The Florida Senate

Interim Project Report 2000-25 *September 1999*

Committee on Comprehensive Planning, Local and Military Affairs Senator Lisa Carlton, Chairman

STREAMLINING OF LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW

SUMMARY

Florida's comprehensive planning process emphasizes the Department of Community Affairs' (department or "DCA") review of local government comprehensive plan amendments to ensure compliance with state growth management goals. This report evaluates the comprehensive plan amendment process and discusses methods of streamlining the review process and focusing the department's review upon issues that target important state interests. Also, the report examines the role of state and regional agencies in commenting on comprehensive plan amendments and makes recommendations for addressing cumulative impact issues. The report recommends collapsing the process for determining that an amendment must be reviewed by the department and creates a method for local governments to propose geographic areas, such as urban infill areas, to exempt from department review.

BACKGROUND

The Local Government Comprehensive Planning and Land Development Regulation Act of 1985, ("Act") sections 163.3161-163.3244, Florida Statutes, (F.S.), establishes a growth management system in Florida which requires each local government (or combination of local governments) to adopt a comprehensive land use plan that includes certain required elements, such as: a future land use plan; capital improvements element; and an intergovernmental coordination element. The local government comprehensive plan is intended to be the policy document guiding local governments in their land use decision-making. Under the Act, the department was required to adopt by rule minimum criteria for the review and determination of compliance of the local government comprehensive plan elements with the requirements of the Act. Such minimum criteria must require that the elements of the plan are consistent with each other and with the state comprehensive plan and the regional policy plan; that the elements include policies to guide future decisions and programs to ensure the plans would be implemented; that the elements include processes for intergovernmental coordination; and that the elements identify procedures for evaluating the implementation of the plan. The original minimum criteria rule for reviewing local comprehensive plans and plan amendments was adopted by the department on March 6, 1986 as Rule 9J-5, Florida Administrative Code, (F.A.C.).

After a comprehensive plan has been adopted, subsequent changes are made through amendments to the plans. There are generally two types of amendments: 1) amendments to the future land use map that change the land use category designation of a particular parcel of property or area; and 2) text amendments that change the goals, objectives or policies of a particular element of the plan. In addition, every seven years a local government must adopt an evaluation and appraisal report (EAR) assessing the progress of the local government in implementing its comprehensive plan. The local government is required, pursuant to s. 163.3191(10), F.S., to amend its comprehensive plan based on the recommendations in the report.

Comprehensive Plan Amendment Process

Under chapter 163, the process for the adoption of a comprehensive plan and comprehensive plan amendments is essentially the same. A local government or property owner initiates the process by proposing an amendment to the designated local planning agency (LPA). After holding at least one public hearing, the LPA makes recommendations to the governing body regarding the amendments. Next, the governing body holds a transmittal public hearing at which the proposed amendment must be voted on affirmatively by a majority of the members of the governing body of the local government. Following the public hearing, the local government must "transmit"

the amendment to the department, the appropriate regional planning council and water management district, the Department of Environmental Protection, the Department of Transportation and any other local government or state agency that has requested a copy of the amendment.

Next, the decision is made whether to review the proposed amendment. If the local government does not request a review, the department requests that the appropriate water management districts, Department of Transportation and Department of Environmental Protection advise the DCA as to whether the amendment should be reviewed, within 21 days after transmittal of the amendment by the local government. Based on this information, the department decides whether to review the amendment. The department must review the proposed amendment if the local government transmitting the amendment, a regional planning council or an "affected person" requests review within 30 days after transmittal of the amendment. Finally, even if a request by one of the above parties is not made, the department may elect to review the amendment by giving the local government notice of its intention to review the amendment within 30 days of receipt of the amendment.

If review is not requested by the local government, the regional planning council, or any affected person, and the department decides not to review it, the local government is notified that it may proceed immediately to adopt the amendment. If, however, review of the amendment is initiated, the department next transmits, pursuant to Rule 9J-1.009, F.A.C., a copy of the amendment to: the Department of State; the Fish & Wildlife Conservation Commission; the Department of Agriculture and Consumer Affairs, Division of Forestry for county amendments; and the appropriate land planning agency. In addition, the department may circulate a copy of the amendment to other government agencies, as appropriate. Commenting agencies have 30 days from receipt of the proposed amendment to provide its written comments to the department and, in addition, written comments submitted by the public within 30 days after notice of transmittal by the local government are considered by the department as if they were submitted by governmental agencies.

Upon receipt of the comments described above, the department has 30 days to send its objections, recommendations and comments report to the local government body (commonly referred to as the "ORC Report"). In its review, the department considers whether the amendment is consistent with the requirements of the Act, Rule 9J-5, Florida Administrative Code, the State Comprehensive Plan and the appropriate regional policy plan.

After receiving the ORC report from the department, the local government has 60 days (120 days for amendments based on Evaluation and Appraisal "EAR" Reports or compliance agreements) to adopt the amendment, adopt the amendment with changes, or decide that it will not adopt the amendment. The decision must be made at a public hearing. Within 10 days after adoption, the local government transmits the adopted plan amendment to the department, the commenting agencies, the regional planning council and anyone else who has requested notice of the adoption.

