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LEGISLATIVE ACTION

Senate

House

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04/28/2010 11:34 AM

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Senator Bennett moved the following:

1           **Senate Substitute for Amendment (155960) (with title**  
2 **amendment)**

3  
4           Between lines 41 and 42  
5 insert:

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

8           288.9015 Enterprise Florida, Inc.; purpose; duties.—  
9           (9) Enterprise Florida, Inc., shall provide technical  
10 assistance to the Department of Environmental Protection in the  
11 creation of the Recycling Business Assistance Center pursuant to  
12 s. 403.7032(5). As the state's primary organization devoted to  
13 statewide economic development, Enterprise Florida, Inc., is



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

19 Section 3. Paragraph (a) of subsection (19) of section  
20 373.414, Florida Statutes, is amended to read:

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

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



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43 been demonstrated and to release portions of the financial  
44 responsibility mechanisms in accordance with applicable rules.

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

47 378.901 Life-of-the-mine permit.-

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

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

61 403.44 Florida Climate Protection Act.-

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

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

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

71 403.7032 Recycling.-



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

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

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



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101 financial concern, as defined in s. 200.185(1)(b), with a per  
102 capita taxable value of assessed property that does not exceed  
103 \$58,000 or to any municipality with a population under 20,000  
104 and a per capita taxable value of assessed property that does  
105 not exceed \$46,000. Private businesses, other than certified  
106 recovered materials dealers, that recycle paper, metals, glass,  
107 plastics, textiles, rubber materials, and mulch are encouraged  
108 to annually report the amount of materials they recycle to the  
109 county beginning January 1, 2011, using the department's  
110 designated reporting format. Using the information provided, the  
111 department shall recognize those private businesses that  
112 demonstrate outstanding recycling efforts. Notwithstanding any  
113 other provision of state or local law, private businesses, other  
114 than certified recovered materials dealers, are not required to  
115 report recycling rates.

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

128 (a) Programs to identify environmentally preferable  
129 purchasing practices to encourage the purchase of recycled,



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130 durable, and less toxic goods. The Department of Management  
131 Services shall modify its procurement system to report on green  
132 and recycled products purchased through the system by September  
133 30, 2011.

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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



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188 reduces the volume or weight of a product while providing, at a  
189 minimum, equivalent or generally similar performance and service  
190 to and for the users of such materials.

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

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

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

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

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

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

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

216 403.7046 Regulation of recovered materials.-





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



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246 program.

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

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

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

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

263 403.705 State solid waste management program.—

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

266 (c) Planning guidelines and technical assistance to  
267 counties and municipalities to aid in meeting the municipal  
268 solid waste recycling ~~reduction~~ goals established in s.  
269 403.706(2) ~~s. 403.706(4)~~.

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



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

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

292       403.706 Local government solid waste responsibilities.—

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

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

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



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304 for recycling construction and demolition debris.

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

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

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



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333 reaches its recycling goals as described in this paragraph.

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

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

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

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



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362 ~~partnership with the private sector.~~

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

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



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391 ~~of within the county and the municipalities within its~~  
392 ~~boundaries is reduced by at least 30 percent.~~

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

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

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

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

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



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420           b. Provides a system of places within the county for  
421 collection of source-separated recyclable materials.

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

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

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

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

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

446           (7) In order to assess the progress in meeting the goal set  
447 forth ~~established~~ in subsection (2) ~~(4)~~, each county shall, by  
448 April 1 ~~November~~ each year, provide information to the





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449 department regarding its annual solid waste management program  
450 and recycling activities.

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

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

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

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

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

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

477 Section 11. Paragraphs (d) through (i) of subsection (3) of



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478 section 403.7061, Florida Statutes, are redesignated as  
479 paragraphs (c) through (h), respectively, and present paragraph  
480 (c) of that subsection is amended to read:

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

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

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

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

496 403.707 Permits.—

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

506 (a) The department shall establish reasonable construction,



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

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

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



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

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

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

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

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



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

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

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

591 (j) The Legislature recognizes that recycling, waste  
592 reduction, and resource recovery are important aspects of an  
593 integrated solid waste management program and as such are



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

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



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623 permitted construction and demolition debris disposal facilities  
624 or Class III facilities. The department may adopt rules to  
625 implement this paragraph.

