

1 A bill to be entitled
2 An act relating to environmental regulation; amending
3 s. 125.022, F.S.; prohibiting a county from requiring
4 an applicant to obtain a permit or approval from any
5 state or federal agency as a condition of processing a
6 development permit under certain conditions;
7 authorizing a county to attach certain disclaimers to
8 the issuance of a development permit; creating s.
9 161.032, F.S.; requiring that the Department of
10 Environmental Protection review an application for
11 certain permits under the Beach and Shore Preservation
12 Act and request additional information within a
13 specified time; requiring that the department proceed
14 to process the application if the applicant believes
15 that a request for additional information is not
16 authorized by law or rule; extending the period for an
17 applicant to timely submit additional information,
18 notwithstanding certain provisions of the
19 Administrative Procedure Act; authorizing the
20 department to issue such permits in advance of the
21 issuance of certain authorizations as provided for in
22 the Endangered Species Act under certain conditions;
23 amending s. 161.041, F.S.; prohibiting the department
24 from requiring certain sediment quality specifications
25 or turbidity standards as a permit condition;
26 providing legislative intent with respect to
27 permitting for beach renourishment projects; directing
28 the department to amend specified rules relating to

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29 | permitting for such projects; amending s. 163.3180,
30 | F.S.; providing an exemption to the level-of-service
31 | standards adopted under the Strategic Intermodal
32 | System for certain inland multimodal facilities;
33 | specifying project criteria; amending s. 166.033,
34 | F.S.; prohibiting a municipality from requiring an
35 | applicant to obtain a permit or approval from any
36 | state or federal agency as a condition of processing a
37 | development permit under certain conditions;
38 | authorizing a municipality to attach certain
39 | disclaimers to the issuance of a development permit;
40 | amending s. 218.075, F.S.; providing for the reduction
41 | or waiver of permit processing fees relating to
42 | projects that serve a public purpose for certain
43 | entities created by special act, local ordinance, or
44 | interlocal agreement; amending s. 258.397, F.S.;
45 | providing an exemption from a showing of extreme
46 | hardship relating to the sale, transfer, or lease of
47 | sovereignty submerged lands in the Biscayne Bay
48 | Aquatic Preserve for certain municipal applicants;
49 | providing for additional dredging and filling
50 | activities in the preserve; amending s. 373.026, F.S.;
51 | requiring the department to expand its use of
52 | Internet-based self-certification services for
53 | exemptions and permits issued by the department and
54 | water management districts; amending s. 373.4141,
55 | F.S.; reducing the time within which a permit must be
56 | approved, denied, or subject to notice of proposed

57 agency action; prohibiting a state agency or an agency
58 of the state from requiring additional permits or
59 approval from a local, state, or federal agency
60 without explicit authority; amending s. 373.4144,
61 F.S.; providing legislative intent with respect to the
62 coordination of regulatory duties among specified
63 state and federal agencies; encouraging expanded use
64 of the state programmatic general permit or regional
65 general permits; providing for a voluntary state
66 programmatic general permit for certain dredge and
67 fill activities; amending s. 373.441, F.S.; requiring
68 that certain counties or municipalities apply by a
69 specified date to the department or water management
70 district for authority to require certain permits;
71 providing that following such delegation, the
72 department or district may not regulate activities
73 that are subject to the delegation; clarifying the
74 authority of local governments to adopt pollution
75 control programs under certain conditions; providing
76 applicability with respect to solid mineral mining;
77 amending s. 376.3071, F.S.; exempting program
78 deductibles, copayments, and certain assessment report
79 requirements from expenditures under the low-scored
80 site initiative; amending s. 376.30715, F.S.;

81 providing that the transfer of a contaminated site
82 from an owner to a child of the owner or corporate
83 entity does not disqualify the site from the innocent
84 victim petroleum storage system restoration financial

85 assistance program; authorizing certain applicants to
86 reapply for financial assistance; amending s.
87 380.0657, F.S.; authorizing expedited permitting for
88 certain inland multimodal facilities that individually
89 or collectively will create a minimum number of jobs;
90 amending s. 381.0065, F.S.; limiting applicability of
91 the onsite sewage treatment and disposal system
92 evaluation and assessment program; amending s.
93 403.061, F.S.; requiring the department to establish
94 reasonable zones of mixing for discharges into
95 specified waters; providing that exceedance of certain
96 groundwater standards does not create liability for
97 site cleanup; providing that exceedance of soil
98 cleanup target levels is not a basis for enforcement
99 or cleanup; amending s. 403.087, F.S.; revising
100 conditions under which the department is authorized to
101 revoke permits for sources of air and water pollution;
102 amending s. 403.1838, F.S.; revising the definition of
103 the term "financially disadvantaged small community"
104 for the purposes of the Small Community Sewer
105 Construction Assistance Act; amending s. 403.7045,
106 F.S.; providing conditions under which sludge from an
107 industrial waste treatment works is not solid waste;
108 amending s. 403.707, F.S.; exempting the disposal of
109 solid waste monitored by certain groundwater
110 monitoring plans from specific authorization;
111 extending the duration of all permits issued to solid
112 waste management facilities that meet specified

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113 criteria; providing an exception; providing for
114 prorated permit fees; providing applicability;
115 amending s. 403.814, F.S.; providing for issuance of
116 general permits for the construction, alteration, and
117 maintenance of certain surface water management
118 systems without the action of the department or a
119 water management district; specifying conditions for
120 the general permits; amending s. 403.853, F.S.;
121 providing for the department, or a local county health
122 department designated by the department, to perform
123 sanitary surveys for certain transient noncommunity
124 water systems; amending s. 403.973, F.S.; authorizing
125 expedited permitting for certain commercial or
126 industrial development projects that individually or
127 collectively will create a minimum number of jobs;
128 providing for a project-specific memorandum of
129 agreement to apply to a project subject to expedited
130 permitting; clarifying the authority of the department
131 to enter final orders for the issuance of certain
132 licenses; revising criteria for the review of certain
133 sites; amending s. 526.203, F.S.; authorizing the sale
134 of unblended fuels for certain uses; revising the
135 deadline for completion of the installation of fuel
136 tank upgrades to secondary containment systems for
137 specified properties; providing an effective date.

