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LEGISLATIVE ACTION

Senate

House

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Floor: WD/2R

04/26/2010 05:01 PM

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Senator Altman moved the following:

**Senate Amendment (with title amendment)**

Between lines 34 and 35

insert:

Section 1. Paragraph (a) of subsection (19) of section 373.414, Florida Statutes, is amended to read:

373.414 Additional criteria for activities in surface waters and wetlands.—

(19) (a) Financial responsibility for mitigation for wetlands and other surface waters required by a permit issued pursuant to this part for activities associated with the extraction of limestone and phosphate are subject to approval by the department as part of permit application review. Financial



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14 responsibility for permitted activities which will occur over a  
15 period of 3 years or less of mining operations must be provided  
16 to the department prior to the commencement of mining operations  
17 and shall be in an amount equal to 110 percent of the estimated  
18 mitigation costs for wetlands and other surface waters affected  
19 under the permit. For permitted activities which will occur over  
20 a period of more than 3 years of mining operations, the initial  
21 financial responsibility demonstration shall be in an amount  
22 equal to 110 percent of the estimated mitigation costs for  
23 wetlands and other surface waters affected in the first 3 years  
24 of operation under the permit; and, for each year thereafter,  
25 the financial responsibility demonstration shall be updated,  
26 including to provide an amount equal to 110 percent of the  
27 estimated mitigation costs for the next year of operations under  
28 the permit for which financial responsibility has not already  
29 been demonstrated and to release portions of the financial  
30 responsibility mechanisms in accordance with applicable rules.

31 Section 2. Subsection (2) of section 378.901, Florida  
32 Statutes, is amended to read:

33 378.901 Life-of-the-mine permit.—

34 (2) As an alternative to, and in lieu of, separate  
35 applications for permits required by part IV of chapter 373 and  
36 part IV of this chapter, any ~~each~~ operator who mines or extracts  
37 or proposes to mine or extract heavy minerals, limestone, or  
38 fuller's earth clay may apply to the bureau for a life-of-the-  
39 mine permit. This section does not limit or restrict the  
40 authority of a local government to approve, approve with  
41 conditions, deny, or impose a permit with a duration different  
42 from the duration of a permit issued pursuant to this section.



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

And the title is amended as follows:

Delete line 2

and insert:

An act relating to permitting; amending s. 373.414, F.S.; providing that financial responsibility for mitigation for wetlands and other surface waters required by a permit for activities associated with the extraction of limestone are subject to approval by the Department of Environmental Protection as part of permit application review; amending s. 378.901, F.S.; authorizing certain mine operators to apply for a life-of-the-mine permit; preserving certain authority of local governments; amending s. 403.973,