

CS/CS/HB 617

2010

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

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17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. 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

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

45 | Section 2. 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, each operator who proposes to mine or
51 | extract heavy minerals, limestone, or fuller's earth clay or the
52 | operator of an existing mine may apply to the bureau for a life-
53 | of-the-mine permit. Nothing in this subsection limits or
54 | restricts the authority of a local government to approve,
55 | approve with conditions, deny, or impose a permit duration
56 | different from the duration of a permit issued pursuant to this

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57 | section.

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