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LEGISLATIVE ACTION

Senate

House

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Senator Gaetz moved the following:

**Senate Amendment (with title amendment)**

Between lines 41 and 42

insert:

Section 2. Subsection (9) is added to section 288.9015, Florida Statutes, to read:

288.9015 Enterprise Florida, Inc.; purpose; duties.—

(9) Enterprise Florida, Inc., shall provide technical assistance to the Department of Environmental Protection in the creation of the Recycling Business Assistance Center pursuant to s. 403.7032(5). As the state's primary organization devoted to statewide economic development, Enterprise Florida, Inc., is encouraged to cooperate with the Department of Environmental



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14 Protection to ensure that the Recycling Business Assistance  
15 Center is positioned to succeed in helping to enhance and expand  
16 existing markets for recyclable materials in this state, other  
17 states, and foreign countries.

18 Section 3. Paragraph (a) of subsection (19) of section  
19 373.414, Florida Statutes, is amended to read:

20 373.414 Additional criteria for activities in surface  
21 waters and wetlands.—

22 (19) (a) Financial responsibility for mitigation for  
23 wetlands and other surface waters required by a permit issued  
24 pursuant to this part for activities associated with the  
25 extraction of limestone and phosphate are subject to approval by  
26 the department as part of permit application review. Financial  
27 responsibility for permitted activities which will occur over a  
28 period of 3 years or less of mining operations must be provided  
29 to the department prior to the commencement of mining operations  
30 and shall be in an amount equal to 110 percent of the estimated  
31 mitigation costs for wetlands and other surface waters affected  
32 under the permit. For permitted activities which will occur over  
33 a period of more than 3 years of mining operations, the initial  
34 financial responsibility demonstration shall be in an amount  
35 equal to 110 percent of the estimated mitigation costs for  
36 wetlands and other surface waters affected in the first 3 years  
37 of operation under the permit; and, for each year thereafter,  
38 the financial responsibility demonstration shall be updated,  
39 including to provide an amount equal to 110 percent of the  
40 estimated mitigation costs for the next year of operations under  
41 the permit for which financial responsibility has not already  
42 been demonstrated and to release portions of the financial



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43 responsibility mechanisms in accordance with applicable rules.

44 Section 4. Subsection (2) of section 378.901, Florida  
45 Statutes, is amended to read:

46 378.901 Life-of-the-mine permit.-

47 (2) As an alternative to, and in lieu of, separate  
48 applications for permits required by part IV of chapter 373 and  
49 part IV of this chapter, any each operator who mines or extracts  
50 or proposes to mine or extract heavy minerals, limestone, or  
51 fuller's earth clay may apply to the bureau for a life-of-the-  
52 mine permit. Nothing in this subsection limits or restricts the  
53 authority of a local government to approve, approve with  
54 conditions, deny, or impose a permit duration different from the  
55 duration of a permit issued pursuant to this section.

56 Section 5. Subsections (5) through (8) of section 403.44,  
57 Florida Statutes, are renumbered as subsections (3) through (6),  
58 respectively, and present subsections (3) and (4) of that  
59 section are amended to read:

60 403.44 Florida Climate Protection Act.-

61 ~~(3) A major emitter shall be required to use The Climate~~  
62 ~~Registry for purposes of emission registration and reporting.~~

63 ~~(4) The department shall establish the methodologies,~~  
64 ~~reporting periods, and reporting systems that shall be used when~~  
65 ~~major emitters report to The Climate Registry. The department~~  
66 ~~may require the use of quality-assured data from continuous~~  
67 ~~emissions monitoring systems.~~

68 Section 6. Section 403.7032, Florida Statutes, is amended  
69 to read:

70 403.7032 Recycling.-

71 (1) The Legislature finds that the failure or inability to



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72 economically recover material and energy resources from solid  
73 waste results in the unnecessary waste and depletion of our  
74 natural resources. As the state continues to grow, so will the  
75 potential amount of discarded material that must be treated and  
76 disposed of, necessitating the improvement of solid waste  
77 collection and disposal. Therefore, the maximum recycling and  
78 reuse of such resources are considered high-priority goals of  
79 the state.

80 (2) By the year 2020, the long-term goal for the recycling  
81 efforts of state and local governmental entities, private  
82 companies and organizations, and the general public is to  
83 recycle at least 75 percent of the municipal solid waste that  
84 would otherwise be ~~reduce the amount of recyclable solid waste~~  
85 ~~disposed of in waste management facilities, landfills, or~~  
86 ~~incineration facilities by a statewide average of at least 75~~  
87 ~~percent.~~ However, any solid waste used for the production of  
88 renewable energy shall count toward the long-term recycling goal  
89 as set forth in this part section.

90 (3) All state agencies, K-12 public schools, public  
91 institutions of higher learning, community colleges, and state  
92 universities, all municipal, county, or other state entities  
93 whose employees occupy buildings not owned by the municipality,  
94 county, or state, and all entities occupying buildings that are  
95 managed by the Department of Management Services must, at a  
96 minimum, annually report all recycled materials to the county  
97 using the department's designated reporting format. This  
98 subsection does not apply to a fiscally constrained county, as  
99 defined in s. 218.67(1), or to a municipality of special  
100 financial concern, as defined in s. 200.185(1)(b), with a per



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101 capita taxable value of assessed property that does not exceed  
102 \$58,000 or to any municipality with a population under 20,000  
103 and a per capita taxable value of assessed property that does  
104 not exceed \$48,000. Private businesses, other than certified  
105 recovered materials dealers, that recycle paper, metals, glass,  
106 plastics, textiles, rubber materials, and mulch are encouraged  
107 to annually report the amount of materials they recycle to the  
108 county beginning January 1, 2011, using the department's  
109 designated reporting format. Using the information provided, the  
110 department shall recognize those private businesses that  
111 demonstrate outstanding recycling efforts. Notwithstanding any  
112 other provision of state or local law, private businesses, other  
113 than certified recovered materials dealers, are not required to  
114 report recycling rates.

115 (4)~~(3)~~ The Department of Environmental Protection shall  
116 develop a comprehensive recycling program that is designed to  
117 achieve the percentage under subsection (2) and submit the  
118 program to the President of the Senate and the Speaker of the  
119 House of Representatives by January 1, 2010. The program may not  
120 be implemented until approved by the Legislature. The program  
121 must be developed in coordination with input from state and  
122 local entities, private businesses, and the public. Under the  
123 program, recyclable materials shall include, but are not limited  
124 to, metals, paper, glass, plastic, textile, rubber materials,  
125 and mulch. Components of the program shall include, but are not  
126 limited to:

127 (a) Programs to identify environmentally preferable  
128 purchasing practices to encourage the purchase of recycled,  
129 durable, and less toxic goods. The Department of Management



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130 Services shall modify its procurement system to report on green  
131 and recycled products purchased through the system by September  
132 30, 2011.

133 (b) Programs to educate students in grades K-12 in the  
134 benefits of, and proper techniques for, recycling.

135 (c) Programs for statewide recognition of successful  
136 recycling efforts by schools, businesses, public groups, and  
137 private citizens.

138 (d) Programs for municipalities and counties to develop and  
139 implement efficient recycling efforts to return valuable  
140 materials to productive use, conserve energy, and protect  
141 natural resources.

142 (e) Programs by which the department can provide technical  
143 assistance to municipalities and counties in support of their  
144 recycling efforts.

145 (f) Programs to educate and train the public in proper  
146 recycling efforts.

147 (g) Evaluation of how financial assistance can best be  
148 provided to municipalities and counties in support of their  
149 recycling efforts.

150 (h) Evaluation of why existing waste management and  
151 recycling programs in the state have not been better used.

152 (5) The Department of Environmental Protection shall create  
153 the Recycling Business Assistance Center by December 1, 2010. In  
154 carrying out its duties under this subsection, the department  
155 shall consult with state agency personnel appointed to serve as  
156 economic development liaisons under s. 288.021 and seek  
157 technical assistance from Enterprise Florida, Inc., to ensure  
158 the Recycling Business Assistance Center is positioned to



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159 succeed. The purpose of the center shall be to serve as the  
160 mechanism for coordination among state agencies and the private  
161 sector in order to coordinate policy and overall strategic  
162 planning for developing new markets and expanding and enhancing  
163 existing markets for recyclable materials in this state, other  
164 states, and foreign countries. The duties of the center must  
165 include, at a minimum:

166 (a) Identifying and developing new markets and expanding  
167 and enhancing existing markets for recyclable materials.

168 (b) Pursuing expanded end uses for recycled materials.

169 (c) Targeting materials for concentrated market-development  
170 efforts.

171 (d) Developing proposals for new incentives for market  
172 development, particularly focusing on targeted materials.

173 (e) Providing guidance on issues such as permitting,  
174 finance options for recycling market development, site location,  
175 research and development, grant program criteria for recycled  
176 materials markets, recycling markets education and information,  
177 and minimum content.

178 (f) Coordinating the efforts of various governmental  
179 entities having market-development responsibilities in order to  
180 optimize supply and demand for recyclable materials.

181 (g) Evaluating source-reduced products as they relate to  
182 state procurement policy. The evaluation shall include, but is  
183 not limited to, the environmental and economic impact of source-  
184 reduced product purchases to the state. For the purposes of this  
185 paragraph, the term "source-reduced" means any method, process,  
186 product, or technology that significantly or substantially  
187 reduces the volume or weight of a product while providing, at a



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188 minimum, equivalent or generally similar performance and service  
189 to and for the users of such materials.

190 (h) Providing evaluation of solid waste management grants,  
191 pursuant to s. 403.7095, to reduce the flow of solid waste to  
192 disposal facilities and encourage the sustainable recovery of  
193 materials from Florida's waste stream.