138

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

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141 Section 1. Section 125.022, Florida Statutes, is amended
142 to read:

143 125.022 Development permits.—When a county denies an
144 application for a development permit, the county shall give
145 written notice to the applicant. The notice must include a
146 citation to the applicable portions of an ordinance, rule,
147 statute, or other legal authority for the denial of the permit.
148 As used in this section, the term "development permit" has the
149 same meaning as in s. 163.3164. A county may not require as a
150 condition of processing a development permit that an applicant
151 obtain a permit or approval from any state or federal agency
152 unless the agency has issued a notice of intent to deny the
153 federal or state permit before the county action on the local
154 development permit. Issuance of a development permit by a county
155 does not in any way create any rights on the part of the
156 applicant to obtain a permit from a state or federal agency and
157 does not create any liability on the part of the county for
158 issuance of the permit if the applicant fails to fulfill its
159 legal obligations to obtain requisite approvals or fulfill the
160 obligations imposed by a state or federal agency. A county may
161 attach such a disclaimer to the issuance of a development
162 permit, and may include a permit condition that all other
163 applicable state or federal permits be obtained before
164 commencement of the development. This section does not prohibit
165 a county from providing information to an applicant regarding
166 what other state or federal permits may apply.

167 Section 2. Section 161.032, Florida Statutes, is created
168 to read:

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169 161.032 Application review; request for additional
170 information.-

171 (1) Within 30 days after receipt of an application for a
172 permit under this part, the department shall review the
173 application and shall request submission of any additional
174 information the department is permitted by law to require. If
175 the applicant believes that a request for additional information
176 is not authorized by law or rule, the applicant may request a
177 hearing pursuant to s. 120.57. Within 30 days after receipt of
178 such additional information, the department shall review the
179 additional information and may request only that information
180 needed to clarify the additional information or to answer new
181 questions raised by or directly related to the additional
182 information. If the applicant believes that the request for
183 additional information by the department is not authorized by
184 law or rule, the department, at the applicant's request, shall
185 proceed to process the permit application.

186 (2) Notwithstanding s. 120.60, an applicant for a permit
187 under this part has 90 days after the date of a timely request
188 for additional information to submit the information. If an
189 applicant requires more than 90 days in order to respond to a
190 request for additional information, the applicant must notify
191 the agency processing the permit application in writing of the
192 circumstances, at which time the application shall be held in
193 active status for no more than one additional period of up to 90
194 days. Additional extensions may be granted for good cause shown
195 by the applicant. A showing that the applicant is making a
196 diligent effort to obtain the requested additional information

197 constitutes good cause. Failure of an applicant to provide the
 198 timely requested information by the applicable deadline shall
 199 result in denial of the application without prejudice.

200 (3) Notwithstanding any other provision of law, the
 201 department may issue a permit pursuant to this part in advance
 202 of the issuance of any incidental take authorization as provided
 203 for in the Endangered Species Act and its implementing
 204 regulations if the permit and authorization include a condition
 205 that authorized activities may not begin until the incidental
 206 take authorization is issued.

207 Section 3. Subsections (5) and (6) are added to section
 208 161.041, Florida Statutes, to read:

209 161.041 Permits required.—

210 (5) The department may not require as a permit condition
 211 sediment quality specifications or turbidity standards more
 212 stringent than those provided for in this chapter, chapter 373,
 213 or the Florida Administrative Code. The department may not issue
 214 guidelines that are enforceable as standards without going
 215 through the rulemaking process pursuant to chapter 120.

216 (6) As an incentive for permit applicants, it is the
 217 Legislature's intent to simplify the permitting for periodic
 218 maintenance of beach renourishment projects previously permitted
 219 and restored under the joint coastal permit process pursuant to
 220 this section or part IV of chapter 373. The department shall
 221 amend chapters 62B-41 and 62B-49 of the Florida Administrative
 222 Code to streamline the permitting process, as necessary, for
 223 periodic maintenance projects.

224 Section 4. Subsection (7) is added to section 163.3180,

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225 Florida Statutes, to read:

226 163.3180 Concurrency.—

227 (7) There shall be a limited exemption from the Strategic
228 Intermodal System adopted level-of-service standards for new or
229 redevelopment projects consistent with the local comprehensive
230 plan as inland multimodal facilities receiving or sending cargo
231 for distribution and providing cargo storage, consolidation,
232 repackaging, and transfer of goods, and which may, if developed
233 as proposed, include other intermodal terminals, related
234 transportation facilities, warehousing and distribution
235 facilities, and associated office space, light industrial,
236 manufacturing, and assembly uses. The limited exemption applies
237 if the project meets all of the following criteria:

238 (a) The project will not cause the adopted level-of-
239 service standards for the Strategic Intermodal System facilities
240 to be exceeded by more than 150 percent within the first 5 years
241 of the project's development.

242 (b) The project, upon completion, would result in the
243 creation of at least 50 full-time jobs.

244 (c) The project is compatible with existing and planned
245 adjacent land uses.

246 (d) The project is consistent with local and regional
247 economic development goals or plans.

248 (e) The project is proximate to regionally significant
249 road and rail transportation facilities.

250 (f) The project is proximate to a community having an
251 unemployment rate, as of the date of the development order
252 application, which is 10 percent or more above the statewide

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253 reported average.

254 (g) The local government has a plan, developed in
255 consultation with the Department of Transportation, for
256 mitigating any impacts to the strategic intermodal system.

