

By Senator Rodriguez

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1 A bill to be entitled
2 An act relating to the Everglades Protection Area;
3 amending s. 377.24, F.S.; prohibiting the Department
4 of Environmental Protection from granting permits for
5 the drilling of wells for oil or gas within the
6 Everglades Protection Area; amending s. 377.242, F.S.;
7 prohibiting the department from issuing permits for or
8 constructing structures intended for the drilling for,
9 or production of, oil, gas, or other petroleum
10 products within the Everglades Protection Area;
11 providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Subsections (5), (6), (7), and (9) of section
16 377.24, Florida Statutes, are amended, and subsection (10) is
17 added to that section, to read:

18 377.24 Notice of intention to drill well; permits;
19 abandoned wells and dry holes.—

20 (5) A ~~No~~ permit to drill a gas or oil well may not ~~shall~~ be
21 granted within the corporate limits of any municipality, unless
22 the governing authority of the municipality shall have first
23 duly approved the application for such permit by resolution.

24 (6) A ~~No~~ permit to drill a gas or oil well may not ~~shall~~ be
25 granted at a location in the tidal waters of the state, abutting
26 or immediately adjacent to the corporate limits of a
27 municipality or within 3 miles of such corporate limits
28 extending from the line of mean high tide into such waters,
29 unless the governing authority of the municipality shall have

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30 first duly approved the application for such permit by
31 resolution.

32 (7) A ~~Ne~~ permit to drill a gas or oil well may not ~~shall~~ be
33 granted on any improved beach, located outside of an
34 incorporated town or municipality, or at a location in the tidal
35 waters of the state abutting or immediately adjacent to an
36 improved beach, or within 3 miles of an improved beach extending
37 from the line of mean high tide into such tidal waters, unless
38 the county commissioners of the county in which such beach is
39 located shall have first duly approved the application for such
40 permit by resolution.

41 (9) Without exception, after July 1, 1989, a ~~ne~~ permit to
42 drill a well in search of oil or gas may not ~~shall~~ be granted
43 south of 26°00'00" north latitude off Florida's west coast and
44 south of 27°00'00" north latitude off Florida's east coast,
45 within the boundaries of Florida's territorial seas as defined
46 in 43 U.S.C. 1301. After July 31, 1990, no permit to drill a
47 well in search of oil or gas shall be granted north of 26°00'00"
48 north latitude off Florida's west coast to the western boundary
49 of the state bordering Alabama as set forth in s. 1, Art. II of
50 the State Constitution, or located north of 27°00'00" north
51 latitude off Florida's east coast to the northern boundary of
52 the state bordering Georgia as set forth in s. 1, Art. II of the
53 State Constitution, within the boundaries of Florida's
54 territorial seas as defined in 43 U.S.C. 1301.

55 (10) A permit to drill a gas or oil well may not be granted
56 within the Everglades Protection Area as defined in s.
57 373.4592(2).

58 Section 2. Paragraph (a) of subsection (1) of section

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59 377.242, Florida Statutes, is amended to read:

60 377.242 Permits for drilling or exploring and extracting
61 through well holes or by other means.—The department is vested
62 with the power and authority:

63 (1) (a) To issue permits for the drilling for, exploring
64 for, or production of oil, gas, or other petroleum products
65 which are to be extracted from below the surface of the land,
66 including submerged land, only through the well hole drilled for
67 oil, gas, and other petroleum products.

68 1. A ~~No~~ structure intended for the drilling for, or
69 production of, oil, gas, or other petroleum products may not be
70 permitted or constructed on any submerged land within any bay or
71 estuary.

72 2. A ~~No~~ structure intended for the drilling for, or
73 production of, oil, gas, or other petroleum products may not be
74 permitted or constructed within 1 mile seaward of the coastline
75 of the state.

76 3. A ~~No~~ structure intended for the drilling for, or
77 production of, oil, gas, or other petroleum products may not be
78 permitted or constructed within 1 mile of the seaward boundary
79 of any state, local, or federal park or aquatic or wildlife
80 preserve or on the surface of a freshwater lake, river, or
81 stream.

82 4. A ~~No~~ structure intended for the drilling for, or
83 production of, oil, gas, or other petroleum products may not be
84 permitted or constructed within 1 mile inland from the shoreline
85 of the Gulf of Mexico, the Atlantic Ocean, or any bay or estuary
86 or within 1 mile of any freshwater lake, river, or stream unless
87 the department is satisfied that the natural resources of such

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88 bodies of water and shore areas of the state will be adequately
89 protected in the event of accident or blowout.

90 5. Without exception, after July 1, 1989, a ~~ne~~ structure
91 intended for the drilling for, or production of, oil, gas, or
92 other petroleum products may not be permitted or constructed
93 south of 26°00'00" north latitude off Florida's west coast and
94 south of 27°00'00" north latitude off Florida's east coast,
95 within the boundaries of Florida's territorial seas as defined
96 in 43 U.S.C. s. 1301. After July 31, 1990, a ~~ne~~ structure
97 intended for the drilling for, or production of, oil, gas, or
98 other petroleum products may not be permitted or constructed
99 north of 26°00'00" north latitude off Florida's west coast to
100 the western boundary of the state bordering Alabama as set forth
101 in s. 1, Art. II of the State Constitution, or located north of
102 27°00'00" north latitude off Florida's east coast to the
103 northern boundary of the state bordering Georgia as set forth in
104 s. 1, Art. II of the State Constitution, within the boundaries
105 of Florida's territorial seas as defined in 43 U.S.C. s. 1301.

106 6. Without exception, a structure intended for the drilling
107 for, or production of, oil, gas, or other petroleum products may
108 not be permitted or constructed within any portion of the
109 Everglades Protection Area as defined in s. 373.4592(2).
110

111 Each permit shall contain an agreement by the permit holder that
112 the permit holder will not prevent inspection by division
113 personnel at any time. The provisions of this section
114 prohibiting permits for drilling or exploring for oil in coastal
115 waters do not apply to any leases entered into before June 7,
116 1991.

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Section 3. This act shall take effect July 1, 2021.