

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: State Affairs Committee
2 Representative Patronis offered the following:

3
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:
6 Section 1. Section 125.022, Florida Statutes, is amended to
7 read:

8 125.022 Development permits.—When a county denies an
9 application for a development permit, the county shall give
10 written notice to the applicant. The notice must include a
11 citation to the applicable portions of an ordinance, rule,
12 statute, or other legal authority for the denial of the permit.
13 As used in this section, the term "development permit" has the
14 same meaning as in s. 163.3164. For any development permit
15 application filed with the county after July 1, 2012, a county
16 may not require as a condition of processing or issuing a
17 development permit that an applicant obtain a permit or approval
18 from any state or federal agency unless the agency has issued a
19 final agency action that denies the federal or state permit

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20 before the county action on the local development permit.
21 Issuance of a development permit by a county does not in any way
22 create any rights on the part of the applicant to obtain a
23 permit from a state or federal agency and does not create any
24 liability on the part of the county for issuance of the permit
25 if the applicant fails to obtain requisite approvals or fulfill
26 the obligations imposed by a state or federal agency or
27 undertakes actions that result in a violation of state or
28 federal law. A county may attach such a disclaimer to the
29 issuance of a development permit and may include a permit
30 condition that all other applicable state or federal permits be
31 obtained before commencement of the development. This section
32 does not prohibit a county from providing information to an
33 applicant regarding what other state or federal permits may
34 apply.

35 Section 2. Subsection (5) is added to section 161.041,
36 Florida Statutes, to read:

37 161.041 Permits required.—

38 (5) Notwithstanding any other provision of law, the
39 department may issue a permit pursuant to this part in advance
40 of the issuance of an incidental take authorization as provided
41 under the Endangered Species Act and its implementing
42 regulations if the permit and authorization include a condition
43 requiring that authorized activities not begin until the
44 incidental take authorization is issued.

45 Section 3. Section 166.033, Florida Statutes, is amended
46 to read:

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47 166.033 Development permits.—When a municipality denies an
48 application for a development permit, the municipality shall
49 give written notice to the applicant. The notice must include a
50 citation to the applicable portions of an ordinance, rule,
51 statute, or other legal authority for the denial of the permit.
52 As used in this section, the term "development permit" has the
53 same meaning as in s. 163.3164. For any development permit
54 application filed with the municipality after July 1, 2012, a
55 municipality may not require as a condition of processing or
56 issuing a development permit that an applicant obtain a permit
57 or approval from any state or federal agency unless the agency
58 has issued a final agency action that denies the federal or
59 state permit before the municipal action on the local
60 development permit. Issuance of a development permit by a
61 municipality does not in any way create any right on the part of
62 an applicant to obtain a permit from a state or federal agency
63 and does not create any liability on the part of the
64 municipality for issuance of the permit if the applicant fails
65 to obtain requisite approvals or fulfill the obligations imposed
66 by a state or federal agency or undertakes actions that result
67 in a violation of state or federal law. A municipality may
68 attach such a disclaimer to the issuance of development permits
69 and may include a permit condition that all other applicable
70 state or federal permits be obtained before commencement of the
71 development. This section does not prohibit a municipality from
72 providing information to an applicant regarding what other state
73 or federal permits may apply.

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74 Section 4. Section 218.075, Florida Statutes, is amended
75 to read:

76 218.075 Reduction or waiver of permit processing fees.—
77 Notwithstanding any other provision of law, the Department of
78 Environmental Protection and the water management districts
79 shall reduce or waive permit processing fees for counties with a
80 population of 50,000 or less on April 1, 1994, until such
81 counties exceed a population of 75,000 and municipalities with a
82 population of 25,000 or less, or for an entity created by
83 special act, local ordinance, or interlocal agreement of such
84 counties or municipalities, or for any county or municipality
85 not included within a metropolitan statistical area. Fee
86 reductions or waivers shall be approved on the basis of fiscal
87 hardship or environmental need for a particular project or
88 activity. The governing body must certify that the cost of the
89 permit processing fee is a fiscal hardship due to one of the
90 following factors:

91 (1) Per capita taxable value is less than the statewide
92 average for the current fiscal year;

93 (2) Percentage of assessed property value that is exempt
94 from ad valorem taxation is higher than the statewide average
95 for the current fiscal year;

96 (3) Any condition specified in s. 218.503(1) which results
97 in the county or municipality being in a state of financial
98 emergency;

99 (4) Ad valorem operating millage rate for the current
100 fiscal year is greater than 8 mills; or

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101 (5) A financial condition that is documented in annual
102 financial statements at the end of the current fiscal year and
103 indicates an inability to pay the permit processing fee during
104 that fiscal year.

105
106 The permit applicant must be the governing body of a county or
107 municipality or a third party under contract with a county or
108 municipality or an entity created by special act, local
109 ordinance, or interlocal agreement and the project for which the
110 fee reduction or waiver is sought must serve a public purpose.
111 If a permit processing fee is reduced, the total fee shall not
112 exceed \$100.

113 Section 5. Paragraph (a) of subsection (3) of section
114 258.397, Florida Statutes, is amended to read:

115 258.397 Biscayne Bay Aquatic Preserve.—

116 (3) AUTHORITY OF TRUSTEES.—The Board of Trustees of the
117 Internal Improvement Trust Fund is authorized and directed to
118 maintain the aquatic preserve hereby created pursuant and
119 subject to the following provisions:

120 (a) ~~No further~~ Sale, transfer, or lease of sovereignty
121 submerged lands in the preserve may not ~~shall~~ be approved or
122 consummated by the board of trustees, except upon a showing of
123 extreme hardship on the part of the applicant and a
124 determination by the board of trustees that such sale, transfer,
125 or lease is in the public interest. A municipal applicant
126 proposing a public waterfront promenade is exempt from showing
127 extreme hardship.

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128 Section 6. Subsection (10) is added to section 373.026,
129 Florida Statutes, to read:

130 373.026 General powers and duties of the department.—The
131 department, or its successor agency, shall be responsible for
132 the administration of this chapter at the state level. However,
133 it is the policy of the state that, to the greatest extent
134 possible, the department may enter into interagency or
135 interlocal agreements with any other state agency, any water
136 management district, or any local government conducting programs
137 related to or materially affecting the water resources of the
138 state. All such agreements shall be subject to the provisions of
139 s. 373.046. In addition to its other powers and duties, the
140 department shall, to the greatest extent possible:

141 (10) Expand the use of Internet-based self-certification
142 services for appropriate exemptions and general permits issued
143 by the department and the water management districts, if such
144 expansion is economically feasible. In addition to expanding the
145 use of Internet-based self-certification services for
146 appropriate exemptions and general permits, the department and
147 water management districts shall identify and develop general
148 permits for appropriate activities currently requiring
149 individual review which could be expedited through the use of
150 applicable professional certification.