194 (i) Providing below-market financing for companies that  
195 manufacture products from recycled materials or convert  
196 recyclable materials into raw materials for use in manufacturing  
197 pursuant to the Florida Recycling Loan Program as administered  
198 by the Florida First Capital Finance Corporation.

199 (j) Maintaining a continuously updated online directory  
200 listing the public and private entities that collect, transport,  
201 broker, process, or remanufacture recyclable materials in the  
202 state.

203 (k) Providing information on the availability and benefits  
204 of using recycled materials to private entities and industries  
205 in the state.

206 (l) Distributing any materials prepared in implementing  
207 this subsection to the public, private entities, industries,  
208 governmental entities, or other organizations upon request.

209 (m) Coordinating with the Agency for Workforce Innovation  
210 and its partners to provide job-placement and job-training  
211 services to job seekers through the state's workforce services  
212 programs.

213 Section 7. Subsection (1) of section 403.7046, Florida  
214 Statutes, is amended to read:

215 403.7046 Regulation of recovered materials.-

216 (1) Any person who handles, purchases, receives, recovers,





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217 sells, or is an end user of recovered materials shall annually  
218 certify to the department on forms provided by the department.  
219 The department may by rule exempt from this requirement  
220 generators of recovered materials; persons who handle or sell  
221 recovered materials as an activity which is incidental to the  
222 normal primary business activities of that person; or persons  
223 who handle, purchase, receive, recover, sell, or are end users  
224 of recovered materials in small quantities as defined by the  
225 department. The department shall adopt rules for the  
226 certification of and reporting by such persons and shall  
227 establish criteria for revocation of such certification. ~~Prior~~  
228 ~~to the adoption of such rules, the department shall appoint a~~  
229 ~~technical advisory committee of no more than nine persons,~~  
230 ~~including, at a minimum, representatives of the Florida~~  
231 ~~Association of Counties, the Florida League of Cities, the~~  
232 ~~Florida Recyclers Association, and the Florida Chapter of the~~  
233 ~~National Solid Waste Management Association, to aid in the~~  
234 ~~development of such rules.~~ Such rules shall be designed to  
235 elicit, at a minimum, the amount and types of recovered  
236 materials handled by registrants, and the amount and disposal  
237 site, or name of person with whom such disposal was arranged, of  
238 any solid waste generated by such facility. By February 1 of  
239 each year, registrants shall report all required information to  
240 the department and to all counties from which it received  
241 materials. Such rules may provide for the department to conduct  
242 periodic inspections. The department may charge a fee of up to  
243 \$50 for each registration, which shall be deposited into the  
244 Solid Waste Management Trust Fund for implementation of the  
245 program.



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246 Section 8. Subsection (5) of section 403.7049, Florida  
247 Statutes, is amended to read:

248 403.7049 Determination of full cost for solid waste  
249 management; local solid waste management fees.—

250 (5) In order to assist in achieving the municipal solid  
251 waste reduction goal and the recycling provisions of s.  
252 403.706(2) ~~s. 403.706(4)~~, a county or a municipality which owns  
253 or operates a solid waste management facility is hereby  
254 authorized to charge solid waste disposal fees which may vary  
255 based on a number of factors, including, but not limited to, the  
256 amount, characteristics, and form of recyclable materials  
257 present in the solid waste that is brought to the county's or  
258 the municipality's facility for processing or disposal.

259 Section 9. Paragraph (c) of subsection (2) and subsection  
260 (3) of section 403.705, Florida Statutes, are amended, and  
261 subsection (4) is added to that section, to read:

262 403.705 State solid waste management program.—

263 (2) The state solid waste management program shall include,  
264 at a minimum:

265 (c) Planning guidelines and technical assistance to  
266 counties and municipalities to aid in meeting the municipal  
267 solid waste recycling ~~reduction~~ goals established in s.  
268 403.706(2) ~~s. 403.706(4)~~.

269 (3) The department shall ~~periodically seek information from~~  
270 ~~counties to~~ evaluate and report biennially to the President of  
271 the Senate and the Speaker of the House of Representatives on  
272 the state's success in meeting the solid waste recycling  
273 ~~reduction~~ goal as described in s. 403.706(2).

274 (4) The department shall adopt rules creating a voluntary



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275 certification program for materials recovery facilities. The  
276 certification criteria shall be based upon the amount and type  
277 of materials recycled and the compliance record of the facility  
278 and may vary depending on the location in the state and the  
279 available markets for the materials that are processed. Any  
280 materials recovery facility seeking certification shall file an  
281 application to modify its permit, or shall include a  
282 certification application as part of its original permit  
283 application, which application shall not require an additional  
284 fee. The department shall adopt a form for certification  
285 applications, and shall require at least annual reports to  
286 verify the continued qualification for certification. In order  
287 to assist in the development of the certification program, the  
288 department shall appoint a technical advisory committee.

289 Section 10. Subsections (2), (4), (6), (7), and (21) of  
290 section 403.706, Florida Statutes, are amended to read:

291 403.706 Local government solid waste responsibilities.—

292 (2) (a) Each county shall implement a recyclable materials  
293 recycling program that shall have a goal of recycling recyclable  
294 solid waste by 40 percent by December 31, 2012, 50 percent by  
295 December 31, 2014, 60 percent by December 31, 2016, 70 percent  
296 by December 31, 2018, and 75 percent by December 31, 2020.

297 Counties and municipalities are encouraged to form cooperative  
298 arrangements for implementing recycling programs.

299 (b) In order to assist counties in attaining the goals set  
300 forth in paragraph (a), the Legislature finds that the recycling  
301 of construction and demolition debris fulfills an important  
302 state interest. Therefore, each county must implement a program  
303 for recycling construction and demolition debris.



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304       (c) In accordance with applicable local government  
305 ordinances, newly developed property receiving a certificate of  
306 occupancy, or its equivalent, on or after July 1, 2012, that is  
307 used for multifamily residential or commercial purposes, must  
308 provide adequate space and an adequate receptacle for recycling  
309 by tenants and owners of the property. This provision is limited  
310 to counties and municipalities that have an established  
311 residential, including multifamily, or commercial recycling  
312 program that provides recycling receptacles to residences and  
313 businesses and regular pick-up services for those receptacles.

314       (d) If, by January 1 of 2013, 2015, 2017, 2019, or 2021,  
315 the county, as determined by the department in accordance with  
316 applicable rules, has not reached the recycling goals as set  
317 forth in paragraph (a), the department may direct the county to  
318 develop a plan to expand recycling programs to existing  
319 commercial and multifamily dwellings, including, but not limited  
320 to, apartment complexes.

321       (e) If the state's recycling rate for the 2013 calendar  
322 year is below 40 percent, below 50 percent by January 1, 2015,  
323 below 60 percent by January 1, 2017, below 70 percent by January  
324 1, 2019, or below 75 percent by January 1, 2021, the department  
325 shall provide a report to the President of the Senate and the  
326 Speaker of the House of Representatives. The report shall  
327 identify those additional programs or statutory changes needed  
328 to achieve the goals set forth in paragraph (a). The report  
329 shall be provided no later than 30 days before the beginning of  
330 the Regular Session of the Legislature. The department is not  
331 required to provide a report to the Legislature if the state  
332 reaches its recycling goals as described in this paragraph.



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333        (f) ~~(b)~~ Such programs shall be designed to recover a  
334 significant portion of at least four of the following materials  
335 from the solid waste stream prior to final disposal at a solid  
336 waste disposal facility and to offer these materials for  
337 recycling: newspaper, aluminum cans, steel cans, glass, plastic  
338 bottles, cardboard, office paper, and yard trash. Local  
339 governments which operate permitted waste-to-energy facilities  
340 may retrieve ferrous and nonferrous metal as a byproduct of  
341 combustion.

342        (g) ~~(e)~~ Local governments are encouraged to separate all  
343 plastics, metal, and all grades of paper for recycling prior to  
344 final disposal and are further encouraged to recycle yard trash  
345 and other mechanically treated solid waste into compost  
346 available for agricultural and other acceptable uses.

347        (h) The department shall adopt rules establishing the  
348 method and criteria to be used by a county in calculating the  
349 recycling rates pursuant to this subsection.

350        ~~(d) By July 1, 2010, each county shall develop and~~  
351 ~~implement a plan to achieve a goal to compost organic materials~~  
352 ~~that would otherwise be disposed of in a landfill. The goal~~  
353 ~~shall provide that up to 10 percent and no less than 5 percent~~  
354 ~~of organic material would be composted within the county and the~~  
355 ~~municipalities within its boundaries. The department may reduce~~  
356 ~~or modify the compost goal if the county demonstrates to the~~  
357 ~~department that achievement of the goal would be impractical~~  
358 ~~given the county's unique demographic, urban density, or~~  
359 ~~inability to separate normally compostable material from the~~  
360 ~~solid waste stream. The composting plan is encouraged to address~~  
361 ~~partnership with the private sector.~~



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362            (i)~~(e)~~ Each county is encouraged to consider plans for  
363 composting or mulching organic materials that would otherwise be  
364 disposed of in a landfill. The composting or mulching plans are  
365 encouraged to address partnership with the private sector.

