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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/14/2009	.	
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The Committee on Environmental Preservation and Conservation
(Constantine) recommended the following:

Senate Amendment

Delete lines 112 - 154
and insert:
September 1, 2011, is extended and renewed for a period of 2
years following its date of expiration. For development orders
and land use approvals, including, but not limited to,
certificates of concurrency and development agreements, this
extension also includes phase, commencement, and buildout dates,
including any buildout date extension previously granted under
s. 380.06(19)(c), Florida Statutes. This subsection does not



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12 prohibit conversion from the construction phase to the operation
13 phase upon completion of construction for combined construction
14 and operation permits.

15 (2) The completion date for any required mitigation
16 associated with a phased construction project shall be extended
17 and renewed so that mitigation takes place in the same timeframe
18 relative to the phase as originally permitted.

19 (3) The holder of an agency or district permit or a
20 development order, building permit, or other land use approval
21 issued by a local government which is eligible for the 2-year
22 extension shall notify the authorizing agency in writing no
23 later than September 30, 2010, identifying the specific
24 authorization for which the holder intends to use the extended
25 or renewed permit, order, or approval.

26 (4) The extensions and renewals provided for in subsection
27 (1) do not apply to:

28 (a) A permit or other authorization under any programmatic
29 or regional general permit issued by the United States Army
30 Corps of Engineers.

31 (b) An agency or district permit or a development order,
32 building permit, or other land use approval issued by a local
33 government and held by an owner or operator determined to be in
34 significant noncompliance with the conditions of the permit,
35 order, or approval as established through the issuance of a
36 warning letter or notice of violation, the initiation of formal
37 enforcement, or other equivalent action by the authorizing
38 agency.

39 (5) Permits, development orders, and other land use
40 approvals extended and renewed under this section shall continue



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41 to be governed by rules in effect at the time the permit, order,
42 or approval was issued. This subsection applies to any
43 modification of the plans, terms, and conditions of such permit,
44 development order, or other land use approval which lessens the
45 environmental impact, except that any such modification shall
46 not extend the permit, order, or other land use approval beyond
47 the 2 years authorized under subsection (1).
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