257 Section 5. Section 166.033, Florida Statutes, is amended
258 to read:

259 166.033 Development permits.—When a municipality denies an
260 application for a development permit, the municipality shall
261 give written notice to the applicant. The notice must include a
262 citation to the applicable portions of an ordinance, rule,
263 statute, or other legal authority for the denial of the permit.
264 As used in this section, the term "development permit" has the
265 same meaning as in s. 163.3164. A municipality may not require
266 as a condition of processing a development permit that an
267 applicant obtain a permit or approval from any state or federal
268 agency unless the agency has issued a notice of intent to deny
269 the federal or state permit before the municipal action on the
270 local development permit. Issuance of a development permit by a
271 municipality does not in any way create any right on the part of
272 an applicant to obtain a permit from a state or federal agency
273 and does not create any liability on the part of the
274 municipality for issuance of the permit if the applicant fails
275 to fulfill its legal obligations to obtain requisite approvals
276 or fulfill the obligations imposed by a state or federal agency.
277 A municipality may attach such a disclaimer to the issuance of
278 development permits and may include a permit condition that all
279 other applicable state or federal permits be obtained before
280 commencement of the development. This section does not prohibit

281 a municipality from providing information to an applicant
 282 regarding what other state or federal permits may apply.

283 Section 6. Section 218.075, Florida Statutes, is amended
 284 to read:

285 218.075 Reduction or waiver of permit processing fees.—
 286 Notwithstanding any other provision of law, the Department of
 287 Environmental Protection and the water management districts
 288 shall reduce or waive permit processing fees for counties with a
 289 population of 50,000 or less on April 1, 1994, until such
 290 counties exceed a population of 75,000 and municipalities with a
 291 population of 25,000 or less, or for an entity created by
 292 special act, local ordinance, or interlocal agreement of such
 293 counties or municipalities, or for any county or municipality
 294 not included within a metropolitan statistical area. Fee
 295 reductions or waivers shall be approved on the basis of fiscal
 296 hardship or environmental need for a particular project or
 297 activity. The governing body must certify that the cost of the
 298 permit processing fee is a fiscal hardship due to one of the
 299 following factors:

- 300 (1) Per capita taxable value is less than the statewide
- 301 average for the current fiscal year;
- 302 (2) Percentage of assessed property value that is exempt
- 303 from ad valorem taxation is higher than the statewide average
- 304 for the current fiscal year;
- 305 (3) Any condition specified in s. 218.503(1) which results
- 306 in the county or municipality being in a state of financial
- 307 emergency;
- 308 (4) Ad valorem operating millage rate for the current

309 | fiscal year is greater than 8 mills; or

310 | (5) A financial condition that is documented in annual
311 | financial statements at the end of the current fiscal year and
312 | indicates an inability to pay the permit processing fee during
313 | that fiscal year.

314 |
315 | The permit applicant must be the governing body of a county or
316 | municipality or a third party under contract with a county or
317 | municipality or an entity created by special act, local
318 | ordinance, or interlocal agreement and the project for which the
319 | fee reduction or waiver is sought must serve a public purpose.
320 | If a permit processing fee is reduced, the total fee shall not
321 | exceed \$100.

322 | Section 7. Paragraphs (a) and (b) of subsection (3) of
323 | section 258.397, Florida Statutes, are amended to read:

324 | 258.397 Biscayne Bay Aquatic Preserve.—

325 | (3) AUTHORITY OF TRUSTEES.—The Board of Trustees of the
326 | Internal Improvement Trust Fund is authorized and directed to
327 | maintain the aquatic preserve hereby created pursuant and
328 | subject to the following provisions:

329 | (a) ~~No further~~ Sale, transfer, or lease of sovereignty
330 | submerged lands in the preserve may not ~~shall~~ be approved or
331 | consummated by the board of trustees, except upon a showing of
332 | extreme hardship on the part of the applicant and a
333 | determination by the board of trustees that such sale, transfer,
334 | or lease is in the public interest. A municipal applicant
335 | proposing a project under paragraph (b) is exempt from showing
336 | extreme hardship.

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337 (b) ~~No further~~ Dredging or filling of submerged lands of
338 the preserve may not ~~shall~~ be approved or tolerated by the board
339 of trustees except:

340 1. Such minimum dredging and spoiling as may be authorized
341 for public navigation projects or for such minimum dredging and
342 spoiling as may be constituted as a public necessity or for
343 preservation of the bay according to the expressed intent of
344 this section.

345 2. Such other alteration of physical conditions, including
346 the placement of riprap, as may be necessary to enhance the
347 quality and utility of the preserve.

348 3. Such minimum dredging and filling as may be authorized
349 for the creation and maintenance of marinas, piers, and docks
350 and their attendant navigation channels and access roads. Such
351 projects may ~~only~~ be authorized only upon a specific finding by
352 the board of trustees that there is assurance that the project
353 will be constructed and operated in a manner that will not
354 adversely affect the water quality and utility of the preserve.
355 This subparagraph does ~~shall~~ not authorize the connection of
356 upland canals to the waters of the preserve.

357 4. Such dredging as is necessary for the purpose of
358 eliminating conditions hazardous to the public health or for the
359 purpose of eliminating stagnant waters, islands, and spoil
360 banks, the dredging of which would enhance the aesthetic and
361 environmental quality and utility of the preserve and be clearly
362 in the public interest as determined by the board of trustees.

363 5. Such dredging and filling as is necessary for the
364 creation of public waterfront promenades.

365
 366 Any dredging or filling under this subsection or improvements
 367 under subsection (5) may ~~shall~~ be approved only after public
 368 notice as provided by s. 253.115.

369 Section 8. Subsection (10) is added to section 373.026,
 370 Florida Statutes, to read:

371 373.026 General powers and duties of the department.—The
 372 department, or its successor agency, shall be responsible for
 373 the administration of this chapter at the state level. However,
 374 it is the policy of the state that, to the greatest extent
 375 possible, the department may enter into interagency or
 376 interlocal agreements with any other state agency, any water
 377 management district, or any local government conducting programs
 378 related to or materially affecting the water resources of the
 379 state. All such agreements shall be subject to the provisions of
 380 s. 373.046. In addition to its other powers and duties, the
 381 department shall, to the greatest extent possible:

382 (10) Expand the use of Internet-based self-certification
 383 services for appropriate exemptions and general permits issued
 384 by the department and the water management districts, if such
 385 expansion is economically feasible. In addition to expanding the
 386 use of Internet-based self-certification services for
 387 appropriate exemptions and general permits, the department and
 388 water management districts shall identify and develop general
 389 permits for appropriate activities currently requiring
 390 individual review which could be expedited through the use of
 391 applicable professional certification.