366            (4) (a) In order to promote the production of renewable  
367 energy from solid waste, each megawatt-hour produced by a  
368 renewable energy facility using solid waste as a fuel shall  
369 count as 1 ton of recycled material and shall be applied toward  
370 meeting the recycling goals set forth in this section. If a  
371 county creating renewable energy from solid waste implements and  
372 maintains a program to recycle at least 50 percent of municipal  
373 solid waste by a means other than creating renewable energy,  
374 that county shall count 2 tons of recycled material for each  
375 megawatt-hour produced. If waste originates from a county other  
376 than the county in which the renewable energy facility resides,  
377 the originating county shall receive such recycling credit. Any  
378 county that has a debt service payment related to its waste-to-  
379 energy facility shall receive 1 ton of recycled materials credit  
380 for each ton of solid waste processed at the facility. Any  
381 byproduct resulting from the creation of renewable energy does  
382 not count as waste. A county's solid waste management and  
383 recycling programs shall be designed to provide for sufficient  
384 reduction of the amount of solid waste generated within the  
385 county and the municipalities within its boundaries in order to  
386 meet goals for the reduction of municipal solid waste prior to  
387 the final disposal or the incineration of such waste at a solid  
388 waste disposal facility. The goals shall provide, at a minimum,  
389 that the amount of municipal solid waste that would be disposed  
390 of within the county and the municipalities within its



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391 ~~boundaries is reduced by at least 30 percent.~~

392 (b) A county may receive credit for one-half of the  
393 recycling goal set forth in subsection (2) ~~for waste reduction~~  
394 from the use of yard trash, or other clean wood waste or paper  
395 waste, in innovative programs including, but not limited to,  
396 programs that produce alternative clean-burning fuels such as  
397 ethanol or that provide for the conversion of yard trash or  
398 other clean wood waste or paper waste to clean-burning fuel for  
399 the production of energy for use at facilities other than a  
400 waste-to-energy facility as defined in s. 403.7061. The  
401 provisions of this paragraph apply only if a county can  
402 demonstrate that:

403 1. The county has implemented a yard trash mulching or  
404 composting program, and

405 2. As part of the program, compost and mulch made from yard  
406 trash is available to the general public and in use at county-  
407 owned or maintained and municipally owned or maintained  
408 facilities in the county and state agencies operating in the  
409 county as required by this section.

410 (c) A county with a population of 100,000 or less or a  
411 municipality with a population of 50,000 or less may provide its  
412 residents with the opportunity to recycle in lieu of achieving  
413 the goal set forth in this section ~~paragraph (a)~~. For the  
414 purposes of this section subsection, the "opportunity to  
415 recycle" means that the county:

416 1.a. Provides a system for separating and collecting  
417 recyclable materials prior to disposal that is located at a  
418 solid waste management facility or solid waste disposal area; or

419 b. Provides a system of places within the county for



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420 collection of source-separated recyclable materials.

421 2. Provides a public education and promotion program that  
422 is conducted to inform its residents of the opportunity to  
423 recycle, encourages source separation of recyclable materials,  
424 and promotes the benefits of reducing, reusing, recycling, and  
425 composting materials.

426 (6) The department may reduce or modify the municipal solid  
427 waste recycling ~~reduction~~ goal that a county is required to  
428 achieve pursuant to subsection (2) ~~(4)~~ if the county  
429 demonstrates to the department that:

430 (a) The achievement of the goal set forth in subsection (2)  
431 ~~(4)~~ would have an adverse effect on the financial obligations of  
432 a county that are directly related to a waste-to-energy facility  
433 owned or operated by or on behalf of the county; and

434 (b) The county cannot remove normally combustible materials  
435 from solid waste that is to be processed at a waste-to-energy  
436 facility because of the need to maintain a sufficient amount of  
437 solid waste to ensure the financial viability of the facility.

438  
439 The goal shall not be waived entirely and may only be reduced or  
440 modified to the extent necessary to alleviate the adverse  
441 effects of achieving the goal on the financial viability of a  
442 county's waste-to-energy facility. Nothing in this subsection  
443 shall exempt a county from developing and implementing a  
444 recycling program pursuant to this act.

445 (7) In order to assess the progress in meeting the goal set  
446 forth ~~established~~ in subsection (2) ~~(4)~~, each county shall, by  
447 April 1 ~~November~~ each year, provide information to the  
448 department regarding its annual solid waste management program





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449 and recycling activities.

450 (a) The information submitted to the department by the  
451 county must, at a minimum, include:

452 1.(a) The amount of municipal solid waste disposed of at  
453 solid waste disposal facilities, by type of waste such as yard  
454 trash, white goods, clean debris, tires, and unseparated solid  
455 waste;

456 2.(b) The amount and type of materials from the municipal  
457 solid waste stream that were recycled; and

458 3.(c) The percentage of the population participating in  
459 various types of recycling activities instituted.

460 (b) Beginning with the data for the 2012 calendar year, the  
461 department shall by July 1 each year post on its website the  
462 recycling rates of each county for the prior calendar year.

463 (21) Local governments are authorized to enact ordinances  
464 that require and direct all residential properties, multifamily  
465 dwelling, and apartment complexes and industrial, commercial,  
466 and institutional establishments as defined by the local  
467 government to establish programs for the separation of  
468 recyclable materials designated by the local government, which  
469 recyclable materials are specifically intended for purposes of  
470 recycling and for which a market exists, and to provide for  
471 their collection. Such ordinances may include, but are not  
472 limited to, provisions that prohibit any person from knowingly  
473 disposing of recyclable materials designated by the local  
474 government and that ensure the collection of recovered materials  
475 as necessary to protect public health and safety.

476 Section 11. Paragraphs (d) through (i) of subsection (3) of  
477 section 403.7061, Florida Statutes, are redesignated as



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478 paragraphs (c) through (h), respectively, and present paragraph  
479 (c) of that subsection is amended to read:

480 403.7061 Requirements for review of new waste-to-energy  
481 facility capacity by the Department of Environmental  
482 Protection.—

483 (3) An applicant must provide reasonable assurance that the  
484 construction of a new waste-to-energy facility or the expansion  
485 of an existing waste-to-energy facility will comply with the  
486 following criteria:

487 ~~(c) The county in which the facility is located has~~  
488 ~~implemented and maintains a solid waste management and recycling~~  
489 ~~program that is designed to achieve the waste reduction goal set~~  
490 ~~forth in s. 403.706(4). For the purposes of this section, the~~  
491 ~~provisions of s. 403.706(4)(c) for counties having populations~~  
492 ~~of 100,000 or fewer do not apply.~~

493 Section 12. Subsection (9) of section 403.707, Florida  
494 Statutes, is amended to read:

495 403.707 Permits.—

496 (9) The department shall establish a separate category for  
497 solid waste management facilities that accept only construction  
498 and demolition debris for disposal or recycling. The department  
499 shall establish a reasonable schedule for existing facilities to  
500 comply with this section to avoid undue hardship to such  
501 facilities. However, a permitted solid waste disposal unit that  
502 receives a significant amount of waste prior to the compliance  
503 deadline established in this schedule shall not be required to  
504 be retrofitted with liners or leachate control systems.

505 (a) The department shall establish reasonable construction,  
506 operation, monitoring, recordkeeping, financial assurance, and



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507 closure requirements for such facilities. The department shall  
508 take into account the nature of the waste accepted at various  
509 facilities when establishing these requirements, and may impose  
510 less stringent requirements, including a system of general  
511 permits or registration requirements, for facilities that accept  
512 only a segregated waste stream which is expected to pose a  
513 minimal risk to the environment and public health, such as clean  
514 debris. The Legislature recognizes that incidental amounts of  
515 other types of solid waste are commonly generated at  
516 construction or demolition projects. In any enforcement action  
517 taken pursuant to this section, the department shall consider  
518 the difficulty of removing these incidental amounts from the  
519 waste stream.

520 (b) The department shall ~~not~~ require liners and leachate  
521 collection systems at individual disposal units and lateral  
522 expansions of existing disposal units that have not received a  
523 department permit authorizing construction or operation before  
524 July 1, 2010 facilities unless it demonstrates, based upon the  
525 types of waste received, the methods for controlling types of  
526 waste disposed of, the proximity of groundwater and surface  
527 water, and the results of the hydrogeological and geotechnical  
528 investigations, that the facility is reasonably expected to  
529 result in violations of groundwater standards and criteria  
530 otherwise.

531 (c) The owner or operator shall provide financial assurance  
532 for closing of the facility in accordance with the requirements  
533 of s. 403.7125. The financial assurance shall cover the cost of  
534 closing the facility and 5 years of long-term care after  
535 closing, unless the department determines, based upon



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536 hydrogeologic conditions, the types of wastes received, or the  
537 groundwater monitoring results, that a different long-term care  
538 period is appropriate. However, unless the owner or operator of  
539 the facility is a local government, the escrow account described  
540 in s. 403.7125(2) may not be used as a financial assurance  
541 mechanism.

542 (d) The department shall establish training requirements  
543 for operators of facilities, and shall work with the State  
544 University System or other providers to assure that adequate  
545 training courses are available. The department shall also assist  
546 the Florida Home Builders Association in establishing a  
547 component of its continuing education program to address proper  
548 handling of construction and demolition debris, including best  
549 management practices for reducing contamination of the  
550 construction and demolition debris waste stream.

551 (e) The issuance of a permit under this subsection does not  
552 obviate the need to comply with all applicable zoning and land  
553 use regulations.

554 (f) A permit is not required under this section for the  
555 disposal of construction and demolition debris on the property  
556 where it is generated, but such property must be covered,  
557 graded, and vegetated as necessary when disposal is complete.

558 (g) By January 1, 2012, the amount of construction and  
559 demolition debris processed and recycled before disposal at a  
560 permitted materials recovery facility or at any other permitted  
561 disposal facility shall be reported by the county of origin to  
562 the department and to the county on an annual basis in  
563 accordance with rules adopted by the department. The rules shall  
564 establish criteria to ensure accurate and consistent reporting



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565 for purposes of determining the recycling rate in s. 403.706 and  
566 shall also require that, to the extent economically feasible,  
567 all construction and demolition debris must be processed before  
568 disposal, either at a permitted materials recovery facility or  
569 at a permitted disposal facility. This paragraph does not apply  
570 to recovered materials, any materials that have been source  
571 separated and offered for recycling, or materials that have been  
572 previously processed. It is the policy of the Legislature to  
573 encourage facilities to recycle. The department shall establish  
574 criteria and guidelines that encourage recycling where practical  
575 and provide for the use of recycled materials in a manner that  
576 protects the public health and the environment. Facilities are  
577 authorized to recycle, provided such activities do not conflict  
578 with such criteria and guidelines.

