the regional permit action team, and participating local governments may agree to incorporate into a single document the permits, licenses, and approvals that are obtained through the expedited permit process. This consolidated permit is subject to the summary hearing provisions described below.

The section further provides:

- Local comprehensive plan amendments for projects qualified under this section are exempt from the twice-a-year limits provision in s. 163.3187, F.S.; and
- Projects qualified under this section are not subject to interstate highway level-of-service standards adopted by the DOT for concurrency purposes. The memorandum of agreement must include a process by which the applicant will be assessed a fair share of the cost of mitigating the project's significant traffic impacts, as defined in chapter 380, F.S., and related rules. The agreement must also specify whether the significant traffic impacts on the interstate system will be mitigated through the implementation of a project or payment of funds to the DOT. Where funds are paid, the DOT must include in the 5-year work program transportation projects or project phases, in an amount equal to the funds received, to mitigate the traffic impacts associated with the proposed project.

Challenges to state agency action in the expedited permitting process for projects processed under this section are subject to the summary hearing provisions of s. 120.574, F.S., except that the administrative law judge's decision, as provided in s. 120.574(2)(f), F.S., must be in the form of a recommended order and shall not constitute the final action of the state agency. In those proceedings where the action of only one agency of the state is challenged, the agency of the state shall issue the

final order within 10 working days of receipt of the administrative law judge's recommended order. In those proceedings where the actions of more than one agency of the state are challenged, the Governor shall issue the final order within 10 working days of receipt of the administrative law judge's recommended order. The participating agencies of the state may opt at the preliminary hearing conference to allow the administrative law judge's decision to constitute the final agency action. If a participating local government agrees to participate in the summary hearing provisions of s. 120.574, F.S., for purposes of review of local government comprehensive plan amendments, s. 163.3184(9) and (10), F.S., apply.

The section provides that this expedited permitting process shall not modify, qualify, or otherwise alter existing agency nonprocedural standards for permit applications or local comprehensive plan amendments, unless expressly authorized by law. If it is determined that the applicant is not eligible to use this process, the applicant may apply for permitting of the project through the normal permitting processes.

The Office, working with the Rural Economic Development Initiative and the agencies participating in the memoranda of agreement, is required to provide technical assistance in preparing permit applications and local comprehensive plan amendments for counties having a population of less than 75,000 residents, or counties having fewer than 100,000 residents which are contiguous to counties having fewer than 75,000 residents. Additional assistance may include, but not be limited to, guidance in land development regulations and permitting processes, working cooperatively with state, regional, and local entities to identify areas within these counties which may be suitable or adaptable for preclearance review of specified types of land uses and other activities requiring permits.

The following projects are ineligible for review under this part:

- A project funded and operated by a local government, as defined in s. 377.709, F.S., and located within that government's jurisdiction.
- A project, the primary purpose of which is to:

1. Effect the final disposal of solid waste, biomedical waste, or hazardous waste in this state.
2. Produce electrical power, unless the production of electricity is incidental and not the primary function of the project.
3. Extract natural resources.
4. Produce oil.
5. Construct, maintain, or operate an oil, petroleum, natural gas, or sewage pipeline.

Proposed Changes

Strategic Aggregates Review Task Force

The bill creates the Strategic Aggregates Review Task Force to evaluate the present situation and disposition of construction aggregate materials, and mining practices. The bill requires the Task Force to report its findings and recommend actions intended to ensure the continued extraction and availability of construction aggregate materials to the Governor, the Speaker of the House, and the President of the Senate by February 1, 2008. The Task Force must expire one year from the effective date of the act unless re-created by the Legislature.

The Task Force must be composed of 18 members as follows:

1. The President of the Senate, the Speaker of the House, and the Governor must each appoint one member in each of the following groups:
    - Mining or construction industries
    - Transportation industries including seaports, trucking, railroads, or road buildings

- Elected county government
- Environmental advocacy groups
- Florida League of Cities

2. The Secretary of the Department of Community Affairs or designee

3. The Secretary of the Department of Transportation or designee

Appointments to the Task Force must be made no later than 30 days after the effective date of this section.