151 Section 7. Subsection (3) is added to section 373.326,
152 Florida Statutes, to read:

153 373.326 Exemptions.—

154 (3) A permit may not be required under this part for any
155 well authorized pursuant to ss. 403.061 and 403.087 under the

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156 State Underground Injection Control Program identified in
157 chapter 62-528, Florida Administrative Code, as Class I, Class
158 II, Class III, Class IV, or Class V Groups 2-9. However, such
159 wells must be constructed by persons who have obtained a license
160 pursuant to s. 373.323 as otherwise required by law.

161 Section 8. Subsection (2) of section 373.4141, Florida
162 Statutes, is amended, and subsection (4) is added to that
163 section, to read:

164 373.4141 Permits; processing.—

165 (2) A permit shall be approved, ~~or~~ denied, or subject to a
166 notice of proposed agency action within 60 ~~90~~ days after receipt
167 of the original application, the last item of timely requested
168 additional material, or the applicant's written request to begin
169 processing the permit application.

170 (4) A state agency or an agency of the state may not
171 require as a condition of approval for a permit or as an item to
172 complete a pending permit application that an applicant obtain a
173 permit or approval from any other local, state, or federal
174 agency without explicit statutory authority to require such
175 permit or approval.

176 Section 9. Section 373.4144, Florida Statutes, is amended
177 to read:

178 373.4144 Federal environmental permitting.—

179 (1) It is the intent of the Legislature to:

180 (a) Facilitate coordination and a more efficient process
181 of implementing regulatory duties and functions between the
182 Department of Environmental Protection, the water management
183 districts, the United States Army Corps of Engineers, the United

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184 States Fish and Wildlife Service, the National Marine Fisheries
185 Service, the United States Environmental Protection Agency, the
186 Fish and Wildlife Conservation Commission, and other relevant
187 federal and state agencies.

188 (b) Authorize the Department of Environmental Protection
189 to obtain issuance by the United States Army Corps of Engineers,
190 pursuant to state and federal law and as set forth in this
191 section, of an expanded state programmatic general permit, or a
192 series of regional general permits, for categories of activities
193 in waters of the United States governed by the Clean Water Act
194 and in navigable waters under the Rivers and Harbors Act of 1899
195 which are similar in nature, which will cause only minimal
196 adverse environmental effects when performed separately, and
197 which will have only minimal cumulative adverse effects on the
198 environment.

199 (c) Use the mechanism of such a state general permit or
200 such regional general permits to eliminate overlapping federal
201 regulations and state rules that seek to protect the same
202 resource and to avoid duplication of permitting between the
203 United States Army Corps of Engineers and the department for
204 minor work located in waters of the United States, including
205 navigable waters, thus eliminating, in appropriate cases, the
206 need for a separate individual approval from the United States
207 Army Corps of Engineers while ensuring the most stringent
208 protection of wetland resources.

209 (d) Direct the department not to seek issuance of or take
210 any action pursuant to any such permit or permits unless such
211 conditions are at least as protective of the environment and

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212 natural resources as existing state law under this part and
213 federal law under the Clean Water Act and the Rivers and Harbors
214 Act of 1899. The department is directed to develop, on or before
215 October 1, 2005, a mechanism or plan to consolidate, to the
216 maximum extent practicable, the federal and state wetland
217 permitting programs. It is the intent of the Legislature that
218 all dredge and fill activities impacting 10 acres or less of
219 wetlands or waters, including navigable waters, be processed by
220 the state as part of the environmental resource permitting
221 program implemented by the department and the water management
222 districts. The resulting mechanism or plan shall analyze and
223 propose the development of an expanded state programmatic
224 general permit program in conjunction with the United States
225 Army Corps of Engineers pursuant to s. 404 of the Clean Water
226 Act, Pub. L. No. 92-500, as amended, 33 U.S.C. ss. 1251 et seq.,
227 and s. 10 of the Rivers and Harbors Act of 1899. Alternatively,
228 or in combination with an expanded state programmatic general
229 permit, the mechanism or plan may propose the creation of a
230 series of regional general permits issued by the United States
231 Army Corps of Engineers pursuant to the referenced statutes. All
232 of the regional general permits must be administered by the
233 department or the water management districts or their designees.

234 (2) In order to effectuate efficient wetland permitting
235 and avoid duplication, the department and water management
236 districts are authorized to implement a voluntary state
237 programmatic general permit for all dredge and fill activities
238 impacting 3 acres or less of wetlands or other surface waters,
239 including navigable waters, subject to agreement with the United

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240 States Army Corps of Engineers, if the general permit is at
241 least as protective of the environment and natural resources as
242 existing state law under this part and federal law under the
243 Clean Water Act and the Rivers and Harbors Act of 1899. The
244 ~~department is directed to file with the Speaker of the House of~~
245 ~~Representatives and the President of the Senate a report~~
246 ~~proposing any required federal and state statutory changes that~~
247 ~~would be necessary to accomplish the directives listed in this~~
248 ~~section and to coordinate with the Florida Congressional~~
249 ~~Delegation on any necessary changes to federal law to implement~~
250 ~~the directives.~~

251 (3) ~~Nothing in~~ This section may not ~~shall~~ be construed to
252 preclude the department from pursuing a series of regional
253 general permits for construction activities in wetlands or
254 surface waters or complete assumption of federal permitting
255 programs regulating the discharge of dredged or fill material
256 pursuant to s. 404 of the Clean Water Act, Pub. L. No. 92-500,
257 as amended, 33 U.S.C. ss. 1251 et seq., and s. 10 of the Rivers
258 and Harbors Act of 1899, so long as the assumption encompasses
259 all dredge and fill activities in, on, or over jurisdictional
260 wetlands or waters, including navigable waters, within the
261 state.

262 Section 10. Subsection (11) of section 376.3071, Florida
263 Statutes, is amended to read:

264 376.3071 Inland Protection Trust Fund; creation; purposes;
265 funding.—

266 (11) SITE CLEANUP.—

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267 (a) Voluntary cleanup. ~~Nothing in~~ This section shall does
268 not be deemed to prohibit a person from conducting site
269 rehabilitation either through his or her own personnel or
270 through responsible response action contractors or
271 subcontractors when such person is not seeking site
272 rehabilitation funding from the fund. Such voluntary cleanups
273 must meet all applicable environmental standards.

274 (b) Low-scored site initiative. ~~Notwithstanding s.~~
275 376.30711, any site with a priority ranking score of 29 ~~40~~
276 points or less may voluntarily participate in the low-scored
277 site initiative, whether or not the site is eligible for state
278 restoration funding.

