

CS/HB 617

2010

1 A bill to be entitled
2 An act relating to limestone mining; amending s. 373.414,
3 F.S.; providing that financial responsibility for
4 mitigation for wetlands and other surface waters required
5 by a permit for activities associated with the extraction
6 of limestone are subject to approval by the Department of
7 Environmental Protection as part of permit application
8 review; amending s. 378.901, F.S.; authorizing mine
9 operators proposing to mine or extract limestone to apply
10 for a life-of-the-mine permit; clarifying the authority of
11 local governments to approve, approve with conditions,
12 deny, or impose certain permit durations; providing an
13 effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Paragraph (a) of subsection (19) of section
18 373.414, Florida Statutes, is amended to read:

19 373.414 Additional criteria for activities in surface
20 waters and wetlands.—

21 (19) (a) Financial responsibility for mitigation for
22 wetlands and other surface waters required by a permit issued
23 pursuant to this part for activities associated with the
24 extraction of limestone and phosphate are subject to approval by
25 the department as part of permit application review. Financial
26 responsibility for permitted activities which will occur over a
27 period of 3 years or less of mining operations must be provided
28 to the department prior to the commencement of mining operations

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29 and shall be in an amount equal to 110 percent of the estimated
30 mitigation costs for wetlands and other surface waters affected
31 under the permit. For permitted activities which will occur over
32 a period of more than 3 years of mining operations, the initial
33 financial responsibility demonstration shall be in an amount
34 equal to 110 percent of the estimated mitigation costs for
35 wetlands and other surface waters affected in the first 3 years
36 of operation under the permit; and, for each year thereafter,
37 the financial responsibility demonstration shall be updated,
38 including to provide an amount equal to 110 percent of the
39 estimated mitigation costs for the next year of operations under
40 the permit for which financial responsibility has not already
41 been demonstrated and to release portions of the financial
42 responsibility mechanisms in accordance with applicable rules.

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

45 378.901 Life-of-the-mine permit.—

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

55 Section 3. This act shall take effect upon becoming a law.