392 Section 9. Subsection (2) of section 373.4141, Florida

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393 Statutes, is amended, and subsection (4) is added to that
 394 section, to read:

395 373.4141 Permits; processing.—

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

401 (4) A state agency or an agency of the state may not
 402 require as a condition of approval for a permit or as an item to
 403 complete a pending permit application that an applicant obtain a
 404 permit or approval from any other local, state, or federal
 405 agency without explicit statutory authority to require such
 406 permit or approval.

407 Section 10. Section 373.4144, Florida Statutes, is amended
 408 to read:

409 373.4144 Federal environmental permitting.—

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

411 (a) Facilitate coordination and a more efficient process
 412 of implementing regulatory duties and functions between the
 413 Department of Environmental Protection, the water management
 414 districts, the United States Army Corps of Engineers, the United
 415 States Fish and Wildlife Service, the National Marine Fisheries
 416 Service, the United States Environmental Protection Agency, the
 417 Fish and Wildlife Conservation Commission, and other relevant
 418 federal and state agencies.

419 (b) Authorize the Department of Environmental Protection
 420 to obtain issuance by the United States Army Corps of Engineers,

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421 pursuant to state and federal law and as set forth in this
422 section, of an expanded state programmatic general permit, or a
423 series of regional general permits, for categories of activities
424 in waters of the United States governed by the Clean Water Act
425 and in navigable waters under the Rivers and Harbors Act of 1899
426 which are similar in nature, which will cause only minimal
427 adverse environmental effects when performed separately, and
428 which will have only minimal cumulative adverse effects on the
429 environment.

430 (c) Use the mechanism of such a state general permit or
431 such regional general permits to eliminate overlapping federal
432 regulations and state rules that seek to protect the same
433 resource and to avoid duplication of permitting between the
434 United States Army Corps of Engineers and the department for
435 minor work located in waters of the United States, including
436 navigable waters, thus eliminating, in appropriate cases, the
437 need for a separate individual approval from the United States
438 Army Corps of Engineers while ensuring the most stringent
439 protection of wetland resources.

440 (d) Direct the department not to seek issuance of or take
441 any action pursuant to any such permit or permits unless such
442 conditions are at least as protective of the environment and
443 natural resources as existing state law under this part and
444 federal law under the Clean Water Act and the Rivers and Harbors
445 Act of 1899. The department is directed to develop, on or before
446 October 1, 2005, a mechanism or plan to consolidate, to the
447 maximum extent practicable, the federal and state wetland
448 permitting programs. It is the intent of the Legislature that

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449 ~~all dredge and fill activities impacting 10 acres or less of~~
450 ~~wetlands or waters, including navigable waters, be processed by~~
451 ~~the state as part of the environmental resource permitting~~
452 ~~program implemented by the department and the water management~~
453 ~~districts. The resulting mechanism or plan shall analyze and~~
454 ~~propose the development of an expanded state programmatic~~
455 ~~general permit program in conjunction with the United States~~
456 ~~Army Corps of Engineers pursuant to s. 404 of the Clean Water~~
457 ~~Act, Pub. L. No. 92-500, as amended, 33 U.S.C. ss. 1251 et seq.,~~
458 ~~and s. 10 of the Rivers and Harbors Act of 1899. Alternatively,~~
459 ~~or in combination with an expanded state programmatic general~~
460 ~~permit, the mechanism or plan may propose the creation of a~~
461 ~~series of regional general permits issued by the United States~~
462 ~~Army Corps of Engineers pursuant to the referenced statutes. All~~
463 ~~of the regional general permits must be administered by the~~
464 ~~department or the water management districts or their designees.~~

465 (2) In order to effectuate efficient wetland permitting
466 and avoid duplication, the department and water management
467 districts are authorized to implement a voluntary state
468 programmatic general permit for all dredge and fill activities
469 impacting 3 acres or less of wetlands or other surface waters,
470 including navigable waters, subject to agreement with the United
471 States Army Corps of Engineers, if the general permit is at
472 least as protective of the environment and natural resources as
473 existing state law under this part and federal law under the
474 Clean Water Act and the Rivers and Harbors Act of 1899. The
475 ~~department is directed to file with the Speaker of the House of~~
476 ~~Representatives and the President of the Senate a report~~

477 ~~proposing any required federal and state statutory changes that~~
 478 ~~would be necessary to accomplish the directives listed in this~~
 479 ~~section and to coordinate with the Florida Congressional~~
 480 ~~Delegation on any necessary changes to federal law to implement~~
 481 ~~the directives.~~

482 (3) ~~Nothing in~~ This section may not ~~shall~~ be construed to
 483 preclude the department from pursuing a series of regional
 484 general permits for construction activities in wetlands or
 485 surface waters or complete assumption of federal permitting
 486 programs regulating the discharge of dredged or fill material
 487 pursuant to s. 404 of the Clean Water Act, Pub. L. No. 92-500,
 488 as amended, 33 U.S.C. ss. 1251 et seq., and s. 10 of the Rivers
 489 and Harbors Act of 1899, so long as the assumption encompasses
 490 all dredge and fill activities in, on, or over jurisdictional
 491 wetlands or waters, including navigable waters, within the
 492 state.

493 Section 11. Present subsections (3), (4), and (5) of
 494 section 373.441, Florida Statutes, are renumbered as subsections
 495 (7), (8), and (9), respectively, and new subsections (3), (4),
 496 (5), and (6) are added to that section to read:

497 373.441 Role of counties, municipalities, and local
 498 pollution control programs in permit processing; delegation.—

499 (3) A county or municipality having a population of
 500 400,000 or more that implements a local pollution control
 501 program regulating all or a portion of the wetlands or surface
 502 waters throughout its geographic boundary must apply for
 503 delegation of state environmental resource permitting authority
 504 on or before January 1, 2014. If such a county or municipality

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505 fails to receive delegation of all or a portion of state
506 environmental resource permitting authority within 2 years after
507 submitting its application for delegation or by January 1, 2016,
508 at the latest, it may not require permits that in part or in
509 full are substantially similar to the requirements needed to
510 obtain an environmental resource permit. A county or
511 municipality that has received delegation before January 1,
512 2014, does not need to reapply.