579 (h) The department shall ensure that the requirements of  
580 this section are applied and interpreted consistently throughout  
581 the state. In accordance with s. 20.255, the Division of Waste  
582 Management shall direct the district offices and bureaus on  
583 matters relating to the interpretation and applicability of this  
584 section.

585 (i) The department shall provide notice of receipt of a  
586 permit application for the initial construction of a  
587 construction and demolition debris disposal facility to the  
588 local governments having jurisdiction where the facility is to  
589 be located.

590 (j) The Legislature recognizes that recycling, waste  
591 reduction, and resource recovery are important aspects of an  
592 integrated solid waste management program and as such are  
593 necessary to protect the public health and the environment. If



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594 necessary to promote such an integrated program, the county may  
595 determine, after providing notice and an opportunity for a  
596 hearing prior to April 30, 2008, that some or all of the  
597 material described in s. 403.703(6)(b) shall be excluded from  
598 the definition of "construction and demolition debris" in s.  
599 403.703(6) within the jurisdiction of such county. The county  
600 may make such a determination only if it finds that, prior to  
601 June 1, 2007, the county has established an adequate method for  
602 the use or recycling of such wood material at an existing or  
603 proposed solid waste management facility that is permitted or  
604 authorized by the department on June 1, 2007. The county is not  
605 required to hold a hearing if the county represents that it  
606 previously has held a hearing for such purpose, or if the county  
607 represents that it previously has held a public meeting or  
608 hearing that authorized such method for the use or recycling of  
609 trash or other nonputrescible waste materials and that such  
610 materials include those materials described in s. 403.703(6)(b).  
611 The county shall provide written notice of its determination to  
612 the department by no later than April 30, 2008; thereafter, the  
613 materials described in s. 403.703(6) shall be excluded from the  
614 definition of "construction and demolition debris" in s.  
615 403.703(6) within the jurisdiction of such county. The county  
616 may withdraw or revoke its determination at any time by  
617 providing written notice to the department.

618 (k) Brazilian pepper and other invasive exotic plant  
619 species as designated by the department resulting from  
620 eradication projects may be processed at permitted construction  
621 and demolition debris recycling facilities or disposed of at  
622 permitted construction and demolition debris disposal facilities



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623 or Class III facilities. The department may adopt rules to  
624 implement this paragraph.

625 Section 13. Paragraph (c) of subsection (12) of section  
626 403.708, Florida Statutes, is amended to read:

627 403.708 Prohibition; penalty.—

628 (12) A person who knows or should know of the nature of the  
629 following types of solid waste may not dispose of such solid  
630 waste in landfills:

631 (c)1. Yard trash in lined landfills classified by  
632 department rule as Class I landfills, unless the Class I  
633 landfill uses an active gas-collection system to collect  
634 landfill gas generated at the disposal facility and provides or  
635 arranges for a beneficial use of the gas. A Class I landfill may  
636 also accept yard trash for the purpose of mulching and using the  
637 yard trash to provide landfill cover for municipal solid waste  
638 disposed at the landfill. The department shall, by rule, develop  
639 and adopt a methodology to award recycling credit for the use or  
640 disposal of yard trash at a Class I landfill having a gas-  
641 collection system that makes beneficial use of the collected  
642 landfill gas. A qualifying permitted Class I landfill must  
643 obtain a minor permit modification to its operating permit which  
644 describes the beneficial use being made of the landfill gas and  
645 modifies the facility's operation plan before receiving yard  
646 trash as authorized under this subparagraph. The permittee must  
647 certify that gas collection and beneficial use will continue  
648 after closure of the disposal facility that is accepting yard  
649 trash. If the landfill is located in a county that owns and  
650 operates a compost facility, waste-to-energy facility, or  
651 biomass facility that sells renewable energy to a public utility



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652 and that is authorized to accept yard trash, the department  
653 shall provide the county with notice of, and opportunity to  
654 comment on, the application for permit modification.

655 2. Yard trash that is source separated from solid waste may  
656 be accepted at a solid waste disposal area if ~~where~~ separate  
657 yard trash composting facilities are provided and maintained.  
658 The department recognizes that incidental amounts of yard trash  
659 may be disposed of in Class I landfills. In any enforcement  
660 action taken pursuant to this paragraph, the department shall  
661 consider the difficulty of removing incidental amounts of yard  
662 trash from a mixed solid waste stream. This limited exception  
663 applies in all units of local government, including, but not  
664 limited to, municipalities, counties, and special districts.  
665 However, the exception does not apply to a county that currently  
666 operates under a constitutional home rule charter authorized in  
667 1956 in a statewide referendum. The limited exception to the ban  
668 on disposing of yard trash in a Class I landfill is not intended  
669 to have a material impact on current operations at existing  
670 waste-to-energy or biomass facilities.

671 Section 14. Paragraph (e) of subsection (1) of section  
672 403.709, Florida Statutes, is amended to read:

673 403.709 Solid Waste Management Trust Fund; use of waste  
674 tire fees.—There is created the Solid Waste Management Trust  
675 Fund, to be administered by the department.

676 (1) From the annual revenues deposited in the trust fund,  
677 unless otherwise specified in the General Appropriations Act:

678 (e) A minimum of 40 percent shall be used for funding a  
679 solid waste management ~~competitive and innovative~~ grant program  
680 pursuant to s. 403.7095 for activities relating to recycling and





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681 waste reduction, including waste tires requiring final disposal.

682 Section 15. Section 403.7095, Florida Statutes, is amended  
683 to read:

684 403.7095 Solid waste management grant program.—

685 ~~(1) The department shall develop a competitive and~~  
686 ~~innovative grant program for counties, municipalities, special~~  
687 ~~districts, and nonprofit organizations that have legal~~  
688 ~~responsibility for the provision of solid waste management~~  
689 ~~services. For purposes of this program, "innovative" means that~~  
690 ~~the process, technology, or activity for which funding is sought~~  
691 ~~has not previously been implemented within the jurisdiction of~~  
692 ~~the applicant. The applicant must:~~

693 ~~(a) Demonstrate technologies or processes that represent a~~  
694 ~~novel application of an existing technology or process to~~  
695 ~~recycle or reduce waste, or that overcome obstacles to recycling~~  
696 ~~or waste reduction in new or innovative ways;~~

697 ~~(b) Demonstrate innovative processes to collect and recycle~~  
698 ~~or reduce materials targeted by the department and the recycling~~  
699 ~~industry; or~~

700 ~~(c) Demonstrate effective solutions to solving solid waste~~  
701 ~~problems resulting from waste tires, particularly in the areas~~  
702 ~~of enforcement and abatement of illegal tire dumping and~~  
703 ~~activities to promote market development of waste tire products.~~

704  
705 ~~Because the Legislature recognizes that input from the recycling~~  
706 ~~industry is essential to the success of this grant program, the~~  
707 ~~department shall cooperate with private sector entities to~~  
708 ~~develop a process and define specific criteria for allowing~~  
709 ~~their participation with grant recipients.~~



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710           ~~(2) The department shall evaluate and prioritize the annual~~  
711 ~~grant proposals and present the annual prioritized list of~~  
712 ~~projects to be funded to the Governor and the Legislature as~~  
713 ~~part of its annual budget request submitted pursuant to chapter~~  
714 ~~216. Potential grant recipients are encouraged to demonstrate~~  
715 ~~local support for grant proposals by the commitment of cash or~~  
716 ~~in-kind matching funds.~~

717           (1)~~(3)~~ The department shall develop a consolidated grant  
718 program for small counties having populations fewer than  
719 100,000, with grants to be distributed equally among eligible  
720 counties. Programs to be supported with the small-county  
721 consolidated grants include general solid waste management,  
722 litter prevention and control, and recycling and education  
723 programs.

724           (2)~~(4)~~ The department shall develop a waste tire grant  
725 program making grants available to all counties. The department  
726 shall ensure that at least 25 percent of the funding available  
727 for waste tire grants is distributed equally to each county  
728 having a population fewer than 100,000. Of the remaining funds  
729 distributed to counties having a population of 100,000 or  
730 greater, the department shall distribute those funds on the  
731 basis of population.

732           (3)~~(5)~~ From the funds made available pursuant to s.  
733 403.709(1)(e) for the grant program created by this section, the  
734 following distributions shall be made:

735           ~~(a) Up to 15 percent for the program described in~~  
736 ~~subsection (1);~~

737           (a)~~(b)~~ Up to 50 ~~35~~ percent for the program described in  
738 subsection (1) ~~(3)~~; and



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739            ~~(b)(e)~~ Up to 50 percent for the program described in  
740 subsection ~~(2)~~ ~~(4)~~.

741            ~~(4)(6)~~ The department may adopt rules necessary to  
742 administer this section, including, but not limited to, rules  
743 governing timeframes for submitting grant applications, criteria  
744 for prioritizing, matching criteria, maximum grant amounts, and  
745 allocation of appropriated funds based upon project and  
746 applicant size.

747            ~~(7)~~ Notwithstanding any provision of this section to the  
748 contrary, and for the 2009-2010 fiscal year only, the Department  
749 of Environmental Protection shall award the sum of \$2,600,000 in  
750 grants equally to counties having populations of fewer than  
751 100,000 for waste tire and litter prevention, recycling  
752 education, and general solid waste programs. This subsection  
753 expires July 1, 2010.

754            ~~(8)(a)~~ Notwithstanding any provision of this section to the  
755 contrary, and for the 2008-2009 fiscal year only, the Department  
756 of Environmental Protection shall award:

757            1. The sum of \$9,428,773 in grants equally to counties  
758 having populations of fewer than 100,000 for waste tire and  
759 litter prevention, recycling education, and general solid waste  
760 programs.

761            2. The sum of \$2,000,781 to be used for the Innovative  
762 Grant Program.

