

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Pilon offered the following:

Amendment (with title amendment)

Between lines 550 and 551, insert:

Section 5. Paragraph (d) of subsection (6) of section 373.4136, Florida Statutes, is amended to read:

373.4136 Establishment and operation of mitigation banks.—

(6) MITIGATION SERVICE AREA.—The department or water management district shall establish a mitigation service area for each mitigation bank permit. The department or water management district shall notify and consider comments received on the proposed mitigation service area from each local government within the proposed mitigation service area. Except as provided herein, mitigation credits may be withdrawn and used only to offset adverse impacts in the mitigation service area. The boundaries of the mitigation service area shall depend upon

253955

Approved For Filing: 2/21/2012 1:22:39 PM

Amendment No.

17 the geographic area where the mitigation bank could reasonably
18 be expected to offset adverse impacts. Mitigation service areas
19 may overlap, and mitigation service areas for two or more
20 mitigation banks may be approved for a regional watershed.

21 (d) If the requirements in s. 373.414(1)(b) and (8) are
22 met, the following projects or activities regulated under this
23 part shall be eligible to use a mitigation bank, regardless of
24 whether they are located within the mitigation service area:

25 1. Projects with adverse impacts partially located within
26 the mitigation service area.

27 2. Linear projects, such as roadways, transmission lines,
28 distribution lines, pipelines, ~~or~~ railways, or seaports listed
29 in s. 311.09(1).

30 3. Projects with total adverse impacts of less than 1 acre
31 in size.

32
33
34 -----
35 **T I T L E A M E N D M E N T**

36 Between lines 35 and 36, insert:
37 amending s. 373.4136, F.S.; authorizing certain seaport projects
38 to use a mitigation bank;