

PCB ANR 10-06

ORIGINAL

2010

1 A bill to be entitled
 2 An act relating to interagency agreements for the
 3 management of state water resources; amending s. 373.046,
 4 F.S.; removing obsolete language requiring the Secretary
 5 of Environmental Protection to submit a report relating to
 6 certain interagency agreements and environmental
 7 protection measures to the Legislature by a specified
 8 date; providing an effective date.

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

11
 12 Section 1. Subsection (4) of section 373.046, Florida
 13 Statutes, is amended to read:

14 373.046 Interagency agreements.—

15 (4) The Legislature recognizes and affirms the division of
 16 responsibilities between the department and the water management
 17 districts as set forth in ss. III. and X. of each of the
 18 operating agreements codified as rules 17-101.040(12)(a)3., 4.,
 19 and 5., Florida Administrative Code. Section IV.A.2.a. of each
 20 operating agreement regarding individual permit oversight is
 21 rescinded. The department shall be responsible for permitting
 22 those activities under part IV of this chapter which, because of
 23 their complexity and magnitude, need to be economically and
 24 efficiently evaluated at the state level, including, but not
 25 limited to, mining, hazardous waste management facilities and
 26 solid waste management facilities that do not qualify for a
 27 general permit under chapter 403. With regard to
 28 postcertification information submittals for activities

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29 | authorized under chapters 341 and 403 siting act certifications,
30 | the department, after consultation with the appropriate water
31 | management district and other agencies having applicable
32 | regulatory jurisdiction, shall be responsible for determining
33 | the permittee's compliance with conditions of certification
34 | which were based upon the nonprocedural requirements of part IV
35 | of this chapter. The Legislature authorizes the water management
36 | districts and the department to modify the division of
37 | responsibilities referenced in this section and enter into
38 | further interagency agreements by rulemaking, including
39 | incorporation by reference, pursuant to chapter 120, to provide
40 | for greater efficiency and to avoid duplication in the
41 | administration of part IV of this chapter by designating certain
42 | activities which will be regulated by either the water
43 | management districts or the department. In developing such
44 | interagency agreements, the water management districts and the
45 | department should take into consideration the technical and
46 | fiscal ability of each water management district to implement
47 | all or some of the provisions of part IV of this chapter.
48 | Nothing herein rescinds or restricts the authority of the
49 | districts to regulate silviculture and agriculture pursuant to
50 | part IV of this chapter or s. 403.927. ~~By December 10, 1993, the~~
51 | ~~secretary of the department shall submit a report to the~~
52 | ~~President of the Senate and the Speaker of the House of~~
53 | ~~Representatives regarding the efficiency of the procedures and~~
54 | ~~the division of responsibilities contemplated by this subsection~~
55 | ~~and regarding progress toward the execution of further~~
56 | ~~interagency agreements and the integration of permitting with~~

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57 | ~~sovereignty lands approval. The report also will consider the~~
58 | ~~feasibility of improving the protection of the environment~~
59 | ~~through comprehensive criteria for protection of natural~~
60 | ~~systems.~~

61 | Section 2. This act shall take effect July 1, 2010.