626 Section 13. Paragraph (c) of subsection (12) of section  
627 403.708, Florida Statutes, is amended to read:

628 403.708 Prohibition; penalty.—

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

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



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

672 Section 14. Paragraph (e) of subsection (1) of section  
673 403.709, Florida Statutes, is amended to read:

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

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

679 (e) A minimum of 40 percent shall be used for funding a  
680 solid waste management ~~competitive and innovative grant program~~





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681 pursuant to s. 403.7095 for activities relating to recycling and  
682 waste reduction, including waste tires requiring final disposal.

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

685 403.7095 Solid waste management grant program.—

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

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

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

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

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



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710 ~~their participation with grant recipients.~~

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

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

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

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

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

738 ~~(a)~~(b) Up to 50 ~~35~~ percent for the program described in



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739 subsection (1) ~~(3)~~; and

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

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

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

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

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

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

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

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



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768 403.7145 Recycling.—

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



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

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

805       553.77 Specific powers of the commission.—

806       (1) The commission shall:

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

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

815       220.1845 Contaminated site rehabilitation tax credit.—

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



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826 the year after the calendar year for which site rehabilitation  
827 costs are being claimed.

828 Section 19. Paragraph (a) of subsection (5), paragraph (c)  
829 of subsection (6), and subsections (9) and (10) of section  
830 376.30781, Florida Statutes, are amended to read:

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

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



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

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

882 (c) Proof that the documentation submitted pursuant to  
883 paragraph (b) has been reviewed and verified by an independent



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

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





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913 ~~220.1845(1)(g)~~. The May 1 deadline for annual site  
914 rehabilitation tax credit certificate awards shall not apply to  
915 any tax credit application for which the department has issued a  
916 notice of deficiency pursuant to subsection (8). The department  
917 shall respond within 90 days after receiving a response from the  
918 tax credit applicant to such a notice of deficiency. Credits may  
919 not result in the payment of refunds if total credits exceed the  
920 amount of tax owed.

921 (10) For solid waste removal, new health care facility or  
922 health care provider, and affordable housing tax credit  
923 applications, the Department of Environmental Protection shall  
924 inform the applicant of the department's determination within 90  
925 days after the application is deemed complete. Each eligible tax  
926 credit applicant shall be informed of the amount of its tax  
927 credit and provided with a tax credit certificate that must be  
928 submitted with its tax return to the Department of Revenue to  
929 claim the tax credit or be transferred pursuant to s.

930 220.1845(2)(g) ~~s. 220.1845(1)(g)~~. Credits may not result in the  
931 payment of refunds if total credits exceed the amount of tax  
932 owed.

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

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



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942 of this act, ~~+~~ that are currently under rehabilitation pursuant  
943 to a negotiated site rehabilitation agreement with the  
944 department or a delegated local program, ~~+~~ where alternative  
945 cleanup target levels have been established pursuant to s.  
946 376.81(1)(g)3. ~~+~~ and ~~+~~ where engineering and institutional  
947 control strategies are being employed as conditions of a "no  
948 further action order" to maintain the protections provided in s.  
949 376.81(1)(g)1. and 2.

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

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

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

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

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



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

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

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

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

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

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

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

998 (b) On a case-by-case basis and at the request of a county  
999 or municipal government, the office may certify as eligible for



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1000 expedited review a project not meeting the minimum job creation  
1001 thresholds but creating a minimum of 10 jobs. The recommendation  
1002 from the governing body of the county or municipality in which  
1003 the project may be located is required in order for the office  
1004 to certify that any project is eligible for expedited review  
1005 under this paragraph. When considering projects that do not meet  
1006 the minimum job creation thresholds but that are recommended by  
1007 the governing body in which the project may be located, the  
1008 office shall consider economic impact factors that include, but  
1009 are not limited to:

1010 1. The proposed wage and skill levels relative to those  
1011 existing in the area in which the project may be located;

1012 2. The project's potential to diversify and strengthen the  
1013 area's economy;

1014 3. The amount of capital investment; and

1015 4. The number of jobs that will be made available for  
1016 persons served by the welfare transition program.

