

By Senator Saunders

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1 A bill to be entitled
2 An act relating to energy; amending s. 20.255, F.S.;
3 providing for the Florida Energy Office to be located
4 within the Department of Environmental Protection;
5 amending s. 403.061, F.S.; authorizing the department to
6 coordinate the development, review, and implementation of
7 the state's energy policy; providing an effective date.
8

9 Be It Enacted by the Legislature of the State of Florida:
10

11 Section 1. Section 20.255, Florida Statutes, is amended to
12 read:

13 20.255 Department of Environmental Protection.--There is
14 created a Department of Environmental Protection.

15 (1) The head of the Department of Environmental Protection
16 shall be a secretary, who shall be appointed by the Governor,
17 with the concurrence of three or more members of the Cabinet. The
18 secretary shall be confirmed by the Florida Senate. The secretary
19 shall serve at the pleasure of the Governor.

20 (2) (a) There shall be three deputy secretaries who are to
21 be appointed by and shall serve at the pleasure of the secretary.
22 The secretary may assign any deputy secretary the responsibility
23 to supervise, coordinate, and formulate policy for any division,
24 office, or district. The following special offices are
25 established and headed by managers, each of whom is to be
26 appointed by and serve at the pleasure of the secretary:

- 27 1. Office of Chief of Staff,
- 28 2. Office of General Counsel,
- 29 3. Office of Inspector General,

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- 30 4. Office of External Affairs,
31 5. Office of Legislative and Government Affairs, and
32 6. Office of Greenways and Trails.
33 7. Florida Energy Office.

34 (b) There shall be six administrative districts involved in
35 regulatory matters of waste management, water resource
36 management, wetlands, and air resources, which shall be headed by
37 managers, each of whom is to be appointed by and serve at the
38 pleasure of the secretary. Divisions of the department may have
39 one assistant or two deputy division directors, as required to
40 facilitate effective operation.

41
42 The managers of all divisions and offices specifically named in
43 this section and the directors of the six administrative
44 districts are exempt from part II of chapter 110 and are included
45 in the Senior Management Service in accordance with s.
46 110.205(2)(j).

47 (3) The following divisions of the Department of
48 Environmental Protection are established:

- 49 (a) Division of Administrative Services.
50 (b) Division of Air Resource Management.
51 (c) Division of Water Resource Management.
52 (d) Division of Law Enforcement.
53 (e) Division of Resource Assessment and Management.
54 (f) Division of Waste Management.
55 (g) Division of Recreation and Parks.
56 (h) Division of State Lands, the director of which is to be
57 appointed by the secretary of the department, subject to

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58 confirmation by the Governor and Cabinet sitting as the Board of
59 Trustees of the Internal Improvement Trust Fund.

60

61 In order to ensure statewide and intradepartmental consistency,
62 the department's divisions shall direct the district offices and
63 bureaus on matters of interpretation and applicability of the
64 department's rules and programs.

65 (4) Law enforcement officers of the Department of
66 Environmental Protection who meet the provisions of s. 943.13 are
67 constituted law enforcement officers of this state with full
68 power to investigate and arrest for any violation of the laws of
69 this state, and the rules of the department and the Board of
70 Trustees of the Internal Improvement Trust Fund. The general laws
71 applicable to investigations, searches, and arrests by peace
72 officers of this state apply to such law enforcement officers.

73 (5) Records and documents of the Department of
74 Environmental Protection shall be retained by the department as
75 specified in record retention schedules established under the
76 general provisions of chapters 119 and 257. Further, the
77 department is authorized to:

78 (a) Destroy, or otherwise dispose of, those records and
79 documents in conformity with the approved retention schedules.

80 (b) Photograph, microphotograph, or reproduce such records
81 and documents on film, as authorized and directed by the approved
82 retention schedules, whereby each page will be exposed in exact
83 conformity with the original records and documents retained in
84 compliance with the provisions of this section. Photographs or
85 microphotographs in the form of film or print of any records,
86 made in compliance with the provisions of this section, shall

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87 | have the same force and effect as the originals thereof would
88 | have and shall be treated as originals for the purpose of their
89 | admissibility in evidence. Duly certified or authenticated
90 | reproductions of such photographs or microphotographs shall be
91 | admitted in evidence equally with the original photographs or
92 | microphotographs. The impression of the seal of the Department of
93 | Environmental Protection on a certificate made by the department
94 | and signed by the Secretary of Environmental Protection entitles
95 | the certificate to be received in all courts and in all
96 | proceedings in this state and is prima facie evidence of all
97 | factual matters set forth in the certificate. A certificate may
98 | relate to one or more records as set forth in the certificate or
99 | in a schedule attached to the certificate.

