

Amendment No.

CHAMBER ACTION

Senate

House

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Representatives Trujillo and Diaz, M. offered the following:

**Amendment (with directory and title amendments)**

Remove lines 111-302 and insert:

2018, and thereafter. To pay for seepage mitigation projects, including groundwater and surface water management structures designed to improve wetland habitat and approved by the Lake Belt Mitigation Committee, and to upgrade a water treatment plant that treats water coming from the Northwest Wellfield in Miami-Dade County, a water treatment plant upgrade fee is imposed within the same Lake Belt Area subject to the mitigation fee and upon the same kind of mined limerock and sand subject to the mitigation fee. The water treatment plant upgrade fee imposed by this section ~~subsection~~ for each ton of limerock and

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15 sand sold shall be 6 ~~15~~ cents per ton, and the collection of  
16 this fee shall cease once the total amount of proceeds collected  
17 for this fee reaches the amount of the actual moneys necessary  
18 to design and construct the water treatment plant upgrade, as  
19 determined in an open, public solicitation process. The water  
20 treatment plant upgrade fee imposed by this section expires July  
21 1, 2018. Any limerock or sand that is used within the mine from  
22 which the limerock or sand is extracted is exempt from the fees.  
23 The amount of the mitigation fee and the water treatment plant  
24 upgrade fee imposed under this section must be stated separately  
25 on the invoice provided to the purchaser of the limerock or sand  
26 product from the limerock or sand miner, or its subsidiary or  
27 affiliate, for which the fee or fees apply. The limerock or sand  
28 miner, or its subsidiary or affiliate, who sells the limerock or  
29 sand product shall collect the mitigation fee and the water  
30 treatment plant upgrade fee and forward the proceeds of the fees  
31 to the Department of Revenue on or before the 20th day of the  
32 month following the calendar month in which the sale occurs. The  
33 proceeds of a fee imposed by this section include all funds  
34 collected and received by the Department of Revenue relating to  
35 the fee, including interest and penalties on a delinquent fee.  
36 The amount deducted for administrative costs may not exceed 3  
37 percent of the total revenues collected under this section and  
38 may equal only those administrative costs reasonably  
39 attributable to the fee.

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40 (3) The mitigation fee and the water treatment plant  
41 upgrade fee imposed by this section must be reported to the  
42 Department of Revenue. Payment of the mitigation and the water  
43 treatment plant upgrade fees must be accompanied by a form  
44 prescribed by the Department of Revenue.

45 (a) The proceeds of the mitigation fee, less  
46 administrative costs, must be transferred by the Department of  
47 Revenue to the South Florida Water Management District and  
48 deposited into the Lake Belt Mitigation Trust Fund.

49 ~~(b) Beginning July 1, 2012, the proceeds of the water~~  
50 ~~treatment plant upgrade fee, less administrative costs, must be~~  
51 ~~transferred by the Department of Revenue to the South Florida~~  
52 ~~Water Management District and deposited into the Lake Belt~~  
53 ~~Mitigation Trust Fund until:~~

54 ~~1. A total of \$20 million from the proceeds of the water~~  
55 ~~treatment plant upgrade fee, less administrative costs, is~~  
56 ~~deposited into the Lake Belt Mitigation Trust Fund; or~~

57 ~~2. The quarterly pathogen sampling conducted as a~~  
58 ~~condition of the permits issued by the department for rock~~  
59 ~~mining activities in the Miami-Dade County Lake Belt Area~~  
60 ~~demonstrates that the water in any quarry lake in the vicinity~~  
61 ~~of the Northwest Wellfield would be classified as being in Bin 2~~  
62 ~~or higher as defined in the Environmental Protection Agency's~~  
63 ~~Long Term 2 Enhanced Surface Water Treatment Rule.~~

64 ~~(b)(c) Upon the earliest occurrence of the criterion under~~  
65 ~~subparagraph (b)1. or subparagraph (b)2., The proceeds of the~~

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66 water treatment plant upgrade fee, less administrative costs and  
67 less 2 cents per ton transferred pursuant to paragraph (c), must  
68 be transferred by the Department of Revenue to a trust fund  
69 established by Miami-Dade County, for the sole purpose  
70 authorized by paragraph (6) (a).

71 (c) Until December 1, 2016, or until funding for the study  
72 is complete, whichever comes earlier, 2 cents per ton, not to  
73 exceed \$300,000, shall be transferred by the Department of  
74 Revenue to the State Fire Marshal to be used to fund the study  
75 required under s. 552.30 to review the established statewide  
76 ground vibration limits for construction materials mining  
77 activities and to review any legitimate claims paid for damages  
78 caused by such mining activities. Any amount not used to fund  
79 the study shall be transferred to the trust fund established by  
80 Miami-Dade County, for the sole purpose authorized by paragraph  
81 (6) (a).

