

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Patronis offered the following:

Amendment

Remove lines 1206-1237 and insert:

(3) A county or municipality having a population of 400,000 or more that implements a local pollution control program regulating all or a portion of the wetlands or surface waters throughout its geographic boundary must apply for delegation of state environmental resource permitting authority on or before January 1, 2013. If such a county or municipality fails to receive delegation of all or a portion of state environmental resource permitting authority within 2 years after submitting its application for delegation or by January 1, 2015, at the latest, it may not require permits that in part or in full are substantially similar to the requirements needed to obtain an environmental resource permit. A county or

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17 municipality that has received delegation before January 1,
18 2013, does not need to reapply.

19 (4) The department is responsible for all delegations of
20 state environmental resource permitting authority to local
21 governments. The department must grant or deny an application
22 for delegation submitted by a county or municipality that meets
23 the criteria in subsection (3) within 2 years after the receipt
24 of the application. If an application for delegation is denied,
25 any available legal challenge to such denial shall toll the
26 preemption deadline until resolution of the legal challenge.
27 Upon delegation to a qualified local government, the department
28 and water management district may not regulate the activities
29 subject to the delegation within that jurisdiction.

30 (5) This section does not prohibit or limit a local
31 government that meets the criteria in subsection (3) from
32 regulating wetlands or surface waters after January 1, 2013, if
33 the local government receives delegation of all or a portion of
34 state environmental resource permitting authority within 2 years