100 | (6) The Department of Environmental Protection may require
101 | that bond be given by any employee of the department, payable to
102 | the Governor of the state and the Governor's successor in office,
103 | for the use and benefit of those whom it concerns, in such penal
104 | sums and with such good and sufficient surety or sureties as are
105 | approved by the department, conditioned upon the faithful
106 | performance of the duties of the employee.

107 | (7) There is created as a part of the Department of
108 | Environmental Protection an Environmental Regulation Commission.
109 | The commission shall be composed of seven residents of this state
110 | appointed by the Governor, subject to confirmation by the Senate.
111 | In making appointments, the Governor shall provide reasonable
112 | representation from all sections of the state. Membership shall
113 | be representative of agriculture, the development industry, local
114 | government, the environmental community, lay citizens, and
115 | members of the scientific and technical community who have

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116 substantial expertise in the areas of the fate and transport of
117 water pollutants, toxicology, epidemiology, geology, biology,
118 environmental sciences, or engineering. The Governor shall
119 appoint the chair, and the vice chair shall be elected from among
120 the membership. All appointments shall be for 4-year terms. The
121 Governor may at any time fill a vacancy for the unexpired term.
122 The members of the commission shall serve without compensation,
123 but shall be paid travel and per diem as provided in s. 112.061
124 while in the performance of their official duties.

125 Administrative, personnel, and other support services necessary
126 for the commission shall be furnished by the department.

127 (8) The department is the agency of state government
128 responsible for collecting and analyzing information concerning
129 energy resources in this state; for coordinating the energy
130 conservation programs of state agencies; and for coordinating the
131 development, review, and implementation of the state's energy
132 policy.

133 Section 2. Section 403.061, Florida Statutes, is amended to
134 read:

135 403.061 Department; powers and duties.--The department
136 shall have the power and the duty to control and prohibit
137 pollution of air and water in accordance with the law and rules
138 adopted and promulgated by it and, for this purpose, to:

139 (1) Approve and promulgate current and long-range plans
140 developed to provide for air and water quality control and
141 pollution abatement.

142 (2) Hire only such employees as may be necessary to
143 effectuate the responsibilities of the department.

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144 (3) Utilize the facilities and personnel of other state
145 agencies, including the Department of Health, and delegate to any
146 such agency any duties and functions as the department may deem
147 necessary to carry out the purposes of this act.

148 (4) Secure necessary scientific, technical, research,
149 administrative, and operational services by interagency
150 agreement, by contract, or otherwise. All state agencies, upon
151 direction of the department, shall make these services and
152 facilities available.

153 (5) Accept state appropriations and loans and grants from
154 the Federal Government and from other sources, public or private,
155 which loans and grants shall not be expended for other than the
156 purposes of this act.

157 (6) Exercise general supervision of the administration and
158 enforcement of the laws, rules, and regulations pertaining to air
159 and water pollution.

160 (7) Adopt rules pursuant to ss. 120.536(1) and 120.54 to
161 implement the provisions of this act. Any rule adopted pursuant
162 to this act shall be consistent with the provisions of federal
163 law, if any, relating to control of emissions from motor
164 vehicles, effluent limitations, pretreatment requirements, or
165 standards of performance. No county, municipality, or political
166 subdivision shall adopt or enforce any local ordinance, special
167 law, or local regulation requiring the installation of Stage II
168 vapor recovery systems, as currently defined by department rule,
169 unless such county, municipality, or political subdivision is or
170 has been in the past designated by federal regulation as a
171 moderate, serious, or severe ozone nonattainment area. Rules
172 adopted pursuant to this act shall not require dischargers of

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173 waste into waters of the state to improve natural background
174 conditions. Discharges from steam electric generating plants
175 existing or licensed under this chapter on July 1, 1984, shall
176 not be required to be treated to a greater extent than may be
177 necessary to assure that the quality of nonthermal components of
178 discharges from nonrecirculated cooling water systems is as high
179 as the quality of the makeup waters; that the quality of
180 nonthermal components of discharges from recirculated cooling
181 water systems is no lower than is allowed for blowdown from such
182 systems; or that the quality of noncooling system discharges
183 which receive makeup water from a receiving body of water which
184 does not meet applicable department water quality standards is as
185 high as the quality of the receiving body of water. The
186 department may not adopt standards more stringent than federal
187 regulations, except as provided in s. 403.804.