Members will serve without compensation but are entitled to receive reimbursement for travel and per diem expenses incurred in connection with the official conduct of the Task Force as provided in s. 112.061, F.S.

The bill requires the Department of Transportation to provide support for the Task Force and to coordinate with other agencies of government to provide supporting information as may be needed for review by the Task Force.

DOT requirements

The bill authorizes DOT to pursue innovative engineering techniques that will provide the department with reliable and economic supplies of construction aggregate materials which have the intended effect of controlling time and cost increases on construction projects. When specific innovative engineering techniques are to be used, the department is not required to adhere to those provisions of law that would prevent, preclude, or in any way prohibit the department from using the innovative engineering technique. Prior to using an innovative engineering technique that is inconsistent with another provision of law, DOT msut document in writing the need for the exception and identify what benefits the traveling public and the affected community are anticipated to receive.

The bill also authorizes DOT to enter into agreements with both private and public entities. The agreements may include, but not be limited to, department acquisition of materials or resources or long term leases for a term not to exceed 99 years that will advance the state's transportation needs.

Furthermore, DOT is directed, as a pilot project, to coordinate with the applicable regional planning council, metropolitan planning organizations, and local governments to facilitate and expedite the approval of the extraction of the construction aggregate materials.

Regulation of Limestone Mines

The bill amends s. 378.412, F.S., to prohibit counties and municipalities from enacting or enforcing any ordinance, resolution, regulation, rule, policy, or other action which prohibits or prevents the construction or operation of a limestone mine on lands where mining is a permissible use or on lands zoned or classified as mining lands as of March 1, 2007.

Expedited permits

The bill amends s. 378.412, F.S., providing the permitting process for limerock environmental resource permitting and reclamation applications filed after March 1, 2007, are eligible for the expedited permitting process pursuant to s. 403.973, F.S.

The bill provides that in challenges to state agency action in the expedited permitting process for establishment of a limerock mine, summary proceedings must be conducted within 30 days after a party files the motion for a summary hearing, regardless of whether the parties agree to the summary proceeding.

C. SECTION DIRECTORY:

Section 1: Creates the Strategic Aggregates Review Task Force to evaluate the present situation and disposition of construction aggregate materials, and mining practices; lists members for the Task Force; provides members of the task force shall serve without compensation but are entitled to reimbursement for travel and per diem expenses; directs DOT to organize and provide support for the Task Force.

Section 2. Creates s. 337.026, F.S., authorizing DOT to enter into agreements for construction aggregate materials; provides exceptions; requires the department to document exceptions; provides a pilot project; amends s. 373.412, F.S.

Section 3: Amends s. 378.412, F.S., adding that no county nor municipality shall enact or enforce rules, regulations, ordinances, resolutions, policy, or other action which prohibits or prevents the construction or operation of a limestone mine on lands where mining is a permissible use or on lands zoned or classified as mining lands; expedites limerock environmental resource permitting and reclamation applications filed after March 1, 2007.

Section 4: The act shall take effect upon becoming a law

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

   See Fiscal Comments

2. Expenditures:

   See Fiscal Comments

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

   None

2. Expenditures:

   None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

Under the bill, task force members may be reimbursed for per diem and travel expenses in accordance with s. 112.061, F.S. The task force is staffed by the DOT, which is also directed to provide technical and supporting information regarding the amount of materials used by the department on road infrastructure projects. The cost is indeterminate at this time.

Although the bill may increase the workload of certain permitting staff, the bill does not specify the degree to which a permit must be expedited; therefore there may be only a minimal increase in workload.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to require counties or municipalities to take an action requiring the expenditure of funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

D. STATEMENT OF THE SPONSOR

N/A

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

None