513 (4) The department is responsible for all delegations of
514 state environmental resource permitting authority to local
515 governments. The department must grant or deny an application
516 for delegation submitted by a county or municipality that meets
517 the criteria in subsection (3) within 2 years after the receipt
518 of the application. If an application for delegation is denied,
519 any available legal challenge to such denial shall toll the
520 preemption deadline until resolution of the legal challenge.
521 Upon delegation to a qualified local government, the department
522 and water management district may not regulate the activities
523 subject to the delegation within that jurisdiction.

524 (5) This section does not prohibit or limit a local
525 government that meets the criteria in subsection (3) from
526 regulating wetlands or surface waters after January 1, 2014, if
527 the local government receives delegation of all or a portion of
528 state environmental resource permitting authority within 2 years
529 after submitting its application for delegation.

530 (6) Notwithstanding subsections (3), (4), and (5), this
531 section does not apply to environmental resource permitting or
532 reclamation applications for solid mineral mining and does not

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533 prohibit the application of local government regulations to any
534 new solid mineral mine or any proposed addition to, change to,
535 or expansion of an existing solid mineral mine.

536 Section 12. Paragraph (b) of subsection (11) of section
537 376.3071, Florida Statutes, is amended to read:

538 376.3071 Inland Protection Trust Fund; creation; purposes;
539 funding.—

540 (11)

541 (b) Low-scored site initiative.—Notwithstanding s.
542 376.30711, any site with a priority ranking score of 10 points
543 or less may voluntarily participate in the low-scored site
544 initiative, whether or not the site is eligible for state
545 restoration funding.

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

549 a. Upon reassessment pursuant to department rule, the site
550 retains a priority ranking score of 10 points or less.

551 b. No excessively contaminated soil, as defined by
552 department rule, exists onsite as a result of a release of
553 petroleum products.

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

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

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

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561 is confined to the source property boundaries of the real
562 property on which the discharge originated.

563 f. Soils onsite that are subject to human exposure found
564 between land surface and 2 feet below land surface meet the soil
565 cleanup target levels established by department rule or human
566 exposure is limited by appropriate institutional or engineering
567 controls.

568 2. Upon affirmative demonstration of the conditions under
569 subparagraph 1., the department shall issue a determination of
570 "No Further Action." Such determination acknowledges that
571 minimal contamination exists onsite and that such contamination
572 is not a threat to human health or the environment. If no
573 contamination is detected, the department may issue a site
574 rehabilitation completion order.

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

578 a. A responsible party or property owner may submit an
579 assessment plan designed to affirmatively demonstrate that the
580 site meets the conditions under subparagraph 1. Notwithstanding
581 the priority ranking score of the site, the department may
582 preapprove the cost of the assessment pursuant to s. 376.30711,
583 including 6 months of groundwater monitoring, not to exceed
584 \$30,000 for each site. The department may not pay the costs
585 associated with the establishment of institutional or
586 engineering controls.

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

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

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

598 Section 13. Section 376.30715, Florida Statutes, is
599 amended to read:

600 376.30715 Innocent victim petroleum storage system
601 restoration.—A contaminated site acquired by the current owner
602 prior to July 1, 1990, which has ceased operating as a petroleum
603 storage or retail business prior to January 1, 1985, is eligible
604 for financial assistance pursuant to s. 376.305(6),
605 notwithstanding s. 376.305(6)(a). For purposes of this section,
606 the term "acquired" means the acquisition of title to the
607 property; however, a subsequent transfer of the property to a
608 spouse or child of the owner, a surviving spouse or child of the
609 owner in trust or free of trust, ~~or~~ a revocable trust created
610 for the benefit of the settlor, or a corporate entity created by
611 the owner to hold title to the site does not disqualify the site
612 from financial assistance pursuant to s. 376.305(6) and
613 applicants previously denied coverage may reapply. Eligible
614 sites shall be ranked in accordance with s. 376.3071(5).

615 Section 14. Subsection (1) of section 380.0657, Florida
616 Statutes, is amended to read:

617 380.0657 Expedited permitting process for economic
 618 development projects.—

619 (1) The Department of Environmental Protection and, as
 620 appropriate, the water management districts created under
 621 chapter 373 shall adopt programs to expedite the processing of
 622 wetland resource and environmental resource permits for economic
 623 development projects that have been identified by a municipality
 624 or county as meeting the definition of target industry
 625 businesses under s. 288.106, or any inland multimodal facility
 626 receiving or sending cargo to or from Florida ports, with the
 627 exception of those projects requiring approval by the Board of
 628 Trustees of the Internal Improvement Trust Fund.

629 Section 15. Paragraph (j) is added to subsection (5) of
 630 section 381.0065, Florida Statutes, to read:

631 381.0065 Onsite sewage treatment and disposal systems;
 632 regulation.—

633 (5) EVALUATION AND ASSESSMENT.—

634 (j) This subsection only applies to owners of onsite
 635 sewage treatment and disposal systems in a county in which the
 636 board of county commissioners has adopted a resolution
 637 subjecting owners to the requirements of the program and
 638 submitted a copy of the resolution to the department.

639 Section 16. Subsection (11) of section 403.061, Florida
 640 Statutes, is amended to read:

641 403.061 Department; powers and duties.—The department
 642 shall have the power and the duty to control and prohibit
 643 pollution of air and water in accordance with the law and rules
 644 adopted and promulgated by it and, for this purpose, to:

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645 (11) Establish ambient air quality and water quality
646 standards for the state as a whole or for any part thereof, and
647 also standards for the abatement of excessive and unnecessary
648 noise. The department is authorized to establish reasonable
649 zones of mixing for discharges into waters. For existing
650 installations as defined by rule 62-520.200(10), Florida
651 Administrative Code, effective July 12, 2009, zones of discharge
652 to groundwater are authorized to a facility's or owner's
653 property boundary and extending to the base of a specifically
654 designated aquifer or aquifers. Exceedance of primary and
655 secondary groundwater standards that occur within a zone of
656 discharge does not create liability pursuant to this chapter or
657 chapter 376 for site cleanup, and the exceedance of soil cleanup
658 target levels is not a basis for enforcement or site cleanup.