1017 (c) At the request of a county or municipal government, the  
1018 office or a Quick Permitting County may certify projects located  
1019 in counties where the ratio of new jobs per participant in the  
1020 welfare transition program, as determined by Workforce Florida,  
1021 Inc., is less than one or otherwise critical, as eligible for  
1022 the expedited permitting process. Such projects must meet the  
1023 numerical job creation criteria of this subsection, but the jobs  
1024 created by the project do not have to be high-wage jobs that  
1025 diversify the state's economy.

1026 (d) Projects located in a designated brownfield area are  
1027 eligible for the expedited permitting process.

1028 (e) Projects that are part of the state-of-the-art



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1029 biomedical research institution and campus to be established in  
1030 this state by the grantee under s. 288.955 are eligible for the  
1031 expedited permitting process, if the projects are designated as  
1032 part of the institution or campus by the board of county  
1033 commissioners of the county in which the institution and campus  
1034 are established.

1035 (f) Projects resulting in the production of biofuels  
1036 cultivated on lands that are 1,000 acres or more or in the  
1037 construction of a biofuel or biodiesel processing facility or a  
1038 facility generating renewable energy, as defined in s.  
1039 366.91(2)(d), are eligible for the expedited permitting process.

1040 (4) The regional teams shall be established through the  
1041 execution of memoranda of agreement developed by the applicant  
1042 and the secretary, with input solicited from ~~between~~ the office  
1043 and the respective heads of ~~the Department of Environmental~~  
1044 ~~Protection,~~ the Department of Community Affairs, the Department  
1045 of Transportation and its district offices, the Department of  
1046 Agriculture and Consumer Services, the Fish and Wildlife  
1047 Conservation Commission, appropriate regional planning councils,  
1048 appropriate water management districts, and voluntarily  
1049 participating municipalities and counties. The memoranda of  
1050 agreement should also accommodate participation in this  
1051 expedited process by other local governments and federal  
1052 agencies as circumstances warrant.

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



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1058 public workshop to review and explain to the public the  
1059 expedited permitting process and the terms and conditions of the  
1060 standard form memorandum of agreement.

1061 (6) The local government shall hold a duly noticed public  
1062 hearing to execute a memorandum of agreement for each qualified  
1063 project. Notwithstanding any other provision of law, and at the  
1064 option of the local government, the workshop provided for in  
1065 subsection (5) may be conducted on the same date as the public  
1066 hearing held under this subsection. The memorandum of agreement  
1067 that a local government signs shall include a provision  
1068 identifying necessary local government procedures and time  
1069 limits that will be modified to allow for the local government  
1070 decision on the project within 90 days. The memorandum of  
1071 agreement applies to projects, on a case-by-case basis, that  
1072 qualify for special review and approval as specified in this  
1073 section. The memorandum of agreement must make it clear that  
1074 this expedited permitting and review process does not modify,  
1075 qualify, or otherwise alter existing local government  
1076 nonprocedural standards for permit applications, unless  
1077 expressly authorized by law.

1078 ~~(7) At the option of the participating local government,~~  
1079 ~~Appeals of local government comprehensive plan approvals ~~its~~~~  
1080 ~~final approval for a project shall ~~may~~ be pursuant to the~~  
1081 ~~summary hearing provisions of s. 120.574, pursuant to subsection~~  
1082 ~~(14), and consolidated with the challenge of any applicable~~  
1083 ~~state agency actions ~~or pursuant to other appellate processes~~~~  
1084 ~~available to the local government. The local government's~~  
1085 ~~decision to enter into a summary hearing must be made as~~  
1086 ~~provided in s. 120.574 or in the memorandum of agreement.~~



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1087           (8) Each memorandum of agreement shall include a process  
1088 for final agency action on permit applications and local  
1089 comprehensive plan amendment approvals within 90 days after  
1090 receipt of a completed application, unless the applicant agrees  
1091 to a longer time period or the secretary ~~office~~ determines that  
1092 unforeseen or uncontrollable circumstances preclude final agency  
1093 action within the 90-day timeframe. Permit applications governed  
1094 by federally delegated or approved permitting programs whose  
1095 requirements would prohibit or be inconsistent with the 90-day  
1096 timeframe are exempt from this provision, but must be processed  
1097 by the agency with federally delegated or approved program  
1098 responsibility as expeditiously as possible.

1099           (9) The secretary ~~office~~ shall inform the Legislature by  
1100 October 1 of each year which agencies have not entered into or  
1101 implemented an agreement and identify any barriers to achieving  
1102 success of the program.