188 (8) Issue such orders as are necessary to effectuate the
189 control of air and water pollution and enforce the same by all
190 appropriate administrative and judicial proceedings.

191 (9) Adopt a comprehensive program for the prevention,
192 control, and abatement of pollution of the air and waters of the
193 state, and from time to time review and modify such program as
194 necessary.

195 (10) Develop a comprehensive program for the prevention,
196 abatement, and control of the pollution of the waters of the
197 state. In order to effect this purpose, a grouping of the waters
198 into classes may be made in accordance with the present and
199 future most beneficial uses. Such classifications may from time
200 to time be altered or modified. However, before any such

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201 classification is made, or any modification made thereto, public
202 hearings shall be held by the department.

203 (11) Establish ambient air quality and water quality
204 standards for the state as a whole or for any part thereof, and
205 also standards for the abatement of excessive and unnecessary
206 noise. The department is authorized to establish reasonable zones
207 of mixing for discharges into waters.

208 (a) When a receiving body of water fails to meet a water
209 quality standard for pollutants set forth in department rules, a
210 steam electric generating plant discharge of pollutants that is
211 existing or licensed under this chapter on July 1, 1984, may
212 nevertheless be granted a mixing zone, provided that:

213 1. The standard would not be met in the water body in the
214 absence of the discharge;

215 2. The discharge is in compliance with all applicable
216 technology-based effluent limitations;

217 3. The discharge does not cause a measurable increase in
218 the degree of noncompliance with the standard at the boundary of
219 the mixing zone; and

220 4. The discharge otherwise complies with the mixing zone
221 provisions specified in department rules.

222 (b) No mixing zone for point source discharges shall be
223 permitted in Outstanding Florida Waters except for:

224 1. Sources that have received permits from the department
225 prior to April 1, 1982, or the date of designation, whichever is
226 later;

227 2. Blowdown from new power plants certified pursuant to the
228 Florida Electrical Power Plant Siting Act;

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229 3. Discharges of water necessary for water management
230 purposes which have been approved by the governing board of a
231 water management district and, if required by law, by the
232 secretary; and

233 4. The discharge of demineralization concentrate which has
234 been determined permittable under s. 403.0882 and which meets the
235 specific provisions of s. 403.0882(4)(a) and (b), if the proposed
236 discharge is clearly in the public interest.

237 (c) The department, by rule, shall establish water quality
238 criteria for wetlands which criteria give appropriate recognition
239 to the water quality of such wetlands in their natural state.

240
241 Nothing in this act shall be construed to invalidate any existing
242 department rule relating to mixing zones. The department shall
243 cooperate with the Department of Highway Safety and Motor
244 Vehicles in the development of regulations required by s.
245 316.272(1).

246 (12)(a) Cause field studies to be made and samples to be
247 taken out of the air and from the waters of the state
248 periodically and in a logical geographic manner so as to
249 determine the levels of air quality of the air and water quality
250 of the waters of the state.

251 (b) Determine the source of the pollution whenever a study
252 is made or a sample collected which proves to be below the air or
253 water quality standard set for air or water.

254 (13) Require persons engaged in operations which may result
255 in pollution to file reports which may contain information
256 relating to locations, size of outlet, height of outlet, rate and
257 period of emission, and composition and concentration of effluent

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258 and such other information as the department shall prescribe to
259 be filed relative to pollution.

260 (14) Establish a permit system whereby a permit may be
261 required for the operation, construction, or expansion of any
262 installation that may be a source of air or water pollution and
263 provide for the issuance and revocation of such permits and for
264 the posting of an appropriate bond to operate.

265 (a) Notwithstanding any other provision of this chapter,
266 the department may authorize, by rule, the Department of
267 Transportation to perform any activity requiring a permit from
268 the department covered by this chapter, upon certification by the
269 Department of Transportation that it will meet all requirements
270 imposed by statute, rule, or standard for environmental control
271 and protection as such statute, rule, or standard applies to a
272 governmental program. To this end, the department may accept such
273 certification of compliance for programs of the Department of
274 Transportation, may conduct investigations for compliance, and,
275 if a violation is found to exist, may take all necessary
276 enforcement action pertaining thereto, including, but not limited
277 to, the revocation of certification. The authorization shall be
278 by rule of the department, shall be limited to the maintenance,
279 repair, or replacement of existing structures, and shall be
280 conditioned upon compliance by the Department of Transportation
281 with specific guidelines or requirements which are set forth in
282 the formal acceptance and deemed necessary by the department to
283 assure future compliance with this chapter and applicable
284 department rules. The failure of the Department of Transportation
285 to comply with any provision of the written acceptance shall
286 constitute grounds for its revocation by the department.