763            ~~(b)~~ This subsection expires July 1, 2009.

764            Section 16. Subsection (1) of section 403.7145, Florida  
765 Statutes, is amended, and subsection (3) is added to that  
766 section, to read:

767            403.7145 Recycling.—



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768 (1) The Capitol and the House and Senate office buildings  
769 constitute the Capitol recycling area. The Florida House of  
770 Representatives, the Florida Senate, and the Office of the  
771 Governor, the Secretary of State, and each Cabinet officer who  
772 heads a department that occupies office space in the Capitol,  
773 shall institute a recycling program for their respective offices  
774 in the House and Senate office buildings and the Capitol.  
775 Provisions shall be made to collect and sell wastepaper and  
776 empty ~~aluminum~~ beverage containers  ~~cans~~ generated by employee  
777 activities in these offices. The collection and sale of such  
778 materials shall be reported to Leon County using the  
779 department's designated reporting format and coordinated with  
780 Department of Management Services recycling activities to  
781 maximize the efficiency and economy of this program. The  
782 Governor, the Speaker of the House of Representatives, the  
783 President of the Senate, the Secretary of State, and the Cabinet  
784 officers may authorize the use of proceeds from recyclable  
785 material sales for employee benefits and other purposes, in  
786 order to provide incentives to their respective employees for  
787 participation in the recycling program. Such proceeds may also  
788 be used to offset any costs of the recycling program. As a  
789 demonstration of leading by example, the Capitol Building's  
790 recycling rates shall be posted on the website of the Department  
791 of Management Services and shall include the details of the  
792 recycling rates for each Department of Management Services pool  
793 facility. The Department of Environmental Protection shall post  
794 recycling rates of each state-owned facility reported to the  
795 Department of Management Services.

796 (3) The project shall be designed to collect recyclable



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797 materials and create a more sustainable recycling system.  
798 Components of the project shall be designed to increase  
799 convenience, incentivize and measure participation, reduce  
800 material volume, and assist in achieving the recycling goals  
801 enumerated in s. 403.706.

802 Section 17. Paragraph (m) is added to subsection (1) of  
803 section 553.77, Florida Statutes, to read:

804 553.77 Specific powers of the commission.—

805 (1) The commission shall:

806 (m) Develop recommendations that increase residential and  
807 commercial recycling and composting and strongly encourage the  
808 use of recyclable materials and the recycling of construction  
809 and demolition debris.

810 Section 18. Subsections (1), (2), and (3) of section  
811 220.1845, Florida Statutes, are renumbered as subsections (2),  
812 (3), and (4), respectively, and a new subsection (1) is added to  
813 that section to read:

814 220.1845 Contaminated site rehabilitation tax credit.—

815 (1) APPLICATION FOR TAX CREDIT.—A site rehabilitation  
816 application must be received by the Division of Waste Management  
817 of the Department of Environmental Protection by January 31 of  
818 the year after the calendar year for which site rehabilitation  
819 costs are being claimed in a tax credit application. All site  
820 rehabilitation costs claimed must have been for work conducted  
821 between January 1 and December 31 of the year for which the  
822 application is being submitted. All payment requests must have  
823 been received and all costs must have been paid before submittal  
824 of the tax credit application, but no later than January 31 of  
825 the year after the calendar year for which site rehabilitation



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826 costs are being claimed.

827 Section 19. Paragraph (a) of subsection (5), paragraph (c)  
828 of subsection (6), and subsections (9) and (10) of section  
829 376.30781, Florida Statutes, are amended to read:

830 376.30781 Tax credits for rehabilitation of drycleaning-  
831 solvent-contaminated sites and brownfield sites in designated  
832 brownfield areas; application process; rulemaking authority;  
833 revocation authority.—

834 (5) To claim the credit for site rehabilitation or solid  
835 waste removal, each tax credit applicant must apply to the  
836 Department of Environmental Protection for an allocation of the  
837 \$2 million annual credit by filing a tax credit application with  
838 the Division of Waste Management on a form developed by the  
839 Department of Environmental Protection in cooperation with the  
840 Department of Revenue. The form shall include an affidavit from  
841 each tax credit applicant certifying that all information  
842 contained in the application, including all records of costs  
843 incurred and claimed in the tax credit application, are true and  
844 correct. If the application is submitted pursuant to  
845 subparagraph (3)(a)2., the form must include an affidavit signed  
846 by the real property owner stating that it is not, and has never  
847 been, the owner or operator of the drycleaning facility where  
848 the contamination exists. Approval of tax credits must be  
849 accomplished on a first-come, first-served basis based upon the  
850 date and time complete applications are received by the Division  
851 of Waste Management, subject to the limitations of subsection  
852 (14). To be eligible for a tax credit, the tax credit applicant  
853 must:

854 (a) For site rehabilitation tax credits, have entered into



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855 a voluntary cleanup agreement with the Department of  
856 Environmental Protection for a drycleaning-solvent-contaminated  
857 site or a Brownfield Site Rehabilitation Agreement, as  
858 applicable, and have paid all deductibles pursuant to s.  
859 376.3078(3)(e) for eligible drycleaning-solvent-cleanup program  
860 sites, as applicable. A site rehabilitation tax credit applicant  
861 must submit only a single completed application per site for  
862 each calendar year's site rehabilitation costs. A site  
863 rehabilitation application must be received by the Division of  
864 Waste Management of the Department of Environmental Protection  
865 by January 31 of the year after the calendar year for which site  
866 rehabilitation costs are being claimed in a tax credit  
867 application. All site rehabilitation costs claimed must have  
868 been for work conducted between January 1 and December 31 of the  
869 year for which the application is being submitted. All payment  
870 requests must have been received and all costs must have been  
871 paid before submittal of the tax credit application, but no  
872 later than January 31 of the year after the calendar year for  
873 which site rehabilitation costs are being claimed.

874 (6) To obtain the tax credit certificate, the tax credit  
875 applicant must provide all pertinent information requested on  
876 the tax credit application form, including, at a minimum, the  
877 name and address of the tax credit applicant and the address and  
878 tracking identification number of the eligible site. Along with  
879 the tax credit application form, the tax credit applicant must  
880 submit the following:

881 (c) Proof that the documentation submitted pursuant to  
882 paragraph (b) has been reviewed and verified by an independent  
883 certified public accountant in accordance with standards



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884 established by the American Institute of Certified Public  
885 Accountants. Specifically, a certified public accountant's  
886 report must be submitted and the certified public accountant  
887 must attest to the accuracy and validity of the costs claimed  
888 ~~incurred and paid during the time period covered~~ in the  
889 application by conducting an independent review of the data  
890 presented by the tax credit applicant. Accuracy and validity of  
891 costs incurred and paid shall be determined after the level of  
892 effort is certified by an appropriate professional registered in  
893 this state in each contributing technical discipline. The  
894 certified public accountant's report must also attest that the  
895 costs included in the application form are not duplicated within  
896 the application, that all payment requests were received and all  
897 costs were paid before submittal of the tax credit application,  
898 and, for site rehabilitation tax credits, that all costs claimed  
899 are for work conducted between January 1 and December 31 of the  
900 year for which the application is being submitted. A copy of the  
901 accountant's report shall be submitted to the Department of  
902 Environmental Protection in addition to the accountant's  
903 certification form in the tax credit application; and

904 (9) On or before May 1, the Department of Environmental  
905 Protection shall inform each tax credit applicant that is  
906 subject to the January 31 annual application deadline of the  
907 applicant's eligibility status and the amount of any tax credit  
908 due. The department shall provide each eligible tax credit  
909 applicant with a tax credit certificate that must be submitted  
910 with its tax return to the Department of Revenue to claim the  
911 tax credit or be transferred pursuant to s. 220.1845(2)(g) ~~s.~~  
912 ~~220.1845(1)(g)~~. The May 1 deadline for annual site





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913 rehabilitation tax credit certificate awards shall not apply to  
914 any tax credit application for which the department has issued a  
915 notice of deficiency pursuant to subsection (8). The department  
916 shall respond within 90 days after receiving a response from the  
917 tax credit applicant to such a notice of deficiency. Credits may  
918 not result in the payment of refunds if total credits exceed the  
919 amount of tax owed.

920 (10) For solid waste removal, new health care facility or  
921 health care provider, and affordable housing tax credit  
922 applications, the Department of Environmental Protection shall  
923 inform the applicant of the department's determination within 90  
924 days after the application is deemed complete. Each eligible tax  
925 credit applicant shall be informed of the amount of its tax  
926 credit and provided with a tax credit certificate that must be  
927 submitted with its tax return to the Department of Revenue to  
928 claim the tax credit or be transferred pursuant to s.  
929 220.1845(2)(g) ~~s. 220.1845(1)(g)~~. Credits may not result in the  
930 payment of refunds if total credits exceed the amount of tax  
931 owed.

932 Section 20. Section 376.85, Florida Statutes, is amended to  
933 read:

934 376.85 Annual report.—The Department of Environmental  
935 Protection shall prepare and submit ~~an annual report~~ to the  
936 President of the Senate and the Speaker of the House of  
937 Representatives by August 1 of each year a report that includes  
938 ~~Legislature, beginning in December 1998, which shall include,~~  
939 but is not ~~be~~ limited to, the number, size, and locations of  
940 brownfield sites: that have been remediated under the provisions  
941 of this act, ~~+~~ that are currently under rehabilitation pursuant



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942 to a negotiated site rehabilitation agreement with the  
943 department or a delegated local program, ~~and~~ where alternative  
944 cleanup target levels have been established pursuant to s.  
945 376.81(1)(g)3. ~~and~~ and ~~where~~ where engineering and institutional  
946 control strategies are being employed as conditions of a "no  
947 further action order" to maintain the protections provided in s.  
948 376.81(1)(g)1. and 2.