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



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1116 such a waiver or modification.

1117 (11) The standard form for memoranda of agreement shall  
1118 include guidelines to be used in working with state, regional,  
1119 and local permitting authorities. Guidelines may include, but  
1120 are not limited to, the following:

1121 (a) A central contact point for filing permit applications  
1122 and local comprehensive plan amendments and for obtaining  
1123 information on permit and local comprehensive plan amendment  
1124 requirements;

1125 (b) Identification of the individual or individuals within  
1126 each respective agency who will be responsible for processing  
1127 the expedited permit application or local comprehensive plan  
1128 amendment for that agency;

1129 (c) A mandatory preapplication review process to reduce  
1130 permitting conflicts by providing guidance to applicants  
1131 regarding the permits needed from each agency and governmental  
1132 entity, site planning and development, site suitability and  
1133 limitations, facility design, and steps the applicant can take  
1134 to ensure expeditious permit application and local comprehensive  
1135 plan amendment review. As a part of this process, the first  
1136 interagency meeting to discuss a project shall be held within 14  
1137 days after the secretary's ~~office's~~ determination that the  
1138 project is eligible for expedited review. Subsequent interagency  
1139 meetings may be scheduled to accommodate the needs of  
1140 participating local governments that are unable to meet public  
1141 notice requirements for executing a memorandum of agreement  
1142 within this timeframe. This accommodation may not exceed 45 days  
1143 from the secretary's ~~office's~~ determination that the project is  
1144 eligible for expedited review;





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1145 (d) The preparation of a single coordinated project  
1146 description form and checklist and an agreement by state and  
1147 regional agencies to reduce the burden on an applicant to  
1148 provide duplicate information to multiple agencies;

1149 (e) Establishment of a process for the adoption and review  
1150 of any comprehensive plan amendment needed by any certified  
1151 project within 90 days after the submission of an application  
1152 for a comprehensive plan amendment. However, the memorandum of  
1153 agreement may not prevent affected persons as defined in s.  
1154 163.3184 from appealing or participating in this expedited plan  
1155 amendment process and any review or appeals of decisions made  
1156 under this paragraph; and

1157 (f) Additional incentives for an applicant who proposes a  
1158 project that provides a net ecosystem benefit.

1159 (12) The applicant, the regional permit action team, and  
1160 participating local governments may agree to incorporate into a  
1161 single document the permits, licenses, and approvals that are  
1162 obtained through the expedited permit process. This consolidated  
1163 permit is subject to the summary hearing provisions set forth in  
1164 subsection (14).

1165 (13) Notwithstanding any other provisions of law:

1166 (a) Local comprehensive plan amendments for projects  
1167 qualified under this section are exempt from the twice-a-year  
1168 limits provision in s. 163.3187; and

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



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1174 of the cost of mitigating the project's significant traffic  
1175 impacts, as defined in chapter 380 and related rules. The  
1176 agreement must also specify whether the significant traffic  
1177 impacts on the interstate system will be mitigated through the  
1178 implementation of a project or payment of funds to the  
1179 Department of Transportation. Where funds are paid, the  
1180 Department of Transportation must include in the 5-year work  
1181 program transportation projects or project phases, in an amount  
1182 equal to the funds received, to mitigate the traffic impacts  
1183 associated with the proposed project.

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



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

1214 163.3184(9) and (10) apply.

1215 (b) Projects identified in paragraph (3)(f) or challenges  
1216 to state agency action in the expedited permitting process for  
1217 establishment of a state-of-the-art biomedical research  
1218 institution and campus in this state by the grantee under s.  
1219 288.955 are subject to the same requirements as challenges  
1220 brought under paragraph (a), except that, notwithstanding s.  
1221 120.574, summary proceedings must be conducted within 30 days  
1222 after a party files the motion for summary hearing, regardless  
1223 of whether the parties agree to the summary proceeding.

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



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1232 significant permitting issues, which if unresolved, may result  
1233 in the denial of an agency permit or approval or any significant  
1234 delay caused by the permitting process.