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

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

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

668 3. The discharge does not cause a measurable increase in
669 the degree of noncompliance with the standard at the boundary of
670 the mixing zone; and

671 4. The discharge otherwise complies with the mixing zone
672 provisions specified in department rules.

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

675 1. Sources that have received permits from the department
 676 prior to April 1, 1982, or the date of designation, whichever is
 677 later;

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

680 3. Discharges of water necessary for water management
 681 purposes which have been approved by the governing board of a
 682 water management district and, if required by law, by the
 683 secretary; and

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

688 (c) The department, by rule, shall establish water quality
 689 criteria for wetlands which criteria give appropriate
 690 recognition to the water quality of such wetlands in their
 691 natural state.

692
 693 ~~Nothing in~~ This act may not be ~~shall~~ be construed to invalidate
 694 any existing department rule relating to mixing zones. The
 695 department shall cooperate with the Department of Highway Safety
 696 and Motor Vehicles in the development of regulations required by
 697 s. 316.272(1).

698
 699 The department shall implement such programs in conjunction with
 700 its other powers and duties and shall place special emphasis on

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701 reducing and eliminating contamination that presents a threat to
 702 humans, animals or plants, or to the environment.

703 Section 17. Subsection (7) of section 403.087, Florida
 704 Statutes, is amended to read:

705 403.087 Permits; general issuance; denial; revocation;
 706 prohibition; penalty.—

707 (7) A permit issued pursuant to this section does ~~shall~~
 708 not become a vested right in the permittee. The department may
 709 revoke any permit issued by it if it finds that the permit holder
 710 has:

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

713 (b) ~~Has~~ Violated law, department orders, rules, ~~or~~
 714 ~~regulations~~, or ~~permit~~ conditions;

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

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

721 Section 18. Subsection (2) of section 403.1838, Florida
 722 Statutes, is amended to read:

723 403.1838 Small Community Sewer Construction Assistance
 724 Act.—

725 (2) The department shall use funds specifically
 726 appropriated to award grants under this section to assist
 727 financially disadvantaged small communities with their needs for
 728 adequate sewer facilities. For purposes of this section, the

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729 term "financially disadvantaged small community" means a
730 municipality that has ~~with~~ a population of 10,000 ~~7,500~~ or fewer
731 ~~less~~, according to the latest decennial census and a per capita
732 annual income less than the state per capita annual income as
733 determined by the United States Department of Commerce.

734 Section 19. Paragraph (f) of subsection (1) of section
735 403.7045, Florida Statutes, is amended to read:

736 403.7045 Application of act and integration with other
737 acts.—

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

740 (f) Industrial byproducts, if:

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

743 2. The industrial byproducts are not discharged,
744 deposited, injected, dumped, spilled, leaked, or placed upon any
745 land or water so that such industrial byproducts, or any
746 constituent thereof, may enter other lands or be emitted into
747 the air or discharged into any waters, including groundwaters,
748 or otherwise enter the environment such that a threat of
749 contamination in excess of applicable department standards and
750 criteria or a significant threat to public health is caused.

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

753
754 Sludge from an industrial waste treatment works that meets the
755 exemption requirements of this paragraph is not solid waste as
756 defined in s. 403.703(32).

757 Section 20. Subsections (2) and (3) of section 403.707,
 758 Florida Statutes, are amended to read:

759 403.707 Permits.—

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

766 (a) Disposal by persons of solid waste resulting from
 767 their own activities on their own property, if such waste is
 768 ordinary household waste from their residential property or is
 769 rocks, soils, trees, tree remains, and other vegetative matter
 770 that normally result from land development operations. Disposal
 771 of materials that could create a public nuisance or adversely
 772 affect the environment or public health, such as white goods;
 773 automotive materials, such as batteries and tires; petroleum
 774 products; pesticides; solvents; or hazardous substances, is not
 775 covered under this exemption.

776 (b) Storage in containers by persons of solid waste
 777 resulting from their own activities on their property, leased or
 778 rented property, or property subject to a homeowners' ~~homeowners~~
 779 or maintenance association for which the person contributes
 780 association assessments, if the solid waste in such containers
 781 is collected at least once a week.

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

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

788 2. Addressed or authorized by, or exempted from the
789 requirement to obtain, a groundwater monitoring plan approved by
790 the department. If a facility has a permit authorizing disposal
791 activity, new areas where solid waste is being disposed of which
792 are monitored by an existing or modified groundwater monitoring
793 plan are not required to be specifically authorized in a permit
794 or other certification.

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

798 (e) Disposal of solid waste resulting from normal farming
799 operations as defined by department rule. Polyethylene
800 agricultural plastic, damaged, nonsalvageable, untreated wood
801 pallets, and packing material that cannot be feasibly recycled,
802 which are used in connection with agricultural operations
803 related to the growing, harvesting, or maintenance of crops, may
804 be disposed of by open burning if a public nuisance or any
805 condition adversely affecting the environment or the public
806 health is not created by the open burning and state or federal
807 ambient air quality standards are not violated.

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

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

816 (3) (a) All applicable provisions of ss. 403.087 and
 817 403.088, relating to permits, apply to the control of solid
 818 waste management facilities.

819 (b) Any permit issued to a solid waste management facility
 820 that is designed with a leachate control system that meets
 821 department requirements shall be issued for a term of 20 years
 822 unless the applicant requests a lesser permit term. Existing
 823 permit fees for qualifying solid waste management facilities
 824 shall be prorated to the permit term authorized by this section.
 825 This paragraph applies to all qualifying solid waste management
 826 facilities that apply for an operating or construction permit or
 827 renew an existing operating or construction permit on or after
 828 July 1, 2012.