949 Section 21. Section 403.973, Florida Statutes, is amended  
950 to read:

951 403.973 Expedited permitting; amendments to comprehensive  
952 plans ~~plan amendments~~.

953 (1) It is the intent of the Legislature to encourage and  
954 facilitate the location and expansion of those types of economic  
955 development projects which offer job creation and high wages,  
956 strengthen and diversify the state's economy, and have been  
957 thoughtfully planned to take into consideration the protection  
958 of the state's environment. It is also the intent of the  
959 Legislature to provide for an expedited permitting and  
960 comprehensive plan amendment process for such projects.

961 (2) As used in this section, the term:

962 (a) "Duly noticed" means publication in a newspaper of  
963 general circulation in the municipality or county with  
964 jurisdiction. The notice shall appear on at least 2 separate  
965 days, one of which shall be at least 7 days before the meeting.  
966 The notice shall state the date, time, and place of the meeting  
967 scheduled to discuss or enact the memorandum of agreement, and  
968 the places within the municipality or county where such proposed  
969 memorandum of agreement may be inspected by the public. The  
970 notice must be one-eighth of a page in size and must be



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971 published in a portion of the paper other than the legal notices  
972 section. The notice shall also advise that interested parties  
973 may appear at the meeting and be heard with respect to the  
974 memorandum of agreement.

975 (b) "Jobs" means permanent, full-time equivalent positions  
976 not including construction jobs.

977 (c) "Office" means the Office of Tourism, Trade, and  
978 Economic Development.

979 (d) "Permit applications" means state permits and licenses,  
980 and at the option of a participating local government, local  
981 development permits or orders.

982 (e) "Secretary" means the Secretary of Environmental  
983 Protection or his or her designee.

984 (3) (a) The secretary ~~Governor, through the office,~~ shall  
985 direct the creation of regional permit action teams, for the  
986 purpose of expediting review of permit applications and local  
987 comprehensive plan amendments submitted by:

- 988 1. Businesses creating at least 50 ~~100~~ jobs; or  
989 2. Businesses creating at least 25 ~~50~~ jobs if the project  
990 is located in an enterprise zone, or in a county having a  
991 population of fewer ~~less~~ than 75,000 or in a county having a  
992 population of fewer ~~less~~ than 125,000 ~~100,000~~ which is  
993 contiguous to a county having a population of fewer ~~less~~ than  
994 75,000, as determined by the most recent decennial census,  
995 residing in incorporated and unincorporated areas of the  
996 county. ~~or~~

997 (b) On a case-by-case basis and at the request of a county  
998 or municipal government, the office may certify as eligible for  
999 expedited review a project not meeting the minimum job creation



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1000 thresholds but creating a minimum of 10 jobs. The recommendation  
1001 from the governing body of the county or municipality in which  
1002 the project may be located is required in order for the office  
1003 to certify that any project is eligible for expedited review  
1004 under this paragraph. When considering projects that do not meet  
1005 the minimum job creation thresholds but that are recommended by  
1006 the governing body in which the project may be located, the  
1007 office shall consider economic impact factors that include, but  
1008 are not limited to:

- 1009 1. The proposed wage and skill levels relative to those  
1010 existing in the area in which the project may be located;
- 1011 2. The project's potential to diversify and strengthen the  
1012 area's economy;
- 1013 3. The amount of capital investment; and
- 1014 4. The number of jobs that will be made available for  
1015 persons served by the welfare transition program.

1016 (c) At the request of a county or municipal government, the  
1017 office or a Quick Permitting County may certify projects located  
1018 in counties where the ratio of new jobs per participant in the  
1019 welfare transition program, as determined by Workforce Florida,  
1020 Inc., is less than one or otherwise critical, as eligible for  
1021 the expedited permitting process. Such projects must meet the  
1022 numerical job creation criteria of this subsection, but the jobs  
1023 created by the project do not have to be high-wage jobs that  
1024 diversify the state's economy.

1025 (d) Projects located in a designated brownfield area are  
1026 eligible for the expedited permitting process.

1027 (e) Projects that are part of the state-of-the-art  
1028 biomedical research institution and campus to be established in



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1029 this state by the grantee under s. 288.955 are eligible for the  
1030 expedited permitting process, if the projects are designated as  
1031 part of the institution or campus by the board of county  
1032 commissioners of the county in which the institution and campus  
1033 are established.

1034 (f) Projects resulting in the production of biofuels  
1035 cultivated on lands that are 1,000 acres or more or in the  
1036 construction of a biofuel or biodiesel processing facility or a  
1037 facility generating renewable energy, as defined in s.  
1038 366.91(2)(d), are eligible for the expedited permitting process.

1039 (4) The regional teams shall be established through the  
1040 execution of memoranda of agreement developed by the applicant  
1041 and the secretary, with input solicited from ~~between~~ the office  
1042 and the respective heads of ~~the Department of Environmental~~  
1043 Protection, the Department of Community Affairs, the Department  
1044 of Transportation and its district offices, the Department of  
1045 Agriculture and Consumer Services, the Fish and Wildlife  
1046 Conservation Commission, appropriate regional planning councils,  
1047 appropriate water management districts, and voluntarily  
1048 participating municipalities and counties. The memoranda of  
1049 agreement should also accommodate participation in this  
1050 expedited process by other local governments and federal  
1051 agencies as circumstances warrant.

1052 (5) In order to facilitate local government's option to  
1053 participate in this expedited review process, the secretary  
1054 office shall, in cooperation with local governments and  
1055 participating state agencies, create a standard form memorandum  
1056 of agreement. A local government shall hold a duly noticed  
1057 public workshop to review and explain to the public the



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1058 expedited permitting process and the terms and conditions of the  
1059 standard form memorandum of agreement.

1060 (6) The local government shall hold a duly noticed public  
1061 hearing to execute a memorandum of agreement for each qualified  
1062 project. Notwithstanding any other provision of law, and at the  
1063 option of the local government, the workshop provided for in  
1064 subsection (5) may be conducted on the same date as the public  
1065 hearing held under this subsection. The memorandum of agreement  
1066 that a local government signs shall include a provision  
1067 identifying necessary local government procedures and time  
1068 limits that will be modified to allow for the local government  
1069 decision on the project within 90 days. The memorandum of  
1070 agreement applies to projects, on a case-by-case basis, that  
1071 qualify for special review and approval as specified in this  
1072 section. The memorandum of agreement must make it clear that  
1073 this expedited permitting and review process does not modify,  
1074 qualify, or otherwise alter existing local government  
1075 nonprocedural standards for permit applications, unless  
1076 expressly authorized by law.

1077 ~~(7) At the option of the participating local government,~~  
1078 ~~Appeals of local government comprehensive plan approvals ~~its~~~~  
1079 ~~final approval for a project shall ~~may~~ be pursuant to the~~  
1080 ~~summary hearing provisions of s. 120.574, pursuant to subsection~~  
1081 ~~(14), and consolidated with the challenge of any applicable~~  
1082 ~~state agency actions ~~or pursuant to other appellate processes~~~~  
1083 ~~available to the local government. The local government's~~  
1084 ~~decision to enter into a summary hearing must be made as~~  
1085 ~~provided in s. 120.574 or in the memorandum of agreement.~~

1086 (8) Each memorandum of agreement shall include a process



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1087 for final agency action on permit applications and local  
1088 comprehensive plan amendment approvals within 90 days after  
1089 receipt of a completed application, unless the applicant agrees  
1090 to a longer time period or the secretary ~~office~~ determines that  
1091 unforeseen or uncontrollable circumstances preclude final agency  
1092 action within the 90-day timeframe. Permit applications governed  
1093 by federally delegated or approved permitting programs whose  
1094 requirements would prohibit or be inconsistent with the 90-day  
1095 timeframe are exempt from this provision, but must be processed  
1096 by the agency with federally delegated or approved program  
1097 responsibility as expeditiously as possible.

1098 (9) The secretary ~~office~~ shall inform the Legislature by  
1099 October 1 of each year which agencies have not entered into or  
1100 implemented an agreement and identify any barriers to achieving  
1101 success of the program.

1102 (10) The memoranda of agreement may provide for the waiver  
1103 or modification of procedural rules prescribing forms, fees,  
1104 procedures, or time limits for the review or processing of  
1105 permit applications under the jurisdiction of those agencies  
1106 that are party to the memoranda of agreement. Notwithstanding  
1107 any other provision of law to the contrary, a memorandum of  
1108 agreement must to the extent feasible provide for proceedings  
1109 and hearings otherwise held separately by the parties to the  
1110 memorandum of agreement to be combined into one proceeding or  
1111 held jointly and at one location. Such waivers or modifications  
1112 shall not be available for permit applications governed by  
1113 federally delegated or approved permitting programs, the  
1114 requirements of which would prohibit, or be inconsistent with,  
1115 such a waiver or modification.