1235 (16) This expedited permitting process shall not modify,  
1236 qualify, or otherwise alter existing agency nonprocedural  
1237 standards for permit applications or local comprehensive plan  
1238 amendments, unless expressly authorized by law. If it is  
1239 determined that the applicant is not eligible to use this  
1240 process, the applicant may apply for permitting of the project  
1241 through the normal permitting processes.

1242 (17) The office shall be responsible for certifying a  
1243 business as eligible for undergoing expedited review under this  
1244 section. Enterprise Florida, Inc., a county or municipal  
1245 government, or the Rural Economic Development Initiative may  
1246 recommend to the Office of Tourism, Trade, and Economic  
1247 Development that a project meeting the minimum job creation  
1248 threshold undergo expedited review.

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



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1261 review of specified types of land uses and other activities  
1262 requiring permits.

1263 (19) The following projects are ineligible for review under  
1264 this part:

1265 (a) A project funded and operated by a local government, as  
1266 defined in s. 377.709, and located within that government's  
1267 jurisdiction.

1268 (b) A project, the primary purpose of which is to:

1269 1. Effect the final disposal of solid waste, biomedical  
1270 waste, or hazardous waste in this state.

1271 2. Produce electrical power, unless the production of  
1272 electricity is incidental and not the primary function of the  
1273 project or the electrical power is derived from a fuel source  
1274 for renewable energy as defined in s. 366.91(2) (d).

1275 3. Extract natural resources.

1276 4. Produce oil.

1277 5. Construct, maintain, or operate an oil, petroleum,  
1278 natural gas, or sewage pipeline.

1279 Section 22. Subsection (6) of section 369.317, Florida  
1280 Statutes, is amended to read:

1281 369.317 Wekiva Parkway.—

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



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1290 paragraph 10.a., State of Florida, Office of the Governor,  
1291 Executive Order 03-112 of July 1, 2003, and in Recommendation 16  
1292 of the Wekiva Basin Area Task Force created by Executive Order  
1293 2002-259, such lands otherwise known as Neighborhood Lakes, a  
1294 1,587+/- acre parcel located in Orange and Lake Counties within  
1295 Sections 27, 28, 33, and 34 of Township 19 South, Range 28 East,  
1296 and Sections 3, 4, 5, and 9 of Township 20 South, Range 28 East;  
1297 Seminole Woods/Swamp, a 5,353+/- acre parcel located in Lake  
1298 County within Section 37, Township 19 South, Range 28 East; New  
1299 Garden Coal; a 1,605+/- acre parcel in Lake County within  
1300 Sections 23, 25, 26, 35, and 36, Township 19 South, Range 28  
1301 East; Pine Plantation, a 617+/- acre tract consisting of eight  
1302 individual parcels within the Apopka City limits. The Department  
1303 of Transportation, the Department of Environmental Protection,  
1304 the St. Johns River Water Management District, and other land  
1305 acquisition entities shall participate and cooperate in  
1306 providing information and support to the third-party acquisition  
1307 agent. The land acquisition process authorized by this paragraph  
1308 shall begin no later than December 31, 2004. Acquisition of the  
1309 properties identified as Neighborhood Lakes, Pine Plantation,  
1310 and New Garden Coal, or approval as a mitigation bank shall be  
1311 concluded no later than December 31, 2010. Department of  
1312 Transportation and Orlando-Orange County Expressway Authority  
1313 funds expended to purchase an interest in those lands identified  
1314 in this subsection shall be eligible as environmental mitigation  
1315 for road construction related impacts in the Wekiva Study Area.  
1316 If any of the lands identified in this subsection are used as  
1317 environmental mitigation for road-construction-related impacts  
1318 incurred by the Department of Transportation or Orlando-Orange



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1319 County Expressway Authority, or for other impacts incurred by  
1320 other entities, within the Wekiva Study Area or within the  
1321 Wekiva parkway alignment corridor and, if the mitigation offsets  
1322 these impacts, the St. Johns River Water Management District and  
1323 the Department of Environmental Protection shall consider the  
1324 activity regulated under part IV of chapter 373 to meet the  
1325 cumulative impact requirements of s. 373.414(8) (a).

1326 (a) Acquisition of the land described in this section is  
1327 required to provide right of way for the Wekiva Parkway, a  
1328 limited access roadway linking State Road 429 to Interstate 4,  
1329 an essential component in meeting regional transportation needs  
1330 to provide regional connectivity, improve safety, accommodate  
1331 projected population and economic growth, and satisfy critical  
1332 transportation requirements caused by increased traffic volume  
1333 growth and travel demands.