279 1. To participate in the low-scored site initiative, the
280 responsible party or property owner must affirmatively
281 demonstrate that the following conditions are met:

282 a. Upon reassessment pursuant to department rule, the site
283 retains a priority ranking score of 29 ~~40~~ points or less.

284 b. No excessively contaminated soil, as defined by
285 department rule, exists onsite as a result of a release of
286 petroleum products.

287 c. A minimum of 6 months of groundwater monitoring
288 indicates that the plume is shrinking or stable.

289 d. The release of petroleum products at the site does not
290 adversely affect adjacent surface waters, including their
291 effects on human health and the environment.

292 e. The area of groundwater containing the petroleum
293 products' chemicals of concern is less than one-quarter acre and

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294 is confined to the source property boundaries of the real
295 property on which the discharge originated.

296 f. Soils onsite that are subject to human exposure found
297 between land surface and 2 feet below land surface meet the soil
298 cleanup target levels established by department rule or human
299 exposure is limited by appropriate institutional or engineering
300 controls.

301 2. Upon affirmative demonstration of the conditions under
302 subparagraph 1., the department shall issue a determination of
303 "No Further Action." Such determination acknowledges that
304 minimal contamination exists onsite and that such contamination
305 is not a threat to human health or the environment. If no
306 contamination is detected, the department may issue a site
307 rehabilitation completion order.

308 3. Sites that are eligible for state restoration funding
309 may receive payment of preapproved costs for the low-scored site
310 initiative as follows:

311 a. A responsible party or property owner may submit an
312 assessment plan designed to affirmatively demonstrate that the
313 site meets the conditions under subparagraph 1. Notwithstanding
314 the priority ranking score of the site, the department may
315 preapprove the cost of the assessment pursuant to s. 376.30711,
316 including 6 months of groundwater monitoring, not to exceed
317 \$30,000 for each site. The department may not pay the costs
318 associated with the establishment of institutional or
319 engineering controls.

320 b. The assessment work shall be completed no later than 6
321 months after the department issues its approval.

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322 c. No more than \$10 million for the low-scored site
323 initiative may ~~shall~~ be encumbered from the Inland Protection
324 Trust Fund in any fiscal year. Funds shall be made available on
325 a first-come, first-served basis and shall be limited to 10
326 sites in each fiscal year for each responsible party or property
327 owner.

328 d. Program deductibles, copayments, and the limited
329 contamination assessment report requirements under paragraph
330 (13) (c) do not apply to expenditures under this paragraph.

331 Section 11. Section 376.30715, Florida Statutes, is
332 amended to read:

333 376.30715 Innocent victim petroleum storage system
334 restoration.—A contaminated site acquired by the current owner
335 prior to July 1, 1990, which has ceased operating as a petroleum
336 storage or retail business prior to January 1, 1985, is eligible
337 for financial assistance pursuant to s. 376.305(6),
338 notwithstanding s. 376.305(6) (a). For purposes of this section,
339 the term "acquired" means the acquisition of title to the
340 property; however, a subsequent transfer of the property to a
341 spouse or child of the owner, a surviving spouse or child of the
342 owner in trust or free of trust, ~~or~~ a revocable trust created
343 for the benefit of the settlor, or a corporate entity created by
344 the owner to hold title to the site does not disqualify the site
345 from financial assistance pursuant to s. 376.305(6) and
346 applicants previously denied coverage may reapply. Eligible
347 sites shall be ranked in accordance with s. 376.3071(5).

348 Section 12. Subsection (1) of section 380.0657, Florida
349 Statutes, is amended to read:

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350 380.0657 Expedited permitting process for economic
351 development projects.-

352 (1) The Department of Environmental Protection and, as
353 appropriate, the water management districts created under
354 chapter 373 shall adopt programs to expedite the processing of
355 wetland resource and environmental resource permits for economic
356 development projects that have been identified by a municipality
357 or county as meeting the definition of target industry
358 businesses under s. 288.106, or any intermodal logistics center
359 receiving or sending cargo to or from Florida ports, with the
360 exception of those projects requiring approval by the Board of
361 Trustees of the Internal Improvement Trust Fund.

362 Section 13. Subsection (11) of section 403.061, Florida
363 Statutes, is amended to read:

364 403.061 Department; powers and duties.-The department
365 shall have the power and the duty to control and prohibit
366 pollution of air and water in accordance with the law and rules
367 adopted and promulgated by it and, for this purpose, to:

368 (11) Establish ambient air quality and water quality
369 standards for the state as a whole or for any part thereof, and
370 also standards for the abatement of excessive and unnecessary
371 noise. The department is authorized to establish reasonable
372 zones of mixing for discharges into waters. For existing
373 installations as defined by rule 62-520.200(10), Florida
374 Administrative Code, effective July 12, 2009, zones of discharge
375 to groundwater are authorized horizontally to a facility's or
376 owner's property boundary and extending vertically to the base
377 of a specifically designated aquifer or aquifers. Such zones of

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378 discharge may be modified in accordance with procedures
379 specified in department rules. Exceedance of primary and
380 secondary groundwater standards that occur within a zone of
381 discharge does not create liability pursuant to this chapter or
382 chapter 376 for site cleanup, and the exceedance of soil cleanup
383 target levels is not a basis for enforcement or site cleanup.

384 (a) When a receiving body of water fails to meet a water
385 quality standard for pollutants set forth in department rules, a
386 steam electric generating plant discharge of pollutants that is
387 existing or licensed under this chapter on July 1, 1984, may
388 nevertheless be granted a mixing zone, provided that:

389 1. The standard would not be met in the water body in the
390 absence of the discharge;

391 2. The discharge is in compliance with all applicable
392 technology-based effluent limitations;

393 3. The discharge does not cause a measurable increase in
394 the degree of noncompliance with the standard at the boundary of
395 the mixing zone; and

396 4. The discharge otherwise complies with the mixing zone
397 provisions specified in department rules.

398 (b) ~~No~~ Mixing zones ~~zone~~ for point source discharges are
399 not shall be permitted in Outstanding Florida Waters except for:

400 1. Sources that have received permits from the department
401 prior to April 1, 1982, or the date of designation, whichever is
402 later;

403 2. Blowdown from new power plants certified pursuant to
404 the Florida Electrical Power Plant Siting Act;

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405 3. Discharges of water necessary for water management
406 purposes which have been approved by the governing board of a
407 water management district and, if required by law, by the
408 secretary; and

409 4. The discharge of demineralization concentrate which has
410 been determined permittable under s. 403.0882 and which meets
411 the specific provisions of s. 403.0882(4)(a) and (b), if the
412 proposed discharge is clearly in the public interest.

