



339590

LEGISLATIVE ACTION

Senate

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House

The Committee on Community Affairs (Lee) recommended the following:

Senate Amendment (with title amendment)

Delete lines 30 - 40

and insert:

(b) The Legislature recognizes the importance of mitigation banks as an appropriate and allowable mitigation alternative to permittee-responsible mitigation. However, the Legislature also recognizes that certain timing and geographical constraints could result in the unavailability of mitigation bank credits for a certain project upon completion of the project's



11 application. If state and federal mitigation credits are not
12 available to offset the adverse impacts of a project, a local
13 government may allow permittee-responsible mitigation consisting
14 of the restoration or enhancement of lands purchased and owned
15 by a local government for conservation purposes, and such
16 mitigation must conform to the permitting requirements of s.
17 373.4136. Except where a local government has allowed a public
18 or private mitigation project to be created on land it has
19 purchased for conservation purposes pursuant to this paragraph
20 ~~Notwithstanding the provisions of this section,~~ a governmental
21 entity may not create or provide mitigation for a project other
22 than its own unless the governmental entity uses land that was
23 not previously purchased for conservation and unless the
24 governmental entity provides the same financial assurances as
25 required for mitigation banks permitted under s. 373.4136. This
26 paragraph does not apply to:

27
28 ===== T I T L E A M E N D M E N T =====

29 And the title is amended as follows:

30 Delete lines 3 - 6

31 and insert:

32 373.4135, F.S.; authorizing a local government to
33 allow permittee-responsible mitigation on lands
34 purchased and owned by a local government for
35 conservation purposes under certain circumstances;
36 requiring such mitigation to meet specified
37 requirements; providing an effective date.