

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 mining or extracting or
 10 proposing to mine or extract heavy minerals, limestone, or
 11 fuller's earth clay to apply for a life-of-the-mine
 12 permit; clarifying the authority of local governments to
 13 approve, approve with conditions, deny, or impose certain
 14 permit durations; providing an effective date.

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

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

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

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

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

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

46 378.901 Life-of-the-mine permit.—

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

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