413 (c) The department, by rule, shall establish water quality
414 criteria for wetlands which criteria give appropriate
415 recognition to the water quality of such wetlands in their
416 natural state.

417
418 ~~Nothing in~~ This act may not ~~shall~~ be construed to invalidate any
419 existing department rule relating to mixing zones. The
420 department shall cooperate with the Department of Highway Safety
421 and Motor Vehicles in the development of regulations required by
422 s. 316.272(1).

423
424 The department shall implement such programs in conjunction with
425 its other powers and duties and shall place special emphasis on
426 reducing and eliminating contamination that presents a threat to
427 humans, animals or plants, or to the environment.

428 Section 14. Subsection (7) of section 403.087, Florida
429 Statutes, is amended to read:

430 403.087 Permits; general issuance; denial; revocation;
431 prohibition; penalty.-

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432 (7) A permit issued pursuant to this section does ~~shall~~
433 not become a vested right in the permittee. The department may
434 revoke any permit issued by it if it finds that the permitholder
435 has:

436 (a) ~~Has~~ Submitted false or inaccurate information in the
437 ~~his or her~~ application for the permit;

438 (b) ~~Has~~ Violated law, department orders, rules, ~~or~~
439 ~~regulations~~, or ~~permit~~ conditions which directly relate to the
440 permit;

441 (c) ~~Has~~ Failed to submit operational reports or other
442 information required by department rule which directly relate to
443 the permit and has refused to correct or cure such violations
444 when requested to do so ~~or regulation~~; or

445 (d) ~~Has~~ Refused lawful inspection under s. 403.091 at the
446 facility authorized by the permit.

447 Section 15. Subsection (2) of section 403.1838, Florida
448 Statutes, is amended to read:

449 403.1838 Small Community Sewer Construction Assistance
450 Act.—

451 (2) The department shall use funds specifically
452 appropriated to award grants under this section to assist
453 financially disadvantaged small communities with their needs for
454 adequate sewer facilities. For purposes of this section, the
455 term "financially disadvantaged small community" means a
456 municipality that has ~~with~~ a population of 10,000 ~~7,500~~ or fewer
457 ~~less~~, according to the latest decennial census and a per capita
458 annual income less than the state per capita annual income as
459 determined by the United States Department of Commerce.

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460 Section 16. Paragraph (f) of subsection (1) of section
461 403.7045, Florida Statutes, is amended to read:

462 403.7045 Application of act and integration with other
463 acts.—

464 (1) The following wastes or activities shall not be
465 regulated pursuant to this act:

466 (f) Industrial byproducts, if:

467 1. A majority of the industrial byproducts are
468 demonstrated to be sold, used, or reused within 1 year.

469 2. The industrial byproducts are not discharged,
470 deposited, injected, dumped, spilled, leaked, or placed upon any
471 land or water so that such industrial byproducts, or any
472 constituent thereof, may enter other lands or be emitted into
473 the air or discharged into any waters, including groundwaters,
474 or otherwise enter the environment such that a threat of
475 contamination in excess of applicable department standards and
476 criteria or a significant threat to public health is caused.

477 3. The industrial byproducts are not hazardous wastes as
478 defined under s. 403.703 and rules adopted under this section.

479
480 Sludge from an industrial waste treatment works that meets the
481 exemption requirements of this paragraph is not solid waste as
482 defined in s. 403.703(32).

483 Section 17. Paragraph (a) of subsection (4) of section
484 403.706, Florida Statutes, is amended to read:

485 403.706 Local government solid waste responsibilities.—

486 (4) (a) In order to promote the production of renewable
487 energy from solid waste, each megawatt-hour produced by a

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488 renewable energy facility using solid waste as a fuel shall
489 count as 1 ton of recycled material and shall be applied toward
490 meeting the recycling goals set forth in this section. If a
491 county creating renewable energy from solid waste implements and
492 maintains a program to recycle at least 50 percent of municipal
493 solid waste by a means other than creating renewable energy,
494 that county shall count 1.25 ~~2~~ tons of recycled material for
495 each megawatt-hour produced. If waste originates from a county
496 other than the county in which the renewable energy facility
497 resides, the originating county shall receive such recycling
498 credit. ~~Any county that has a debt service payment related to~~
499 ~~its waste-to-energy facility shall receive 1 ton of recycled~~
500 ~~materials credit for each ton of solid waste processed at the~~
501 ~~facility.~~ Any byproduct resulting from the creation of renewable
502 energy that is recycled shall count towards the county recycling
503 goals in accordance with the methods and criteria developed
504 pursuant to paragraph (2) (h) does not count as waste.

505 Section 18. Subsections (1), (2), and (3) of section
506 403.707, Florida Statutes, are amended to read:

507 403.707 Permits.—

508 (1) A solid waste management facility may not be operated,
509 maintained, constructed, expanded, modified, or closed without
510 an appropriate and currently valid permit issued by the
511 department. The department may by rule exempt specified types of
512 facilities from the requirement for a permit under this part if
513 it determines that construction or operation of the facility is
514 not expected to create any significant threat to the environment
515 or public health. For purposes of this part, and only when

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516 specified by department rule, a permit may include registrations
517 as well as other forms of licenses as defined in s. 120.52.
518 Solid waste construction permits issued under this section may
519 include any permit conditions necessary to achieve compliance
520 with the recycling requirements of this act. The department
521 shall pursue reasonable timeframes for closure and construction
522 requirements, considering pending federal requirements and
523 implementation costs to the permittee. The department shall
524 adopt a rule establishing performance standards for construction
525 and closure of solid waste management facilities. The standards
526 shall allow flexibility in design and consideration for site-
527 specific characteristics. For the purpose of permitting under
528 this chapter, the department shall allow waste-to-energy
529 facilities to maximize acceptance and processing of nonhazardous
530 solid and liquid waste.

531 (2) Except as provided in s. 403.722(6), a permit under
532 this section is not required for the following, ~~if the activity~~
533 ~~does not create a public nuisance or any condition adversely~~
534 ~~affecting the environment or public health and does not violate~~
535 ~~other state or local laws, ordinances, rules, regulations, or~~
536 ~~orders:~~

537 (a) Disposal by persons of solid waste resulting from
538 their own activities on their own property, if such waste is
539 ordinary household waste from their residential property or is
540 rocks, soils, trees, tree remains, and other vegetative matter
541 that normally result from land development operations. Disposal
542 of materials that could create a public nuisance or adversely
543 affect the environment or public health, such as white goods;

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544 automotive materials, such as batteries and tires; petroleum
545 products; pesticides; solvents; or hazardous substances, is not
546 covered under this exemption.

547 (b) Storage in containers by persons of solid waste
548 resulting from their own activities on their property, leased or
549 rented property, or property subject to a homeowners' ~~homeowners~~
550 or maintenance association for which the person contributes
551 association assessments, if the solid waste in such containers
552 is collected at least once a week.