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287 (b) The provisions of chapter 120 shall be accorded any
288 person when substantial interests will be affected by an activity
289 proposed to be conducted by the Department of Transportation
290 pursuant to its certification and the acceptance of the
291 department. If a proceeding is conducted pursuant to ss. 120.569
292 and 120.57, the department may intervene as a party. Should an
293 administrative law judge of the Division of Administrative
294 Hearings of the Department of Management Services submit a
295 recommended order pursuant to ss. 120.569 and 120.57, the
296 department shall issue a final department order adopting,
297 rejecting, or modifying the recommended order pursuant to such
298 action.

299 (15) Consult with any person proposing to construct,
300 install, or otherwise acquire a pollution control device or
301 system concerning the efficacy of such device or system, or the
302 pollution problem which may be related to the source, device, or
303 system. Nothing in any such consultation shall be construed to
304 relieve any person from compliance with this act, rules and
305 regulations of the department, or any other provision of law.

306 (16) Encourage voluntary cooperation by persons and
307 affected groups to achieve the purposes of this act.

308 (17) Encourage local units of government to handle
309 pollution problems within their respective jurisdictions on a
310 cooperative basis and provide technical and consultative
311 assistance therefor.

312 (18) Encourage and conduct studies, investigations, and
313 research relating to pollution and its causes, effects,
314 prevention, abatement, and control.

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315 (19) Make a continuing study of the effects of the emission
316 of air contaminants from motor vehicles on the quality of the
317 outdoor atmosphere of this state and the several parts thereof
318 and make recommendations to appropriate public and private bodies
319 with respect thereto.

320 (20) Collect and disseminate information and conduct
321 educational and training programs relating to pollution.

322 (21) Advise, consult, cooperate, and enter into agreements
323 with other agencies of the state, the Federal Government, other
324 states, interstate agencies, groups, political subdivisions, and
325 industries affected by the provisions of this act, rules, or
326 policies of the department. However, the secretary of the
327 department shall not enter into any interstate agreement relating
328 to the transport of ozone precursor pollutants, nor modify its
329 rules based upon a recommendation from the Ozone Transport
330 Assessment Group or any other such organization that is not an
331 official subdivision of the United States Environmental
332 Protection Agency but which studies issues related to the
333 transport of ozone precursor pollutants, without prior review and
334 specific legislative approval.

335 (22) Adopt, modify, and repeal rules governing the
336 specifications, construction, and maintenance of industrial
337 reservoirs, dams, and containers which store or retain industrial
338 wastes of a deleterious nature.

339 (23) Adopt rules and regulations to ensure that no
340 detergents are sold in Florida after December 31, 1972, which are
341 reasonably found to have a harmful or deleterious effect on human
342 health or on the environment. Any regulations adopted pursuant to
343 this subsection shall apply statewide. Subsequent to the

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344 promulgation of such rules and regulations, no county,
345 municipality, or other local political subdivision shall adopt or
346 enforce any local ordinance, special law, or local regulation
347 governing detergents which is less stringent than state law or
348 regulation. Regulations, ordinances, or special acts adopted by a
349 county or municipality governing detergents shall be subject to
350 approval by the department, except that regulations, ordinances,
351 or special acts adopted by any county or municipality with a
352 local pollution control program approved pursuant to s. 403.182
353 shall be approved as an element of the local pollution control
354 program.

355 (24) (a) Establish a permit system to provide for spoil site
356 approval, as may be requested and required by local governmental
357 agencies as defined in s. 403.1822(3), or mosquito control
358 districts as defined in s. 388.011(5), to facilitate these
359 agencies in providing spoil sites for the deposit of spoil from
360 maintenance dredging of navigation channels, port harbors,
361 turning basins, and harbor berths, as part of a federal project,
362 when the agency is acting as sponsor of a contemplated dredge and
363 fill operation involving an established navigation channel,
364 harbor, turning basin, or harbor berth. A spoil site approval
365 granted to the agency shall be granted for a period of 10 to 25
366 years when such site is not inconsistent with an adopted local
367 governmental comprehensive plan and the requirements of this
368 chapter. The department shall periodically review each permit to
369 determine compliance with the terms and conditions of the permit.
370 Such review shall be conducted at least once every 10 years.