82 (6) (a) The proceeds of the mitigation fee must be used to  
83 conduct mitigation activities that are appropriate to offset the  
84 loss of the value and functions of wetlands as a result of  
85 mining activities and to conduct water quality monitoring to  
86 ensure the protection of water resources within the Lake Belt  
87 Area and be approved by the Miami-Dade County Lake Belt  
88 Mitigation Committee. Such mitigation may include the purchase,  
89 enhancement, restoration, and management of wetlands and uplands  
90 in the Everglades watershed, the purchase of mitigation credit  
91 from a permitted mitigation bank, and any structural

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92 modifications to the existing drainage system to enhance the  
93 hydrology of the Miami-Dade County Lake Belt Area or the  
94 Everglades watershed. Funds may also be used to reimburse other  
95 funding sources, including the Save Our Rivers Land Acquisition  
96 Program, the Internal Improvement Trust Fund, the South Florida  
97 Water Management District, and Miami-Dade County, for the  
98 purchase of lands that were acquired in areas appropriate for  
99 mitigation due to rock mining and to reimburse governmental  
100 agencies that exchanged land under s. 373.4149 for mitigation  
101 due to rock mining. The proceeds of the water treatment plant  
102 upgrade fee deposited into the Lake Belt Mitigation Trust Fund  
103 shall be used solely to pay for seepage mitigation projects,  
104 including groundwater or surface water management structures  
105 designed to improve wetland habitat and approved by the Lake  
106 Belt Mitigation Committee. The proceeds of the water treatment  
107 plant upgrade fee which are transmitted to a trust fund  
108 established by Miami-Dade County shall be used to upgrade a  
109 water treatment plant that treats water coming from the  
110 Northwest Wellfield in Miami-Dade County. As used in this  
111 section, the terms "upgrade a water treatment plant" or  
112 "treatment plant upgrade" mean those works necessary to treat or  
113 filter a surface water source or supply or both.

114 (b) Expenditures of the mitigation fee must be approved by  
115 an interagency committee consisting of representatives from each  
116 of the following: the Miami-Dade County Department of  
117 Environmental Resource Management, the Department of

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118 Environmental Protection, the South Florida Water Management  
119 District, and the Fish and Wildlife Conservation Commission. In  
120 addition, the limerock mining industry shall select a  
121 representative to serve as a nonvoting member of the interagency  
122 committee. At the discretion of the committee, additional  
123 members may be added to represent federal regulatory,  
124 environmental, and fish and wildlife agencies.

125 ~~(8) If a general permit by the United States Army Corps of~~  
126 ~~Engineers, or an appropriate long term permit for mining,~~  
127 ~~consistent with the Miami Dade County Lake Belt Plan, this~~  
128 ~~section, and ss. 373.4149, 373.4415, and 378.4115 is not issued~~  
129 ~~on or before September 30, 2000, the fee imposed by this section~~  
130 ~~is suspended until revived by the Legislature.~~

131 (8) (a) The Legislature finds that more than 1,000 water  
132 samples from quarry lakes and groundwater sources near the  
133 Northwest Wellfield have been analyzed without a single  
134 detection of pathogens. The Legislature further finds that the  
135 best available science indicates that there is no connection  
136 between the quarry lakes in the Miami-Dade County Lake Belt and  
137 any potential need to upgrade the water treatment plant that  
138 receives water from the Northwest Wellfield for pathogen removal  
139 and none is expected in the future.

140 (b) To assist the Legislature in determining whether a  
141 portion of the limestone mining fee should be dedicated to a  
142 treatment plant upgrade through July 1, 2018, pursuant to  
143 subsection (2), Miami-Dade County shall:

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144 1. By January 15, 2016, submit to the President of the  
145 Senate and the Speaker of the House of Representatives a  
146 detailed accounting of the Lake Belt fees collected through June  
147 30, 2015, and all expenditures of those fees; and

148 2. By January 15, 2017, submit to the President of the  
149 Senate and the Speaker of the House of Representatives a  
150 detailed report on all pathogen data collection and analyses  
151 related to the Northwest Wellfield and the planning and  
152 engineering studies undertaken to upgrade any water treatment  
153 plant to provide treatment for pathogens in water from the  
154 Northwest Wellfield.

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**D I R E C T O R Y A M E N D M E N T**

Remove line 65 and insert:

Section 2. Sections (1), (2), (3), (6), and (8) of section  
373.41492, Florida Statutes, are amended, subsection (9) is  
renumbered as subsection (8), and a new subsection (9) is added  
to that section,

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

Remove lines 16-28 and insert:

certain dates; decreasing the amount of the per-ton  
water treatment plant upgrade fee; requiring that a  
portion of the proceeds from the per-ton water

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170 treatment plant upgrade fee be used to fund a study  
171 reviewing certain mining activities and claims  
172 relating to such activities; adding water quality  
173 monitoring to the required uses for mitigation fee  
174 proceeds; providing for expiration of the water  
175 treatment plant upgrade fee; removing a requirement  
176 that uses of the mitigation fee proceeds be approved  
177 by the Miami-Dade County Lake Belt Mitigation  
178 Committee; deleting an obsolete provision; providing  
179 legislative findings with respect to certain water  
180 treatment plant upgrades; requiring Miami-Dade County  
181 to submit certain reports to the Legislature;  
182 reenacting s.

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