553 (c) Disposal by persons of solid waste resulting from
554 their own activities on their property, if the environmental
555 effects of such disposal on groundwater and surface waters are:

556 1. Addressed or authorized by a site certification order
557 issued under part II or a permit issued by the department under
558 this chapter or rules adopted pursuant to this chapter; or

559 2. Addressed or authorized by, or exempted from the
560 requirement to obtain, a groundwater monitoring plan approved by
561 the department. If a facility has a permit authorizing disposal
562 activity, new areas where solid waste is being disposed of which
563 are monitored by an existing or modified groundwater monitoring
564 plan are not required to be specifically authorized in a permit
565 or other certification.

566 (d) Disposal by persons of solid waste resulting from
567 their own activities on their own property, if such disposal
568 occurred prior to October 1, 1988.

569 (e) Disposal of solid waste resulting from normal farming
570 operations as defined by department rule. Polyethylene
571 agricultural plastic, damaged, nonsalvageable, untreated wood

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572 pallets, and packing material that cannot be feasibly recycled,
573 which are used in connection with agricultural operations
574 related to the growing, harvesting, or maintenance of crops, may
575 be disposed of by open burning if a public nuisance or any
576 condition adversely affecting the environment or the public
577 health is not created by the open burning and state or federal
578 ambient air quality standards are not violated.

579 (f) The use of clean debris as fill material in any area.
580 However, this paragraph does not exempt any person from
581 obtaining any other required permits, and does not affect a
582 person's responsibility to dispose of clean debris appropriately
583 if it is not to be used as fill material.

584 (g) Compost operations that produce less than 50 cubic
585 yards of compost per year when the compost produced is used on
586 the property where the compost operation is located.

587 (3)(a) All applicable provisions of ss. 403.087 and
588 403.088, relating to permits, apply to the control of solid
589 waste management facilities.

590 (b) A permit, including a general permit, issued to a
591 solid waste management facility that is designed with a leachate
592 control system meeting department requirements shall be issued
593 for a term of 20 years unless the applicant requests a shorter
594 permit term. This paragraph applies to a qualifying solid waste
595 management facility that applies for an operating or
596 construction permit or renews an existing operating or
597 construction permit on or after October 1, 2012.

598 (c) A permit, including a general permit, but not
599 including a registration, issued to a solid waste management

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600 facility that does not have a leachate control system meeting
601 department requirements shall be renewed for a term of 10 years,
602 unless the applicant requests a shorter permit term, if the
603 following conditions are met:

604 1. The applicant has conducted the regulated activity at
605 the same site for which the renewal is sought for at least 4
606 years and 6 months before the date that the permit application
607 is received by the department; and

608 2. At the time of applying for the renewal permit:

609 a. The applicant is not subject to a notice of violation,
610 consent order, or administrative order issued by the department
611 for violation of an applicable law or rule;

612 b. The department has not notified the applicant that it
613 is required to implement assessment or evaluation monitoring as
614 a result of exceedances of applicable groundwater standards or
615 criteria or, if applicable, the applicant is completing
616 corrective actions in accordance with applicable department
617 rules; and

618 c. The applicant is in compliance with the applicable
619 financial assurance requirements.

620 (d) The department may adopt rules to administer this
621 subsection. However, the department is not required to submit
622 such rules to the Environmental Regulation Commission for
623 approval. Notwithstanding the limitations of s. 403.087(6)(a),
624 permit fee caps for solid waste management facilities shall be
625 prorated to reflect the extended permit term authorized by this
626 subsection.

Amendment No.

627 Section 19. Section 403.7125, Florida Statutes, is amended
628 to read:

629 403.7125 Financial assurance ~~for closure.~~-

630 (1) Every owner or operator of a landfill is jointly and
631 severally liable for the improper operation and closure of the
632 landfill, as provided by law. As used in this section, the term
633 "owner or operator" means any owner of record of any interest in
634 land wherein a landfill is or has been located and any person or
635 corporation that owns a majority interest in any other
636 corporation that is the owner or operator of a landfill.

637 (2) The owner or operator of a landfill owned or operated
638 by a local or state government or the Federal Government shall
639 establish a fee, or a surcharge on existing fees or other
640 appropriate revenue-producing mechanism, to ensure the
641 availability of financial resources for the proper closure of
642 the landfill. However, the disposal of solid waste by persons on
643 their own property, as described in s. 403.707(2), is exempt
644 from this section.

645 (a) The revenue-producing mechanism must produce revenue
646 at a rate sufficient to generate funds to meet state and federal
647 landfill closure requirements.

648 (b) The revenue shall be deposited in an interest-bearing
649 escrow account to be held and administered by the owner or
650 operator. The owner or operator shall file with the department
651 an annual audit of the account. The audit shall be conducted by
652 an independent certified public accountant. Failure to collect
653 or report such revenue, except as allowed in subsection (3), is
654 a noncriminal violation punishable by a fine of not more than

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655 \$5,000 for each offense. The owner or operator may make
656 expenditures from the account and its accumulated interest only
657 for the purpose of landfill closure and, if such expenditures do
658 not deplete the fund to the detriment of eventual closure, for
659 planning and construction of resource recovery or landfill
660 facilities. Any moneys remaining in the account after paying for
661 proper and complete closure, as determined by the department,
662 shall, if the owner or operator does not operate a landfill, be
663 deposited by the owner or operator into the general fund or the
664 appropriate solid waste fund of the local government of
665 jurisdiction.

666 (c) The revenue generated under this subsection and any
667 accumulated interest thereon may be applied to the payment of,
668 or pledged as security for, the payment of revenue bonds issued
669 in whole or in part for the purpose of complying with state and
670 federal landfill closure requirements. Such application or
671 pledge may be made directly in the proceedings authorizing such
672 bonds or in an agreement with an insurer of bonds to assure such
673 insurer of additional security therefor.

674 (d) The provisions of s. 212.055 which relate to raising
675 of revenues for landfill closure or long-term maintenance do not
676 relieve a landfill owner or operator from the obligations of
677 this section.

678 (e) The owner or operator of any landfill that had
679 established an escrow account in accordance with this section
680 and the conditions of its permit prior to January 1, 2007, may
681 continue to use that escrow account to provide financial
682 assurance for closure of that landfill, even if that landfill is

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683 not owned or operated by a local or state government or the
684 Federal Government.