371 (b) This subsection applies only to those maintenance
372 dredging operations permitted after July 1, 1980, where the

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373 United States Army Corps of Engineers is the prime dredge and
374 fill agent and the local governmental agency is acting as sponsor
375 for the operation, and does not require the redesignation of
376 currently approved spoil sites under such previous operations.

377 (25) Establish and administer a program for the restoration
378 and preservation of bodies of water within the state. The
379 department shall have the power to acquire lands, to cooperate
380 with other applicable state or local agencies to enhance existing
381 public access to such bodies of water, and to adopt all rules
382 necessary to accomplish this purpose.

383 (26) (a) Develop standards and criteria for waters used for
384 deepwater shipping which standards and criteria consider existing
385 water quality; appropriate mixing zones and other requirements
386 for maintenance dredging in previously constructed deepwater
387 navigation channels, port harbors, turning basins, or harbor
388 berths; and appropriate mixing zones for disposal of spoil
389 material from dredging and, where necessary, develop a separate
390 classification for such waters. Such classification, standards,
391 and criteria shall recognize that the present dedicated use of
392 these waters is for deepwater commercial navigation.

393 (b) The provisions of paragraph (a) apply only to the port
394 waters, spoil disposal sites, port harbors, navigation channels,
395 turning basins, and harbor berths used for deepwater commercial
396 navigation in the ports of Jacksonville, Tampa, Port Everglades,
397 Miami, Port Canaveral, Ft. Pierce, Palm Beach, Port Manatee, Port
398 St. Joe, Panama City, St. Petersburg, Port Bartow, Florida Power
399 Corporation's Crystal River Canal, Boca Grande, Green Cove
400 Springs, and Pensacola.

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401 (27) Establish rules which provide for a special category
402 of water bodies within the state, to be referred to as
403 "Outstanding Florida Waters," which water bodies shall be worthy
404 of special protection because of their natural attributes.
405 Nothing in this subsection shall affect any existing rule of the
406 department.

407 (28) Perform any other act necessary to control and
408 prohibit air and water pollution, and to delegate any of its
409 responsibilities, authority, and powers, other than rulemaking
410 powers, to any state agency now or hereinafter established.

411 (29) Adopt by rule special criteria to protect Class II
412 shellfish harvesting waters. Rules previously adopted by the
413 department in rule 17-4.28(8)(a), Florida Administrative Code,
414 are hereby ratified and determined to be a valid exercise of
415 delegated legislative authority and shall remain in effect unless
416 amended by the Environmental Regulation Commission.

417 (30) Establish requirements by rule that reasonably protect
418 the public health and welfare from electric and magnetic fields
419 associated with existing 230 kV or greater electrical
420 transmission lines, new 230 kV and greater electrical
421 transmission lines for which an application for certification
422 under the Florida Electric Transmission Line Siting Act, ss.
423 403.52-403.5365, is not filed, new or existing electrical
424 transmission or distribution lines with voltage less than 230 kV,
425 and substation facilities. Notwithstanding any other provision in
426 this chapter or any other law of this state or political
427 subdivision thereof, the department shall have exclusive
428 jurisdiction in the regulation of electric and magnetic fields
429 associated with all electrical transmission and distribution

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430 lines and substation facilities. However, nothing herein shall be
431 construed as superseding or repealing the provisions of s.
432 403.523(1) and (10).

433 (31) Adopt rules necessary to obtain approval from the
434 United States Environmental Protection Agency to administer the
435 Federal National Pollution Discharge Elimination System (NPDES)
436 permitting program in Florida under ss. 318, 402, and 405 of the
437 Federal Clean Water Act, Pub. L. No. 92-500, as amended. This
438 authority shall be implemented consistent with the provisions of
439 part II, which shall be applicable to facilities certified
440 thereunder. The department shall establish all rules, standards,
441 and requirements that regulate the discharge of pollutants into
442 waters of the United States as defined by and in a manner
443 consistent with federal regulations; provided, however, that the
444 department may adopt a standard that is stricter or more
445 stringent than one set by the United States Environmental
446 Protection Agency if approved by the Governor and Cabinet in
447 accordance with the procedures of s. 403.804(2).

448 (32) Coordinate the state's stormwater program.