Upon receipt of a local government's adopted comprehensive plan amendment, the department has 45 days (30 days for amendments based on compliance agreements) to determine whether the plan or plan amendment is in compliance with the Local Government Comprehensive Planning and Land Development Regulation Act. This compliance determination is also required when the department has not reviewed the amendment under s. 163.3184(6), F.S. During this time period, the department issues a notice of intent to find the plan amendment in compliance or not in compliance with the requirements of the Act. The notice of intent is mailed to the local government and the department is required to publish such notice in a newspaper which has been designated by the local government.

If the department finds the comprehensive plan amendment in compliance with the Act, any affected person may file a petition for administrative hearing pursuant to ss. 120.569 and 120.57, F.S., within 21 days after publication of the notice of intent. An administrative hearing is conducted by the Division of Administrative Hearing where the legal standard of review is that the plan amendment will be determined to be in compliance if the local government's determination of compliance is fairly debatable. The hearing officer submits a recommended order to the department. If the department determines that the plan amendment is in compliance, it issues a final order. If the department determines that the amendment is not in compliance, it submits the recommended order to the Administration Commission (the Governor and Cabinet) for final agency action.

If the department issues a notice of intent to find the comprehensive plan amendment not in compliance, the

notice of intent is forwarded directly to the Division of Administrative Hearing in order to hold a ss. 120.569 and 120.57, F.S., administrative proceeding. The parties to the administrative proceeding include: the department; the affected local government; and any affected person who intervenes. In the administrative hearing, the decision of the local government that the comprehensive plan amendment is in compliance is presumed to be correct and must be sustained unless it is shown by a preponderance of the evidence that the comprehensive plan amendment is not in compliance.

The administrative law judge submits his decision directly to the Administration Commission for final agency action. If the Administration Commission determines that the plan amendment is not in compliance with the Act, it must specify remedial actions to bring the plan amendment into compliance.

Local governments are limited in the number of times per year they may adopt comprehensive plan amendments. Section 163.3187, F.S., provides that local government comprehensive plan amendments may only be made twice in a calendar year unless the amendment falls under specific statutory exceptions which include, for example: amendments directly related to developments of regional impact; small scale development amendments; the designation of an urban infill and redevelopment area; and changes to the schedule of the capital improvements element.

Small Scale Development Amendments

There are two major exceptions to the process for the department's review of comprehensive plan amendments. The first exception applies to a category of comprehensive plan amendments designated by a local government as small-scale amendments. A small scale development amendment is defined by section 163.3187(1)(c), F.S., as a proposed amendment involving a use of 10 acres or less and where the cumulative acreage proposed for small scale amendments within a year must not exceed: a) 120 acres in a local government that contains areas designated in its comprehensive plan for urban infill, urban redevelopment or downtown revitalization, transportation concurrency exception areas, or regional activity centers and urban central business districts approved pursuant to s. 380.06(2)(e), F.S.; b) 80 acres in a local government that does not include the designated areas described in (a); and c) 120 acres in consolidated Jacksonville/Duval County.

In addition to the above acreage limitations, amendments involving a residential land use must have a density of 10 units per acre or less unless located in and urban infill and redevelopment area.

The major advantage of a small scale amendment is that the adoption of the amendment by the local government only requires one public hearing before the governing board, and does not require compliance review by the department. The public notice procedure for local governments is also more streamlined so that the notice required by a local government for small scale amendments is that of a general newspaper notice of the meeting and notice by mail to each real property owner whose land would be redesignated by the proposed amendment.

While the department does not review or issue a notice of intent regarding the proposed amendment, small-scale amendments can be challenged by affected persons. Any affected person may file a petition for administrative hearing to challenge the compliance of the small scale development amendment with the act, within 30 days of the local government's adoption of the amendment. The administrative hearing must be held not less than 30 nor more than 60 days following the filing of the petition and the assignment of the administrative law judge. The parties to the proceeding are the petitioner, the local government and any intervenor.

The local government's determination that the small scale development agreement is in compliance is presumed to be correct and will be sustained unless, by a preponderance of the evidence, the petitioner shows that the amendment is not in compliance with the act. Small scale amendments do not become effective until 31 days after adoption by a local government. If a small-scale amendment is challenged following the procedure described above, the amendments do not become effective until a final order is issued finding the amendment in compliance with the act.

Sustainable Communities Demonstration Program

The other exception to the process required by s. 163.3184, F.S., for the review of comprehensive plan amendments is authorized in the Sustainable Communities Demonstration Project created in 1996 by chapter 96-416, Laws of Florida. Section 163.3244, F. S., authorizes the designation of five local governments to participate in the project. The purpose of the project is to further six principles of sustainability: restoring key ecosystems; achieving a

more clean, healthy environment; limiting urban sprawl; protecting wildlife and natural areas; advancing the efficient use of land and other resources; and creating quality communities and jobs.