685 (3) An owner or operator of a landfill owned or operated
686 by a local or state government or by the Federal Government may
687 provide financial assurance to the department in lieu of the
688 requirements of subsection (2). An owner or operator of any
689 other landfill, or any other solid waste management facility
690 designated by department rule, shall provide financial assurance
691 to the department for the closure of the facility. Such
692 financial assurance may include surety bonds, certificates of
693 deposit, securities, letters of credit, or other documents
694 showing that the owner or operator has sufficient financial
695 resources to cover, at a minimum, the costs of complying with
696 applicable closure requirements. The owner or operator shall
697 estimate such costs to the satisfaction of the department.

698 (4) This section does not repeal, limit, or abrogate any
699 other law authorizing local governments to fix, levy, or charge
700 rates, fees, or charges for the purpose of complying with state
701 and federal landfill closure requirements.

702 (5) The department shall by rule require that the owner or
703 operator of a solid waste management facility that receives
704 waste after October 9, 1993, and that is required by department
705 rule to undertake corrective actions for violations of water
706 quality standards provide financial assurance for the cost of
707 completing such corrective actions. The same financial assurance
708 mechanisms that are available for closure costs shall be
709 available for costs associated with undertaking corrective
710 actions.

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711 (6)~~(5)~~ The department shall adopt rules to implement this
712 section.

713 Section 20. Subsection (12) is added to section 403.814,
714 Florida Statutes, to read:

715 403.814 General permits; delegation.-

716 (12) A general permit is granted for the construction,
717 alteration, and maintenance of a storm water management system
718 serving a total project area of up to 10 acres. When the storm
719 water management system is designed, operated and maintained in
720 accordance with applicable rules adopted pursuant to part IV of
721 Chapter 373, there shall be a rebuttable presumption that the
722 discharge for such systems will comply with state water quality
723 standards. The construction of such a system may proceed
724 without any further agency action by the department or water
725 management district if within 30 days of commencement of
726 construction, an electronic self-certification is submitted to
727 the department or water management district that certifies the
728 proposed system was designed by a Florida registered
729 professional to meet all of the requirements listed in 12(a)-(f)
730 below:

731 (a) The total project involves less than 10 acres and less
732 than 2 acres of impervious surface;

733 (b) No activities will impact wetlands or other surface
734 waters;

735 (c) No activities are conducted in, on, or over wetlands
736 or other surface waters;

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737 (d) Drainage facilities will not include pipes having
738 diameters greater than 24 inches, or the hydraulic equivalent,
739 and will not use pumps in any manner;

740 (e) The project is not part of a larger common plan,
741 development, or sale; and

742 (f) The project does not:

743 1. Cause adverse water quantity or flooding impacts to
744 receiving water and adjacent lands;

745 2. Cause adverse impacts to existing surface water storage
746 and conveyance capabilities;

747 3. Cause a violation of state water quality standards; and

748 4. Cause an adverse impact to the maintenance of surface
749 or ground water levels or surface water flows established
750 pursuant to s. 373.042 or a work of the district established
751 pursuant to s. 373.086.

752 Section 21. Subsection (6) of section 403.853, Florida
753 Statutes, is amended to read:

754 403.853 Drinking water standards.—

755 (6) Upon the request of the owner or operator of a
756 transient noncommunity water system using groundwater as a
757 source of supply and serving religious institutions or
758 businesses, other than restaurants or other public food service
759 establishments or religious institutions with school or day care
760 services, and using groundwater as a source of supply, the
761 department, or a local county health department designated by
762 the department, shall perform a sanitary survey of the facility.
763 Upon receipt of satisfactory survey results according to
764 department criteria, the department shall reduce the

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765 requirements of such owner or operator from monitoring and
766 reporting on a quarterly basis to performing these functions on
767 an annual basis. Any revised monitoring and reporting schedule
768 approved by the department under this subsection shall apply
769 until such time as a violation of applicable state or federal
770 primary drinking water standards is determined by the system
771 owner or operator, by the department, or by an agency designated
772 by the department, after a random or routine sanitary survey.
773 Certified operators are not required for transient noncommunity
774 water systems of the type and size covered by this subsection.
775 Any reports required of such system shall be limited to the
776 minimum as required by federal law. When not contrary to the
777 provisions of federal law, the department may, upon request and
778 by rule, waive additional provisions of state drinking water
779 regulations for such systems.

780 Section 22. Paragraph (a) of subsection (3) and
781 subsections (4), (5), (10), (11), (14), (15), and (18) of
782 section 403.973, Florida Statutes, are amended to read:

783 403.973 Expedited permitting; amendments to comprehensive
784 plans.-

785 (3)(a) The secretary shall direct the creation of regional
786 permit action teams for the purpose of expediting review of
787 permit applications and local comprehensive plan amendments
788 submitted by:

789 1. Businesses creating at least 50 jobs or a commercial or
790 industrial development project that will be occupied by
791 businesses that would individually or collectively create at
792 least 50 jobs; or

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793 2. Businesses creating at least 25 jobs if the project is
794 located in an enterprise zone, or in a county having a
795 population of fewer than 75,000 or in a county having a
796 population of fewer than 125,000 which is contiguous to a county
797 having a population of fewer than 75,000, as determined by the
798 most recent decennial census, residing in incorporated and
799 unincorporated areas of the county.

800 (4) The regional teams shall be established through the
801 execution of a project-specific memoranda of agreement developed
802 and executed by the applicant and the secretary, with input
803 solicited from ~~the Department of Economic Opportunity~~ and the
804 respective heads of the Department of Transportation and its
805 district offices, the Department of Agriculture and Consumer
806 Services, the Fish and Wildlife Conservation Commission,
807 appropriate regional planning councils, appropriate water
808 management districts, and voluntarily participating
809 municipalities and counties. The memoranda of agreement should
810 also accommodate participation in this expedited process by
811 other local governments and federal agencies as circumstances
812 warrant.

813 (5) In order to facilitate local government's option to
814 participate in this expedited review process, the secretary
815 shall, in cooperation with local governments and participating
816 state agencies, create a standard form memorandum of agreement.
817 The standard form of the memorandum of agreement shall be used
818 only if the local government participates in the expedited
819 review process. In the absence of local government
820 participation, only the project-specific memorandum of agreement

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821 executed pursuant to subsection (4) applies. A local government
822 shall hold a duly noticed public workshop to review and explain
823 to the public the expedited permitting process and the terms and
824 conditions of the standard form memorandum of agreement.

825 (10) The memoranda of agreement may provide for the waiver
826 or modification of procedural rules prescribing forms, fees,
827 procedures, or time limits for the review or processing of
828 permit applications under the jurisdiction of those agencies
829 that are members of the regional permit action team ~~party to the~~
830 ~~memoranda of agreement~~. Notwithstanding any other provision of
831 law to the contrary, a memorandum of agreement must to the
832 extent feasible provide for proceedings and hearings otherwise
833 held separately ~~by the parties to the memorandum of agreement~~ to
834 be combined into one proceeding or held jointly and at one
835 location. Such waivers or modifications are not authorized ~~shall~~
836 ~~not be available~~ for permit applications governed by federally
837 delegated or approved permitting programs, the requirements of
838 which would prohibit, or be inconsistent with, such a waiver or
839 modification.