829 Section 21. Subsection (12) is added to section 403.814,
 830 Florida Statutes, to read:

831 403.814 General permits; delegation.—

832 (12) A general permit shall be granted for the
 833 construction, alteration, and maintenance of a surface water
 834 management system serving a total project area of up to 10
 835 acres. The construction of such a system may proceed without any
 836 agency action by the department or water management district if:

837 (a) The total project area is less than 10 acres;

838 (b) The total project area involves less than 2 acres of
 839 impervious surface;

840 (c) No activities will impact wetlands or other surface

841 waters;
 842 (d) No activities are conducted in, on, or over wetlands
 843 or other surface waters;
 844 (e) Drainage facilities will not include pipes having
 845 diameters greater than 24 inches, or the hydraulic equivalent,
 846 and will not use pumps in any manner;
 847 (f) The project is not part of a larger common plan,
 848 development, or sale;
 849 (g) The project does not:
 850 1. Cause adverse water quantity or flooding impacts to
 851 receiving water and adjacent lands;
 852 2. Cause adverse impacts to existing surface water storage
 853 and conveyance capabilities;
 854 3. Cause a violation of state water quality standards; or
 855 4. Cause an adverse impact to the maintenance of surface
 856 or ground water levels or surface water flows established
 857 pursuant to s. 373.042 or a work of the district established
 858 pursuant to s. 373.086; and
 859 (h) The surface water management system design plans are
 860 signed and sealed by a Florida registered professional who
 861 attests that the system will perform and function as proposed
 862 and has been designed in accordance with appropriate, generally
 863 accepted performance standards and scientific principles.
 864 Section 22. Subsection (6) of section 403.853, Florida
 865 Statutes, is amended to read:
 866 403.853 Drinking water standards.—
 867 (6) Upon the request of the owner or operator of a
 868 transient noncommunity water system using groundwater as a

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869 source of supply and serving religious institutions or
870 businesses, other than restaurants or other public food service
871 establishments or religious institutions with school or day care
872 services, ~~and using groundwater as a source of supply,~~ the
873 department, or a local county health department designated by
874 the department, shall perform a sanitary survey of the facility.
875 Upon receipt of satisfactory survey results according to
876 department criteria, the department shall reduce the
877 requirements of such owner or operator from monitoring and
878 reporting on a quarterly basis to performing these functions on
879 an annual basis. Any revised monitoring and reporting schedule
880 approved by the department under this subsection shall apply
881 until such time as a violation of applicable state or federal
882 primary drinking water standards is determined by the system
883 owner or operator, by the department, or by an agency designated
884 by the department, after a random or routine sanitary survey.
885 Certified operators are not required for transient noncommunity
886 water systems of the type and size covered by this subsection.
887 Any reports required of such system shall be limited to the
888 minimum as required by federal law. When not contrary to the
889 provisions of federal law, the department may, upon request and
890 by rule, waive additional provisions of state drinking water
891 regulations for such systems.

892 Section 23. Paragraph (a) of subsection (3) and
893 subsections (4), (5), (10), (11), (14), (15), and (18) of
894 section 403.973, Florida Statutes, are amended to read:

895 403.973 Expedited permitting; amendments to comprehensive
896 plans.—

897 (3) (a) The secretary shall direct the creation of regional
 898 permit action teams for the purpose of expediting review of
 899 permit applications and local comprehensive plan amendments
 900 submitted by:

901 1. Businesses creating at least 50 jobs or a commercial or
 902 industrial development project that will be occupied by
 903 businesses that would individually or collectively create at
 904 least 50 jobs; or

905 2. Businesses creating at least 25 jobs if the project is
 906 located in an enterprise zone, or in a county having a
 907 population of fewer than 75,000 or in a county having a
 908 population of fewer than 125,000 which is contiguous to a county
 909 having a population of fewer than 75,000, as determined by the
 910 most recent decennial census, residing in incorporated and
 911 unincorporated areas of the county.

912 (4) The regional teams shall be established through the
 913 execution of a project-specific memoranda of agreement developed
 914 and executed by the applicant and the secretary, with input
 915 solicited from ~~the Department of Economic Opportunity~~ and the
 916 respective heads of the Department of Transportation and its
 917 district offices, the Department of Agriculture and Consumer
 918 Services, the Fish and Wildlife Conservation Commission,
 919 appropriate regional planning councils, appropriate water
 920 management districts, and voluntarily participating
 921 municipalities and counties. The memoranda of agreement should
 922 also accommodate participation in this expedited process by
 923 other local governments and federal agencies as circumstances
 924 warrant.

925 (5) In order to facilitate local government's option to
 926 participate in this expedited review process, the secretary
 927 shall, in cooperation with local governments and participating
 928 state agencies, create a standard form memorandum of agreement.
 929 The standard form of the memorandum of agreement shall be used
 930 only if the local government participates in the expedited
 931 review process. In the absence of local government
 932 participation, only the project-specific memorandum of agreement
 933 executed pursuant to subsection (4) applies. A local government
 934 shall hold a duly noticed public workshop to review and explain
 935 to the public the expedited permitting process and the terms and
 936 conditions of the standard form memorandum of agreement.

937 (10) The memoranda of agreement may provide for the waiver
 938 or modification of procedural rules prescribing forms, fees,
 939 procedures, or time limits for the review or processing of
 940 permit applications under the jurisdiction of those agencies
 941 that are members of the regional permit action team ~~party to the~~
 942 ~~memoranda of agreement~~. Notwithstanding any other provision of
 943 law to the contrary, a memorandum of agreement must to the
 944 extent feasible provide for proceedings and hearings otherwise
 945 held separately ~~by the parties to the memorandum of agreement~~ to
 946 be combined into one proceeding or held jointly and at one
 947 location. Such waivers or modifications are not authorized ~~shall~~
 948 ~~not be available~~ for permit applications governed by federally
 949 delegated or approved permitting programs, the requirements of
 950 which would prohibit, or be inconsistent with, such a waiver or
 951 modification.