1334 (b) Acquisition of the lands described in this section is  
1335 also required to protect the surface water and groundwater  
1336 resources of Lake, Orange, and Seminole counties, otherwise  
1337 known as the Wekiva Study Area, including recharge within the  
1338 springshed that provides for the Wekiva River system. Protection  
1339 of this area is crucial to the long term viability of the Wekiva  
1340 River and springs and the central Florida region's water supply.  
1341 Acquisition of the lands described in this section is also  
1342 necessary to alleviate pressure from growth and development  
1343 affecting the surface and groundwater resources within the  
1344 recharge area.

1345 (c) Lands acquired pursuant to this section that are needed  
1346 for transportation facilities for the Wekiva Parkway shall be  
1347 determined not necessary for conservation purposes pursuant to



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1348 ss. 253.034(6) and 373.089(5) and shall be transferred to or  
1349 retained by the Orlando-Orange County Expressway Authority or  
1350 the Department of Transportation upon reimbursement of the full  
1351 purchase price and acquisition costs.

1352 Section 23. Section 288.1185, Florida Statutes, is  
1353 repealed.

1354  
1355 ===== T I T L E A M E N D M E N T =====

1356 And the title is amended as follows:

1357 Delete line 7

1358 and insert:

1359 applicability; amending s. 288.9015, F.S.; requiring  
1360 Enterprise Florida, Inc., to provide technical  
1361 assistance to the Department of Environmental  
1362 Protection in the creation of the Recycling Business  
1363 Assistance Center; amending s. 373.414, F.S.;  
1364 providing that financial responsibility for mitigation  
1365 for wetlands and other surface waters required by a  
1366 permit for activities associated with the extraction  
1367 of limestone are subject to approval by the Department  
1368 of Environmental Protection as part of permit  
1369 application review; amending s. 378.901, F.S.;  
1370 authorizing mine operators mining or extracting or  
1371 proposing to mine or extract heavy minerals,  
1372 limestone, or fuller's earth clay to apply for a life-  
1373 of-the-mine permit; clarifying the authority of local  
1374 governments to approve, approve with conditions, deny,  
1375 or impose certain permit durations; amending s.  
1376 403.44, F.S.; eliminating a greenhouse gas





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1377 registration and reporting requirement for major  
1378 emitters; eliminating a requirement for the Department  
1379 of Environmental Protection to establish  
1380 methodologies, reporting periods, and reporting  
1381 systems relating to greenhouse gas emissions; amending  
1382 s. 403.7032, F.S.; requiring all public entities and  
1383 those entities occupying buildings managed by the  
1384 Department of Management Services to report recycling  
1385 data; providing exceptions; encouraging certain  
1386 private entities to report the disposal of recyclable  
1387 materials; requiring the Department of Management  
1388 Services to report on green and recycled products  
1389 purchased through its procurement system; directing  
1390 the Department of Environmental Protection to create  
1391 the Recycling Business Assistance Center; providing  
1392 requirements for the center; amending s. 403.7046,  
1393 F.S., relating to regulation of recovered materials;  
1394 deleting a requirement that the Department of  
1395 Environmental Protection appoint a technical advisory  
1396 committee; revising reporting requirements; amending  
1397 s. 403.7049, F.S.; conforming a cross-reference;  
1398 amending s. 403.705, F.S.; conforming a cross-  
1399 reference; requiring that the Department of  
1400 Environmental Protection report biennially to the  
1401 Legislature on the state's success in meeting solid  
1402 waste reduction goals; providing for the creation of a  
1403 voluntary recyclers certification program; amending s.  
1404 403.706, F.S.; requiring counties to meet specific  
1405 recycling benchmarks; providing legislative intent;