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

844 (a) A central contact point for filing permit applications
845 and local comprehensive plan amendments and for obtaining
846 information on permit and local comprehensive plan amendment
847 requirements.†

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848 (b) Identification of the individual or individuals within
849 each respective agency who will be responsible for processing
850 the expedited permit application or local comprehensive plan
851 amendment for that agency.†

852 (c) A mandatory preapplication review process to reduce
853 permitting conflicts by providing guidance to applicants
854 regarding the permits needed from each agency and governmental
855 entity, site planning and development, site suitability and
856 limitations, facility design, and steps the applicant can take
857 to ensure expeditious permit application and local comprehensive
858 plan amendment review. As a part of this process, the first
859 interagency meeting to discuss a project shall be held within 14
860 days after the secretary's determination that the project is
861 eligible for expedited review. Subsequent interagency meetings
862 may be scheduled to accommodate the needs of participating local
863 governments that are unable to meet public notice requirements
864 for executing a memorandum of agreement within this timeframe.
865 This accommodation may not exceed 45 days from the secretary's
866 determination that the project is eligible for expedited
867 review.†

868 (d) The preparation of a single coordinated project
869 description form and checklist and an agreement by state and
870 regional agencies to reduce the burden on an applicant to
871 provide duplicate information to multiple agencies.†

872 (e) Establishment of a process for the adoption and review
873 of any comprehensive plan amendment needed by any certified
874 project within 90 days after the submission of an application
875 for a comprehensive plan amendment. However, the memorandum of

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876 agreement may not prevent affected persons as defined in s.
877 163.3184 from appealing or participating in this expedited plan
878 amendment process and any review or appeals of decisions made
879 under this paragraph. ~~and~~

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

882 (14) (a) Challenges to state agency action in the expedited
883 permitting process for projects processed under this section are
884 subject to the summary hearing provisions of s. 120.574, except
885 that the administrative law judge's decision, as provided in s.
886 120.574(2) (f), shall be in the form of a recommended order and
887 do not constitute the final action of the state agency. In those
888 proceedings where the action of only one agency of the state
889 other than the Department of Environmental Protection is
890 challenged, the agency of the state shall issue the final order
891 within 45 working days after receipt of the administrative law
892 judge's recommended order, and the recommended order shall
893 inform the parties of their right to file exceptions or
894 responses to the recommended order in accordance with the
895 uniform rules of procedure pursuant to s. 120.54. In those
896 proceedings where the actions of more than one agency of the
897 state are challenged, the Governor shall issue the final order
898 within 45 working days after receipt of the administrative law
899 judge's recommended order, and the recommended order shall
900 inform the parties of their right to file exceptions or
901 responses to the recommended order in accordance with the
902 uniform rules of procedure pursuant to s. 120.54. For This
903 ~~paragraph does not apply to~~ the issuance of department licenses

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904 required under any federally delegated or approved permit
905 program. ~~In such instances,~~ the department, and not the
906 Governor, shall enter the final order. The participating
907 agencies of the state may opt at the preliminary hearing
908 conference to allow the administrative law judge's decision to
909 constitute the final agency action.

910 (b) Projects identified in paragraph (3)(f) or challenges
911 to state agency action in the expedited permitting process for
912 establishment of a state-of-the-art biomedical research
913 institution and campus in this state by the grantee under s.
914 288.955 are subject to the same requirements as challenges
915 brought under paragraph (a), except that, notwithstanding s.
916 120.574, summary proceedings must be conducted within 30 days
917 after a party files the motion for summary hearing, regardless
918 of whether the parties agree to the summary proceeding.

919 (15) The Department of Economic Opportunity, working with
920 the agencies providing cooperative assistance and input
921 regarding the memoranda of agreement, shall review sites
922 proposed for the location of facilities that the Department of
923 Economic Opportunity has certified to be eligible for the
924 Innovation Incentive Program under s. 288.1089. Within 20 days
925 after the request for the review by the Department of Economic
926 Opportunity, the agencies shall provide to the Department of
927 Economic Opportunity a statement as to each site's necessary
928 permits under local, state, and federal law and an
929 identification of significant permitting issues, which if
930 unresolved, may result in the denial of an agency permit or

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931 approval or any significant delay caused by the permitting
932 process.

933 (18) The Department of Economic Opportunity, working with
934 the Rural Economic Development Initiative ~~and the agencies~~
935 ~~participating in the memoranda of agreement~~, shall provide
936 technical assistance in preparing permit applications and local
937 comprehensive plan amendments for counties having a population
938 of fewer than 75,000 residents, or counties having fewer than
939 125,000 residents which are contiguous to counties having fewer
940 than 75,000 residents. Additional assistance may include, but
941 not be limited to, guidance in land development regulations and
942 permitting processes, working cooperatively with state,
943 regional, and local entities to identify areas within these
944 counties which may be suitable or adaptable for preclearance
945 review of specified types of land uses and other activities
946 requiring permits.

947 Section 23. Subsection (1) of section 526.203, Florida
948 Statutes, is amended, and subsection (5) is added to that
949 section, to read:

950 526.203 Renewable fuel standard.—

951 (1) DEFINITIONS.—As used in this act:

952 (a) "Blender," "importer," "terminal supplier," and
953 "wholesaler" are defined as provided in s. 206.01.

954 (b) "Blended gasoline" means a mixture of 90 to 91 percent
955 gasoline and 9 to 10 percent fuel ethanol or other alternative
956 fuel, by volume, that meets the specifications as adopted by the
957 department. The fuel ethanol or other alternative fuel portion
958 may be derived from any agricultural source.

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959 (c) "Fuel ethanol" means an anhydrous denatured alcohol
960 produced by the conversion of carbohydrates that meets the
961 specifications as adopted by the department.

962 (d) "Alternative fuel" means a fuel produced from biomass
963 that is used to replace or reduce the quantity of fossil fuel
964 present in a petroleum fuel that meets the specifications as
965 adopted by the department. "Biomass" means biomass as defined in
966 s. 366.91 and "alternative fuel" means alternative fuel as
967 defined in s. 525.01(1)(c) and that is suitable for blending
968 with gasoline.

969 (e) ~~(d)~~ "Unblended gasoline" means gasoline that has not

970 (5) SALE OF UNBLENDED GASOLINE FUELS.-This section does
971 not prohibit the sale of unblended gasoline fuels for the uses
972 exempted under subsection (3).