449 (33) Establish and administer programs providing
450 appropriate incentives that have the following goals, in order of
451 importance:

452 (a) Preventing and reducing pollution at its source.

453 (b) Recycling contaminants that have the potential to
454 pollute.

455 (c) Treating and neutralizing contaminants that are
456 difficult to recycle.

457 (d) Disposing of contaminants only after other options have
458 been used to the greatest extent practicable.

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459 (34) Adopt rules which may include stricter permitting and
460 enforcement provisions within Outstanding Florida Waters, aquatic
461 preserves, areas of critical state concern, and areas subject to
462 chapter 380 resource management plans adopted by rule by the
463 Administration Commission, when the plans for an area include
464 waters that are particularly identified as needing additional
465 protection, which provisions are not inconsistent with the
466 applicable rules adopted for the management of such areas by the
467 department and the Governor and Cabinet.

468 (35) Exercise the duties, powers, and responsibilities
469 required of the state under the federal Clean Air Act, 42 U.S.C.
470 ss. 7401 et seq. The department shall implement the programs
471 required under that act in conjunction with its other powers and
472 duties. Nothing in this subsection shall be construed to repeal
473 or supersede any of the department's existing rules.

474 (36) Establish statewide standards for persons engaged in
475 determining visible air emissions and to require these persons to
476 obtain training to meet such standards.

477 (37) Enter into a memorandum of agreement with the Florida
478 Ports Council which provides a supplemental permitting process
479 for the issuance of a joint coastal permit pursuant to s. 161.055
480 or environmental resource permit pursuant to part IV of chapter
481 373, to a port listed in s. 311.09(1), for maintenance dredging
482 and the management of dredged materials from maintenance dredging
483 of all navigation channels, port harbors, turning basins, and
484 harbor berths. Such permit shall be issued for a period of 5
485 years and shall be annually extended for an additional year if
486 the port is in compliance with all permit conditions at the time

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487 of extension. The department is authorized to adopt rules to
488 implement this subsection.

489 (38) Enter into a memorandum of agreement with the Florida
490 Ports Council which provides a supplemental permitting process
491 for the issuance of a conceptual joint coastal permit pursuant to
492 s. 161.055 or environmental resource permit pursuant to part IV
493 of chapter 373, to a port listed in s. 311.09(1), for dredging
494 and the management of materials from dredging and for other
495 related activities necessary for development, including the
496 expansion of navigation channels, port harbors, turning basins,
497 harbor berths, and associated facilities. Such permit shall be
498 issued for a period of up to 15 years. The department is
499 authorized to adopt rules to implement this subsection.

500 (39) Enter into a memorandum of agreement with the Florida
501 Inland Navigation District and the West Coast Inland Navigation
502 District, or their successor agencies, to provide a supplemental
503 process for issuance of joint coastal permits pursuant to s.
504 161.055 or environmental resource permits pursuant to part IV of
505 chapter 373 for regional waterway management activities,
506 including, but not limited to, maintenance dredging, spoil
507 disposal, public recreation, inlet management, beach nourishment,
508 and environmental protection directly related to public
509 navigation and the construction, maintenance, and operation of
510 Florida's inland waterways. The department is authorized to adopt
511 rules to implement this subsection.

512 (40) Serve as the state's single point of contact for
513 performing the responsibilities described in Presidential
514 Executive Order 12372, including administration and operation of
515 the Florida State Clearinghouse. The Florida State Clearinghouse

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516 shall be responsible for coordinating interagency reviews of the
517 following: federal activities and actions subject to the federal
518 consistency requirements of s. 307 of the Coastal Zone Management
519 Act; documents prepared pursuant to the National Environmental
520 Policy Act, 42 U.S.C. ss. 4321 et seq., and the Outer Continental
521 Shelf Lands Act, 43 U.S.C. ss. 1331 et seq.; applications for
522 federal funding pursuant to s. 216.212; and other notices and
523 information regarding federal activities in the state, as
524 appropriate. The Florida State Clearinghouse shall ensure that
525 state agency comments and recommendations on the environmental,
526 social, and economic impact of proposed federal actions are
527 communicated to federal agencies, applicants, local governments,
528 and interested parties.

529 (41) Coordinate the development, review, and implementation
530 of the state's energy policy.

531
532 The department shall implement such programs in conjunction with
533 its other powers and duties and shall place special emphasis on
534 reducing and eliminating contamination that presents a threat to
535 humans, animals or plants, or to the environment.

536 Section 3. This act shall take effect July 1, 2008.