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1116           (11) The standard form for memoranda of agreement shall  
1117 include guidelines to be used in working with state, regional,  
1118 and local permitting authorities. Guidelines may include, but  
1119 are not limited to, the following:

1120           (a) A central contact point for filing permit applications  
1121 and local comprehensive plan amendments and for obtaining  
1122 information on permit and local comprehensive plan amendment  
1123 requirements;

1124           (b) Identification of the individual or individuals within  
1125 each respective agency who will be responsible for processing  
1126 the expedited permit application or local comprehensive plan  
1127 amendment for that agency;

1128           (c) A mandatory preapplication review process to reduce  
1129 permitting conflicts by providing guidance to applicants  
1130 regarding the permits needed from each agency and governmental  
1131 entity, site planning and development, site suitability and  
1132 limitations, facility design, and steps the applicant can take  
1133 to ensure expeditious permit application and local comprehensive  
1134 plan amendment review. As a part of this process, the first  
1135 interagency meeting to discuss a project shall be held within 14  
1136 days after the secretary's ~~office's~~ determination that the  
1137 project is eligible for expedited review. Subsequent interagency  
1138 meetings may be scheduled to accommodate the needs of  
1139 participating local governments that are unable to meet public  
1140 notice requirements for executing a memorandum of agreement  
1141 within this timeframe. This accommodation may not exceed 45 days  
1142 from the secretary's ~~office's~~ determination that the project is  
1143 eligible for expedited review;

1144           (d) The preparation of a single coordinated project





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1145 description form and checklist and an agreement by state and  
1146 regional agencies to reduce the burden on an applicant to  
1147 provide duplicate information to multiple agencies;

1148 (e) Establishment of a process for the adoption and review  
1149 of any comprehensive plan amendment needed by any certified  
1150 project within 90 days after the submission of an application  
1151 for a comprehensive plan amendment. However, the memorandum of  
1152 agreement may not prevent affected persons as defined in s.  
1153 163.3184 from appealing or participating in this expedited plan  
1154 amendment process and any review or appeals of decisions made  
1155 under this paragraph; and

1156 (f) Additional incentives for an applicant who proposes a  
1157 project that provides a net ecosystem benefit.

1158 (12) The applicant, the regional permit action team, and  
1159 participating local governments may agree to incorporate into a  
1160 single document the permits, licenses, and approvals that are  
1161 obtained through the expedited permit process. This consolidated  
1162 permit is subject to the summary hearing provisions set forth in  
1163 subsection (14).

1164 (13) Notwithstanding any other provisions of law:

1165 (a) Local comprehensive plan amendments for projects  
1166 qualified under this section are exempt from the twice-a-year  
1167 limits provision in s. 163.3187; and

1168 (b) Projects qualified under this section are not subject  
1169 to interstate highway level-of-service standards adopted by the  
1170 Department of Transportation for concurrency purposes. The  
1171 memorandum of agreement specified in subsection (5) must include  
1172 a process by which the applicant will be assessed a fair share  
1173 of the cost of mitigating the project's significant traffic



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1174 impacts, as defined in chapter 380 and related rules. The  
1175 agreement must also specify whether the significant traffic  
1176 impacts on the interstate system will be mitigated through the  
1177 implementation of a project or payment of funds to the  
1178 Department of Transportation. Where funds are paid, the  
1179 Department of Transportation must include in the 5-year work  
1180 program transportation projects or project phases, in an amount  
1181 equal to the funds received, to mitigate the traffic impacts  
1182 associated with the proposed project.

1183 (14) (a) Challenges to state agency action in the expedited  
1184 permitting process for projects processed under this section are  
1185 subject to the summary hearing provisions of s. 120.574, except  
1186 that the administrative law judge's decision, as provided in s.  
1187 120.574(2) (f), shall be in the form of a recommended order and  
1188 shall not constitute the final action of the state agency. In  
1189 those proceedings where the action of only one agency of the  
1190 state other than the Department of Environmental Protection is  
1191 challenged, the agency of the state shall issue the final order  
1192 within 45 ~~10~~ working days after ~~of~~ receipt of the administrative  
1193 law judge's recommended order, and the recommended order shall  
1194 inform the parties of their right to file exceptions or  
1195 responses to the recommended order in accordance with the  
1196 uniform rules of procedure pursuant to s. 120.54. In those  
1197 proceedings where the actions of more than one agency of the  
1198 state are challenged, the Governor shall issue the final order  
1199 within 45 ~~10~~ working days after ~~of~~ receipt of the administrative  
1200 law judge's recommended order, and the recommended order shall  
1201 inform the parties of their right to file exceptions or  
1202 responses to the recommended order in accordance with the



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1203 uniform rules of procedure pursuant to s. 120.54. This paragraph  
1204 does not apply to the issuance of department licenses required  
1205 under any federally delegated or approved permit program. In  
1206 such instances, the department shall enter the final order. The  
1207 participating agencies of the state may opt at the preliminary  
1208 hearing conference to allow the administrative law judge's  
1209 decision to constitute the final agency action. If a  
1210 participating local government agrees to participate in the  
1211 summary hearing provisions of s. 120.574 for purposes of review  
1212 of local government comprehensive plan amendments, s.  
1213 163.3184(9) and (10) apply.

1214 (b) Projects identified in paragraph (3)(f) or challenges  
1215 to state agency action in the expedited permitting process for  
1216 establishment of a state-of-the-art biomedical research  
1217 institution and campus in this state by the grantee under s.  
1218 288.955 are subject to the same requirements as challenges  
1219 brought under paragraph (a), except that, notwithstanding s.  
1220 120.574, summary proceedings must be conducted within 30 days  
1221 after a party files the motion for summary hearing, regardless  
1222 of whether the parties agree to the summary proceeding.

1223 (15) The office, working with the agencies providing  
1224 cooperative assistance and input regarding ~~participating in~~ the  
1225 memoranda of agreement, shall review sites proposed for the  
1226 location of facilities eligible for the Innovation Incentive  
1227 Program under s. 288.1089. Within 20 days after the request for  
1228 the review by the office, the agencies shall provide to the  
1229 office a statement as to each site's necessary permits under  
1230 local, state, and federal law and an identification of  
1231 significant permitting issues, which if unresolved, may result



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1232 in the denial of an agency permit or approval or any significant  
1233 delay caused by the permitting process.

1234 (16) This expedited permitting process shall not modify,  
1235 qualify, or otherwise alter existing agency nonprocedural  
1236 standards for permit applications or local comprehensive plan  
1237 amendments, unless expressly authorized by law. If it is  
1238 determined that the applicant is not eligible to use this  
1239 process, the applicant may apply for permitting of the project  
1240 through the normal permitting processes.

1241 (17) The office shall be responsible for certifying a  
1242 business as eligible for undergoing expedited review under this  
1243 section. Enterprise Florida, Inc., a county or municipal  
1244 government, or the Rural Economic Development Initiative may  
1245 recommend to the Office of Tourism, Trade, and Economic  
1246 Development that a project meeting the minimum job creation  
1247 threshold undergo expedited review.

1248 (18) The office, working with the Rural Economic  
1249 Development Initiative and the agencies participating in the  
1250 memoranda of agreement, shall provide technical assistance in  
1251 preparing permit applications and local comprehensive plan  
1252 amendments for counties having a population of fewer ~~less~~ than  
1253 75,000 residents, or counties having fewer than 125,000 ~~100,000~~  
1254 residents which are contiguous to counties having fewer than  
1255 75,000 residents. Additional assistance may include, but not be  
1256 limited to, guidance in land development regulations and  
1257 permitting processes, working cooperatively with state,  
1258 regional, and local entities to identify areas within these  
1259 counties which may be suitable or adaptable for preclearance  
1260 review of specified types of land uses and other activities



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1261 requiring permits.

1262 (19) The following projects are ineligible for review under  
1263 this part:

1264 (a) A project funded and operated by a local government, as  
1265 defined in s. 377.709, and located within that government's  
1266 jurisdiction.

1267 (b) A project, the primary purpose of which is to:

1268 1. Effect the final disposal of solid waste, biomedical  
1269 waste, or hazardous waste in this state.

1270 2. Produce electrical power, unless the production of  
1271 electricity is incidental and not the primary function of the  
1272 project or the electrical power is derived from a fuel source  
1273 for renewable energy as defined in s. 366.91(2)(d).

1274 3. Extract natural resources.

1275 4. Produce oil.

1276 5. Construct, maintain, or operate an oil, petroleum,  
1277 natural gas, or sewage pipeline.

1278 Section 22. Subsection (6) of section 369.317, Florida  
1279 Statutes, is amended to read:

1280 369.317 Wekiva Parkway.—

1281 (6) The Orlando-Orange County Expressway Authority is  
1282 hereby granted the authority to act as a third-party acquisition  
1283 agent, pursuant to s. 259.041 on behalf of the Board of Trustees  
1284 or chapter 373 on behalf of the governing board of the St. Johns  
1285 River Water Management District, for the acquisition of all  
1286 necessary lands, property and all interests in property  
1287 identified herein, including fee simple or less-than-fee simple  
1288 interests. The lands subject to this authority are identified in  
1289 paragraph 10.a., State of Florida, Office of the Governor,



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1290 Executive Order 03-112 of July 1, 2003, and in Recommendation 16  
1291 of the Wekiva Basin Area Task Force created by Executive Order  
1292 2002-259, such lands otherwise known as Neighborhood Lakes, a  
1293 1,587+/- acre parcel located in Orange and Lake Counties within  
1294 Sections 27, 28, 33, and 34 of Township 19 South, Range 28 East,  
1295 and Sections 3, 4, 5, and 9 of Township 20 South, Range 28 East;  
1296 Seminole Woods/Swamp, a 5,353+/- acre parcel located in Lake  
1297 County within Section 37, Township 19 South, Range 28 East; New  
1298 Garden Coal; a 1,605+/- acre parcel in Lake County within  
1299 Sections 23, 25, 26, 35, and 36, Township 19 South, Range 28  
1300 East; Pine Plantation, a 617+/- acre tract consisting of eight  
1301 individual parcels within the Apopka City limits. The Department  
1302 of Transportation, the Department of Environmental Protection,  
1303 the St. Johns River Water Management District, and other land  
1304 acquisition entities shall participate and cooperate in  
1305 providing information and support to the third-party acquisition  
1306 agent. The land acquisition process authorized by this paragraph  
1307 shall begin no later than December 31, 2004. Acquisition of the  
1308 properties identified as Neighborhood Lakes, Pine Plantation,  
1309 and New Garden Coal, or approval as a mitigation bank shall be  
1310 concluded no later than December 31, 2010. Department of  
1311 Transportation and Orlando-Orange County Expressway Authority  
1312 funds expended to purchase an interest in those lands identified  
1313 in this subsection shall be eligible as environmental mitigation  
1314 for road construction related impacts in the Wekiva Study Area.  
1315 If any of the lands identified in this subsection are used as  
1316 environmental mitigation for road-construction-related impacts  
1317 incurred by the Department of Transportation or Orlando-Orange  
1318 County Expressway Authority, or for other impacts incurred by



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1319 other entities, within the Wekiva Study Area or within the  
1320 Wekiva parkway alignment corridor and, if the mitigation offsets  
1321 these impacts, the St. Johns River Water Management District and  
1322 the Department of Environmental Protection shall consider the  
1323 activity regulated under part IV of chapter 373 to meet the  
1324 cumulative impact requirements of s. 373.414(8) (a).