973 Section 24. The holder of a valid permit or other
974 authorization is not required to make a payment to the
975 authorizing agency for use of an extension granted under section
976 73 or section 79 of chapter 2011-139, Laws of Florida. This
977 section applies retroactively and is effective as of June 2,
978 2011.

979 Section 25. This act shall take effect July 1, 2012.

980
981 -----

982 **T I T L E A M E N D M E N T**

983 Remove the entire title and insert:

984 A bill to be entitled

985 An act relating to environmental regulation; amending

986 s. 125.022, F.S.; prohibiting a county from requiring

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987 an applicant to obtain a permit or approval from any
988 state or federal agency as a condition of processing a
989 development permit under certain conditions;
990 authorizing a county to attach certain disclaimers to
991 the issuance of a development permit; amending s.
992 161.041, F.S.; providing conditions under which the
993 department is authorized to issue such permits in
994 advance of the issuance of incidental take
995 authorizations as provided under the Endangered
996 Species Act; amending s. 166.033, F.S.; prohibiting a
997 municipality from requiring an applicant to obtain a
998 permit or approval from any state or federal agency as
999 a condition of processing a development permit under
1000 certain conditions; authorizing a municipality to
1001 attach certain disclaimers to the issuance of a
1002 development permit; amending s. 218.075, F.S.;
1003 providing for the reduction or waiver of permit
1004 processing fees relating to projects that serve a
1005 public purpose for certain entities created by special
1006 act, local ordinance, or interlocal agreement;
1007 amending s. 258.397, F.S.; providing an exemption from
1008 a showing of extreme hardship relating to the sale,
1009 transfer, or lease of sovereignty submerged lands in
1010 the Biscayne Bay Aquatic Preserve for certain
1011 municipal applicants; amending s. 373.026, F.S.;
1012 requiring the department to expand its use of
1013 Internet-based self-certification services for
1014 exemptions and permits issued by the department and

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1015 water management districts; amending s. 373.326, F.S.;

1016 exempting certain underground injection control wells

1017 from permitting requirements under part III of chapter

1018 373, F.S., relating to regulation of wells; providing

1019 a requirement for the construction of such wells;

1020 amending s. 373.4141, F.S.; reducing the time within

1021 which a permit must be approved, denied, or subject to

1022 notice of proposed agency action; prohibiting a state

1023 agency or an agency of the state from requiring

1024 additional permits or approval from a local, state, or

1025 federal agency without explicit authority; amending s.

1026 373.4144, F.S.; providing legislative intent with

1027 respect to the coordination of regulatory duties among

1028 specified state and federal agencies; encouraging

1029 expanded use of the state programmatic general permit

1030 or regional general permits; providing for a voluntary

1031 state programmatic general permit for certain dredge

1032 and fill activities; amending s. 376.3071, F.S.;

1033 increasing the priority ranking score for

1034 participation in the low-scored site initiative;

1035 exempting program deductibles, copayments, and certain

1036 assessment report requirements from expenditures under

1037 the low-scored site initiative; amending s. 376.30715,

1038 F.S.; providing that the transfer of a contaminated

1039 site from an owner to a child of the owner or

1040 corporate entity does not disqualify the site from the

1041 innocent victim petroleum storage system restoration

1042 financial assistance program; authorizing certain

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1043 applicants to reapply for financial assistance;
1044 amending s. 380.0657, F.S.; authorizing expedited
1045 permitting for certain inland multimodal facilities
1046 that individually or collectively will create a
1047 minimum number of jobs; amending s. 403.061, F.S.;;
1048 authorizing zones of discharges to groundwater for
1049 specified installations; providing for modification of
1050 such zones of discharge; providing that exceedance of
1051 certain groundwater standards does not create
1052 liability for site cleanup; providing that exceedance
1053 of soil cleanup target levels is not a basis for
1054 enforcement or cleanup; amending s. 403.087, F.S.;;
1055 revising conditions under which the department is
1056 authorized to revoke permits for sources of air and
1057 water pollution; amending s. 403.1838, F.S.;; revising
1058 the definition of the term "financially disadvantaged
1059 small community" for the purposes of the Small
1060 Community Sewer Construction Assistance Act; amending
1061 s. 403.7045, F.S.;; providing conditions under which
1062 sludge from an industrial waste treatment works is not
1063 solid waste; amending s. 403.706, F.S.;; reducing the
1064 amount of recycled materials certain counties are
1065 required to apply toward state recycling goals;
1066 providing that certain renewable energy byproducts
1067 count toward state recycling goals; amending s.
1068 403.707, F.S.;; providing for waste-to-energy
1069 facilities to maximize acceptance and processing of
1070 nonhazardous solid and liquid waste; exempting the

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1071 disposal of solid waste monitored by certain
1072 groundwater monitoring plans from specific
1073 authorization; specifying a permit term for solid
1074 waste management facilities designed with leachate
1075 control systems that meet department requirements;
1076 requiring permit fees to be adjusted; providing
1077 applicability; specifying a permit term for solid
1078 waste management facilities that do not have leachate
1079 control systems meeting department requirements under
1080 certain conditions; authorizing the department to
1081 adopt rules; providing that the department is not
1082 required to submit the rules to the Environmental
1083 Regulation Commission for approval; requiring permit
1084 fee caps to be prorated; amending s. 403.7125, F.S.;
1085 requiring the department to require by rule that
1086 owners or operators of solid waste management
1087 facilities receiving waste after October 9, 1993,
1088 provide financial assurance for the cost of completing
1089 certain corrective actions; amending s. 403.814, F.S.;
1090 providing for issuance of general permits for the
1091 construction, alteration, and maintenance of certain
1092 surface water management systems without the action of
1093 the department or a water management district;
1094 specifying conditions for the general permits;
1095 amending s. 403.853, F.S.; providing for the
1096 department, or a local county health department
1097 designated by the department, to perform sanitary
1098 surveys for certain transient noncommunity water

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1099 systems; amending s. 403.973, F.S.; authorizing
1100 expedited permitting for certain commercial or
1101 industrial development projects that individually or
1102 collectively will create a minimum number of jobs;
1103 providing for a project-specific memorandum of
1104 agreement to apply to a project subject to expedited
1105 permitting; clarifying the authority of the department
1106 to enter final orders for the issuance of certain
1107 licenses; revising criteria for the review of certain
1108 sites; amending s. 526.203, F.S.; revising the
1109 definitions of the terms "blended gasoline" and
1110 "unblended gasoline"; defining the term "alternative
1111 fuel"; authorizing the sale of unblended fuels for
1112 certain uses; providing that holders of valid permits
1113 or other authorizations are not required to make
1114 payments to authorizing agencies for use of certain
1115 extensions granted under chapter 2011-139, Laws of
1116 Florida; providing an effective date.