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1406 requiring certain multifamily residential and  
1407 commercial properties to make certain provisions for  
1408 recycling receptacles; providing applicability;  
1409 authorizing the Department of Environmental Protection  
1410 to require counties to develop a plan to expand  
1411 recycling programs under certain conditions; requiring  
1412 the Department of Environmental Protection to provide  
1413 a report to the Legislature if a specified recycling  
1414 rate is not met; eliminating a requirement that  
1415 counties develop composting goals; providing for  
1416 waste-to-energy production to be applied toward  
1417 meeting recycling benchmarks; providing exceptions;  
1418 providing deadlines for the reporting of recycling  
1419 data; amending s. 403.7061, F.S.; revising  
1420 requirements for review of new waste-to-energy  
1421 facility capacity by the Department of Environmental  
1422 Protection; amending s. 403.707, F.S.; requiring  
1423 liners for new construction and demolition debris  
1424 landfills; establishing recycling rates for source-  
1425 separation activities; providing an exception;  
1426 amending s. 403.708, F.S.; authorizing the disposal of  
1427 yard trash at specified Class I landfills; requiring  
1428 such landfills to obtain a modified operating permit;  
1429 requiring permittees to certify certain collection and  
1430 beneficial use of landfill gas; providing  
1431 applicability and intent; amending s. 403.709, F.S.;  
1432 conforming a cross-reference; amending s. 403.7095,  
1433 F.S.; revising provisions relating to the solid waste  
1434 management grant program; deleting provisions



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1435 requiring the Department of Environmental Protection  
1436 to develop a competitive and innovative grant program  
1437 for certain counties, municipalities, special  
1438 districts, and nonprofit organizations; deleting  
1439 application requirements for such grant program;  
1440 deleting a requirement for the Department of  
1441 Environmental Protection to evaluate and prioritize  
1442 grant proposals for inclusion in its annual budget  
1443 request; revising the distribution of funds for the  
1444 small-county consolidated grant program; deleting  
1445 obsolete provisions; amending s. 403.7145, F.S.;  
1446 revising recycling requirements for certain state  
1447 buildings; providing for a pilot project for the  
1448 Capitol recycling area; amending s. 533.77, F.S.;  
1449 requiring the Florida Building Commission to develop  
1450 specified recommendations relating to recycling and  
1451 composting and the use of recyclable materials;  
1452 amending ss. 220.1845 and 376.30781, F.S.; providing  
1453 requirements for claiming certain site rehabilitation  
1454 costs in applications for contaminated site  
1455 rehabilitation tax credits; conforming cross-  
1456 references; amending s. 376.85, F.S.; revising  
1457 requirements for the Department of Environmental  
1458 Protection's annual report to the Legislature  
1459 regarding site rehabilitation; amending s. 403.973,  
1460 F.S.; transferring certain authority over the  
1461 expedited permitting and comprehensive plan amendment  
1462 process from the Office of Tourism, Trade, and  
1463 Economic Development to the Secretary of Environmental



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1464 Protection; revising job-creation criteria for  
1465 businesses to qualify to submit permit applications  
1466 and local comprehensive plan amendments for expedited  
1467 review; providing that permit applications and local  
1468 comprehensive plan amendments for specified renewable  
1469 energy projects are eligible for the expedited  
1470 permitting process; providing for the establishment of  
1471 regional permit action teams through the execution of  
1472 memoranda of agreement developed by permit applicants  
1473 and the secretary; revising provisions relating to the  
1474 memoranda of agreement developed by the secretary;  
1475 providing for the appeal of local government  
1476 comprehensive plan approvals for projects and  
1477 requiring such appeals to be consolidated with  
1478 challenges to state agency actions; requiring  
1479 recommended orders relating to challenges to state  
1480 agency actions pursuant to summary hearing provisions  
1481 to include certain information; extending the deadline  
1482 for issuance of final orders relating to such  
1483 challenges; providing for challenges to state agency  
1484 action related to expedited permitting for specified  
1485 renewable energy projects; revising provisions  
1486 relating to the review of sites proposed for the  
1487 location of facilities eligible for the Innovation  
1488 Incentive Program; revising criteria for counties  
1489 eligible to receive technical assistance in preparing  
1490 permit applications and local comprehensive plan  
1491 amendments; specifying expedited review eligibility  
1492 for certain electrical power projects; amending s.



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1493 369.317, F.S.; providing that certain activity  
1494 relating to mitigation of certain environmental  
1495 impacts in the Wekiva Study Area or the Wekiva parkway  
1496 alignment corridor meets specified impact requirements  
1497 under certain conditions; repealing s. 288.1185, F.S.,  
1498 relating to the Recycling Markets Advisory Committee;  
1499 providing an effective date.