1325 (a) Acquisition of the land described in this section is  
1326 required to provide right of way for the Wekiva Parkway, a  
1327 limited access roadway linking State Road 429 to Interstate 4,  
1328 an essential component in meeting regional transportation needs  
1329 to provide regional connectivity, improve safety, accommodate  
1330 projected population and economic growth, and satisfy critical  
1331 transportation requirements caused by increased traffic volume  
1332 growth and travel demands.

1333 (b) Acquisition of the lands described in this section is  
1334 also required to protect the surface water and groundwater  
1335 resources of Lake, Orange, and Seminole counties, otherwise  
1336 known as the Wekiva Study Area, including recharge within the  
1337 springshed that provides for the Wekiva River system. Protection  
1338 of this area is crucial to the long term viability of the Wekiva  
1339 River and springs and the central Florida region's water supply.  
1340 Acquisition of the lands described in this section is also  
1341 necessary to alleviate pressure from growth and development  
1342 affecting the surface and groundwater resources within the  
1343 recharge area.

1344 (c) Lands acquired pursuant to this section that are needed  
1345 for transportation facilities for the Wekiva Parkway shall be  
1346 determined not necessary for conservation purposes pursuant to  
1347 ss. 253.034(6) and 373.089(5) and shall be transferred to or



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1348 retained by the Orlando-Orange County Expressway Authority or  
1349 the Department of Transportation upon reimbursement of the full  
1350 purchase price and acquisition costs.

1351 Section 23. Section 288.1185, Florida Statutes, is  
1352 repealed.

1353  
1354 ===== T I T L E A M E N D M E N T =====

1355 And the title is amended as follows:

1356 Delete lines 2 - 7

1357 and insert:

1358 An act relating to environmental control; amending s.  
1359 403.708, F.S.; authorizing the disposal of yard trash  
1360 at specified Class I landfills; requiring such  
1361 landfills to obtain a modified operating permit;  
1362 requiring permittees to certify certain collection and  
1363 beneficial use of landfill gas; providing  
1364 applicability; amending s. 288.9015, F.S.; requiring  
1365 Enterprise Florida, Inc., to provide technical  
1366 assistance to the Department of Environmental  
1367 Protection in the creation of the Recycling Business  
1368 Assistance Center; amending s. 373.414, F.S.;  
1369 providing that financial responsibility for mitigation  
1370 for wetlands and other surface waters required by a  
1371 permit for activities associated with the extraction  
1372 of limestone are subject to approval by the Department  
1373 of Environmental Protection as part of permit  
1374 application review; amending s. 378.901, F.S.;  
1375 authorizing mine operators mining or extracting or  
1376 proposing to mine or extract heavy minerals,





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1377 limestone, or fuller's earth clay to apply for a life-  
1378 of-the-mine permit; clarifying the authority of local  
1379 governments to approve, approve with conditions, deny,  
1380 or impose certain permit durations; amending s.  
1381 403.44, F.S.; eliminating a greenhouse gas  
1382 registration and reporting requirement for major  
1383 emitters; eliminating a requirement for the Department  
1384 of Environmental Protection to establish  
1385 methodologies, reporting periods, and reporting  
1386 systems relating to greenhouse gas emissions; amending  
1387 s. 403.7032, F.S.; requiring all public entities and  
1388 those entities occupying buildings managed by the  
1389 Department of Management Services to report recycling  
1390 data; providing exceptions; encouraging certain  
1391 private entities to report the disposal of recyclable  
1392 materials; requiring the Department of Management  
1393 Services to report on green and recycled products  
1394 purchased through its procurement system; directing  
1395 the Department of Environmental Protection to create  
1396 the Recycling Business Assistance Center; providing  
1397 requirements for the center; amending s. 403.7046,  
1398 F.S., relating to regulation of recovered materials;  
1399 deleting a requirement that the Department of  
1400 Environmental Protection appoint a technical advisory  
1401 committee; revising reporting requirements; amending  
1402 s. 403.7049, F.S.; conforming a cross-reference;  
1403 amending s. 403.705, F.S.; conforming a cross-  
1404 reference; requiring that the Department of  
1405 Environmental Protection report biennially to the



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1406 Legislature on the state's success in meeting solid  
1407 waste reduction goals; providing for the creation of a  
1408 voluntary recyclers certification program; amending s.  
1409 403.706, F.S.; requiring counties to meet specific  
1410 recycling benchmarks; providing legislative intent;  
1411 requiring certain multifamily residential and  
1412 commercial properties to make certain provisions for  
1413 recycling receptacles; providing applicability;  
1414 authorizing the Department of Environmental Protection  
1415 to require counties to develop a plan to expand  
1416 recycling programs under certain conditions; requiring  
1417 the Department of Environmental Protection to provide  
1418 a report to the Legislature if a specified recycling  
1419 rate is not met; eliminating a requirement that  
1420 counties develop composting goals; providing for  
1421 waste-to-energy production to be applied toward  
1422 meeting recycling benchmarks; providing exceptions;  
1423 providing deadlines for the reporting of recycling  
1424 data; amending s. 403.7061, F.S.; revising  
1425 requirements for review of new waste-to-energy  
1426 facility capacity by the Department of Environmental  
1427 Protection; amending s. 403.707, F.S.; requiring  
1428 liners for new construction and demolition debris  
1429 landfills; establishing recycling rates for source-  
1430 separation activities; providing an exception;  
1431 amending s. 403.708, F.S.; authorizing the disposal of  
1432 yard trash at a Class I landfill if the landfill has a  
1433 system for collecting landfill gas and arranging for  
1434 the reuse of the gas; requiring the Department of



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1435 Environmental Protection to develop and adopt a  
1436 methodology to award recycling credit for such use;  
1437 requiring the landfill to obtain a minor permit  
1438 modification to its operating permit before receiving  
1439 yard trash; specifying which entities of local  
1440 government may accept incidental amounts of yard trash  
1441 at a landfill; amending s. 403.709, F.S.; conforming a  
1442 cross-reference; amending s. 403.7095, F.S.; revising  
1443 provisions relating to the solid waste management  
1444 grant program; deleting provisions requiring the  
1445 Department of Environmental Protection to develop a  
1446 competitive and innovative grant program for certain  
1447 counties, municipalities, special districts, and  
1448 nonprofit organizations; deleting application  
1449 requirements for such grant program; deleting a  
1450 requirement for the Department of Environmental  
1451 Protection to evaluate and prioritize grant proposals  
1452 for inclusion in its annual budget request; revising  
1453 the distribution of funds for the small-county  
1454 consolidated grant program; deleting obsolete  
1455 provisions; amending s. 403.7145, F.S.; revising  
1456 recycling requirements for certain state buildings;  
1457 providing for a pilot project for the Capitol  
1458 recycling area; amending s. 533.77, F.S.; requiring  
1459 the Florida Building Commission to develop specified  
1460 recommendations relating to recycling and composting  
1461 and the use of recyclable materials; amending ss.  
1462 220.1845 and 376.30781, F.S.; providing requirements  
1463 for claiming certain site rehabilitation costs in



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1464 applications for contaminated site rehabilitation tax  
1465 credits; conforming cross-references; amending s.  
1466 376.85, F.S.; revising requirements for the Department  
1467 of Environmental Protection's annual report to the  
1468 Legislature regarding site rehabilitation; amending s.  
1469 403.973, F.S.; transferring certain authority over the  
1470 expedited permitting and comprehensive plan amendment  
1471 process from the Office of Tourism, Trade, and  
1472 Economic Development to the Secretary of Environmental  
1473 Protection; revising job-creation criteria for  
1474 businesses to qualify to submit permit applications  
1475 and local comprehensive plan amendments for expedited  
1476 review; providing that permit applications and local  
1477 comprehensive plan amendments for specified renewable  
1478 energy projects are eligible for the expedited  
1479 permitting process; providing for the establishment of  
1480 regional permit action teams through the execution of  
1481 memoranda of agreement developed by permit applicants  
1482 and the secretary; revising provisions relating to the  
1483 memoranda of agreement developed by the secretary;  
1484 providing for the appeal of local government  
1485 comprehensive plan approvals for projects and  
1486 requiring such appeals to be consolidated with  
1487 challenges to state agency actions; requiring  
1488 recommended orders relating to challenges to state  
1489 agency actions pursuant to summary hearing provisions  
1490 to include certain information; extending the deadline  
1491 for issuance of final orders relating to such  
1492 challenges; providing for challenges to state agency



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1493 action related to expedited permitting for specified  
1494 renewable energy projects; revising provisions  
1495 relating to the review of sites proposed for the  
1496 location of facilities eligible for the Innovation  
1497 Incentive Program; revising criteria for counties  
1498 eligible to receive technical assistance in preparing  
1499 permit applications and local comprehensive plan  
1500 amendments; specifying expedited review eligibility  
1501 for certain electrical power projects; amending s.  
1502 369.317, F.S.; providing that certain activity  
1503 relating to mitigation of certain environmental  
1504 impacts in the Wekiva Study Area or the Wekiva parkway  
1505 alignment corridor meets specified impact requirements  
1506 under certain conditions; repealing s. 288.1185, F.S.,  
1507 relating to the Recycling Markets Advisory Committee;  
1508 providing an effective date.