952 (11) The ~~standard form for~~ memoranda of agreement shall

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953 | include guidelines to be used in working with state, regional,
954 | and local permitting authorities. Guidelines may include, but
955 | are not limited to, the following:

956 | (a) A central contact point for filing permit applications
957 | and local comprehensive plan amendments and for obtaining
958 | information on permit and local comprehensive plan amendment
959 | requirements.†

960 | (b) Identification of the individual or individuals within
961 | each respective agency who will be responsible for processing
962 | the expedited permit application or local comprehensive plan
963 | amendment for that agency.†

964 | (c) A mandatory preapplication review process to reduce
965 | permitting conflicts by providing guidance to applicants
966 | regarding the permits needed from each agency and governmental
967 | entity, site planning and development, site suitability and
968 | limitations, facility design, and steps the applicant can take
969 | to ensure expeditious permit application and local comprehensive
970 | plan amendment review. As a part of this process, the first
971 | interagency meeting to discuss a project shall be held within 14
972 | days after the secretary's determination that the project is
973 | eligible for expedited review. Subsequent interagency meetings
974 | may be scheduled to accommodate the needs of participating local
975 | governments that are unable to meet public notice requirements
976 | for executing a memorandum of agreement within this timeframe.
977 | This accommodation may not exceed 45 days from the secretary's
978 | determination that the project is eligible for expedited
979 | review.†

980 | (d) The preparation of a single coordinated project

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981 description form and checklist and an agreement by state and
 982 regional agencies to reduce the burden on an applicant to
 983 provide duplicate information to multiple agencies.†

984 (e) Establishment of a process for the adoption and review
 985 of any comprehensive plan amendment needed by any certified
 986 project within 90 days after the submission of an application
 987 for a comprehensive plan amendment. However, the memorandum of
 988 agreement may not prevent affected persons as defined in s.
 989 163.3184 from appealing or participating in this expedited plan
 990 amendment process and any review or appeals of decisions made
 991 under this paragraph.†~~and~~

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

994 (14) (a) Challenges to state agency action in the expedited
 995 permitting process for projects processed under this section are
 996 subject to the summary hearing provisions of s. 120.574, except
 997 that the administrative law judge's decision, as provided in s.
 998 120.574(2)(f), shall be in the form of a recommended order and
 999 do not constitute the final action of the state agency. In those
 1000 proceedings where the action of only one agency of the state
 1001 other than the Department of Environmental Protection is
 1002 challenged, the agency of the state shall issue the final order
 1003 within 45 working days after receipt of the administrative law
 1004 judge's recommended order, and the recommended order shall
 1005 inform the parties of their right to file exceptions or
 1006 responses to the recommended order in accordance with the
 1007 uniform rules of procedure pursuant to s. 120.54. In those
 1008 proceedings where the actions of more than one agency of the

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1009 state are challenged, the Governor shall issue the final order
1010 within 45 working days after receipt of the administrative law
1011 judge's recommended order, and the recommended order shall
1012 inform the parties of their right to file exceptions or
1013 responses to the recommended order in accordance with the
1014 uniform rules of procedure pursuant to s. 120.54. For This
1015 ~~paragraph does not apply to~~ the issuance of department licenses
1016 required under any federally delegated or approved permit
1017 program. ~~In such instances,~~ the department, and not the
1018 Governor, shall enter the final order. The participating
1019 agencies of the state may opt at the preliminary hearing
1020 conference to allow the administrative law judge's decision to
1021 constitute the final agency action.

1022 (b) Projects identified in paragraph (3)(f) or challenges
1023 to state agency action in the expedited permitting process for
1024 establishment of a state-of-the-art biomedical research
1025 institution and campus in this state by the grantee under s.
1026 288.955 are subject to the same requirements as challenges
1027 brought under paragraph (a), except that, notwithstanding s.
1028 120.574, summary proceedings must be conducted within 30 days
1029 after a party files the motion for summary hearing, regardless
1030 of whether the parties agree to the summary proceeding.

1031 (15) The Department of Economic Opportunity, working with
1032 the agencies providing cooperative assistance and input
1033 regarding the memoranda of agreement, shall review sites
1034 proposed for the location of facilities that the Department of
1035 Economic Opportunity has certified to be eligible for the
1036 Innovation Incentive Program under s. 288.1089. Within 20 days

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1037 after the request for the review by the Department of Economic
 1038 Opportunity, the agencies shall provide to the Department of
 1039 Economic Opportunity a statement as to each site's necessary
 1040 permits under local, state, and federal law and an
 1041 identification of significant permitting issues, which if
 1042 unresolved, may result in the denial of an agency permit or
 1043 approval or any significant delay caused by the permitting
 1044 process.

1045 (18) The Department of Economic Opportunity, working with
 1046 the Rural Economic Development Initiative ~~and the agencies~~
 1047 ~~participating in the memoranda of agreement~~, shall provide
 1048 technical assistance in preparing permit applications and local
 1049 comprehensive plan amendments for counties having a population
 1050 of fewer than 75,000 residents, or counties having fewer than
 1051 125,000 residents which are contiguous to counties having fewer
 1052 than 75,000 residents. Additional assistance may include, but
 1053 not be limited to, guidance in land development regulations and
 1054 permitting processes, working cooperatively with state,
 1055 regional, and local entities to identify areas within these
 1056 counties which may be suitable or adaptable for preclearance
 1057 review of specified types of land uses and other activities
 1058 requiring permits.

1059 Section 24. Subsection (5) is added to section 526.203,
 1060 Florida Statutes, to read:

1061 526.203 Renewable fuel standard.—

1062 (5) SALE OF UNBLENDED FUELS.—This section does not
 1063 prohibit the sale of unblended fuels for the uses exempted under
 1064 subsection (3).

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1065 Section 25. The installation of fuel tank upgrades to
1066 secondary containment systems shall be completed by the
1067 deadlines specified in rule 62-761.510, Florida Administrative
1068 Code, Table UST. However, notwithstanding any agreements to the
1069 contrary, any fuel service station that changed ownership
1070 interest through a bona fide sale of the property between
1071 January 1, 2009, and December 31, 2009, is not required to
1072 complete the upgrades described in rule 62-761.510, Florida
1073 Administrative Code, Table UST, until December 31, 2013.

1074 Section 26. This act shall take effect July 1, 2012.