The designation criteria of the program require that the local government has set an urban development boundary that will: 1) encourage urban infill and discourage sprawl; 2) assure protection of key natural areas and agricultural lands and 3) ensure the cost-efficient provision of public infrastructure and services. In addition, the department was to evaluate the extent to which the local government adopted programs within its comprehensive plan that further certain planning goals such as: promoting urban infill; providing low-income housing; supporting public transit; encouraging mixed-use development and promoting economic diversity while preserving rural areas and protecting the environment.

Upon designation of the local government as a sustainable community, proposed comprehensive plan amendments within the urban growth boundary are exempt from state and regional review and the department does not conduct a compliance determination on the amendments. Affected persons may, however, file a petition for administrative hearing to challenge the compliance of an adopted plan amendment using the same procedure employed for small scale amendments. In contrast, plan amendments that would change the adopted urban development boundary, affect lands outside the urban development boundary, or affect lands within the coastal high-hazard area undergo the same compliance review procedure as comprehensive plan amendments for other local governments.

Following a competitive selection process, the department designated Boca Raton, Ocala, Hillsborough County/Tampa; Martin County and Orlando as sustainable communities. Agreements were negotiated with all five local governments and contracts entered, with the final contract with Martin County entered in November 1997. The Legislative Committee on Intergovernmental Relations is conducting an interim project evaluating the effectiveness of the program.

METHODOLOGY

Staff conducted a number of interviews of government officials, staff and members of stakeholder groups including: staff of the department, Department of Transportation, Department of Environmental Protection, selected water management districts, and regional planning councils; representatives of the Florida Association of Counties, Florida League of Cities, Florida Chapter of the American Planning Association, 1000 Friends of Florida, Florida Home Builders Association; former secretaries of the department; land use attorneys representing private developers and local government planners. In addition to the above, several of the regional planning councils, including the Northeast Florida Regional Planning Council, Treasure Coast Regional Planning Council and the Southwest Florida Regional Planning Council shared the results of public issue forums conducted in their region to address possible changes to Florida's system of growth management.

Interview questions focused on two topics. The first topic addressed whether the comprehensive plan amendment review process could be streamlined, including the question of whether both the number and the scope of the department's review should be narrowed. For example, is there a better method of identifying those amendments that raise important state or regional interests? Second, how effective is the agency comment process whereby the Department of Transportation, the Department of Environmental Protection, the water management districts and regional planning councils review proposed comprehensive plan amendments and submit written comments to the department for consideration in the preparation of an Objections, Recommendations and Comments Report?

FINDINGS

The process of comprehensive plan amendment review requires an initial determination of whether an amendment must or should be reviewed by the department. Large scale amendments must be reviewed by the department and a compliance determination conducted if requested by the local government, regional planning council, affected person, or if no request has been made, the department may elect to review the amendment. A large percentage of comprehensive plan amendments transmitted by a local government to the department are reviewed.

Table 1 depicts the number of comprehensive plan amendment packages reviewed by the department from 1994 through June 30, 1999. Generally, an amendment package includes a grouping of amendments proposed by a local government for an amendment cycle. Hence, an amendment package might contain a dozen or more individual amendments. The average number of amendment packages

transmitted to the department during the time period 1994-1998 is approximately 250. Of these amendment packages, it appears that between 70-80% of the amendment packages transmitted by local governments are reviewed by the department. Hence, the department reviews the majority of comprehensive plan amendments proposed by local governments. Of the amendment packages adopted by local governments during the period 1994-1998, approximately 14 percent of the amendment packages were found to be "Not in Compliance" with the Act by the department.

Table 1: Number of Comprehensive Plan Amendment Packages Reviewed or Reported to the Department of Community Affairs

YEAR	ADOPTED SMALL SCALE	PROPOSED AMENDMENT PKGS. (Transmitted to DCA)		ADOPTED LARGE SCALE AMEND. PKGS.	NOT IN COMPLIANCE AMEND PKGS.
		LARGE SCALE	ORC REVIEW		
1994	223	280	200	269	34
1995	242	262	195	293	32
1996	312	245	184	248	33
1997	449	220	176	254	37
1998	468	234	192	232	45
1/1/99-6/30/99	225	153	123	128	10

Many local governments request that their proposed comprehensive plan amendments be reviewed for political as well as practical reasons. If any controversy surrounds the proposed amendment, local officials may find it useful for the department and commenting agencies to become involved in order to share political responsibility for the matter. In addition, if the local government does not request review of the amendment, the process by which a determination is made whether to review the amendment or not adds 30 days to the review process. In contrast, if the local government immediately requests review upon submittal, it knows the process will take 30 less days than if review was not requested up-front and the screening process leads to an ORC review. Hence, the screening process set forth in s. 163.3184(4)-(6), F.S., and Rule 9J-11.009, F.A.C., provides a time disincentive for local governments to request a waiver of review.

The majority of individuals interviewed by staff stated many amendments reviewed by the department did not raise compliance issues involving state interests and that the department's efforts could be better focused if amendment review was limited to those amendments raising significant state and regional interests. Both department and local planning department staff reported that the volume and frequency of comprehensive plan amendment review requires that virtually all of their time is spent on amendment review so that more proactive planning activities do not take place. For example, the City of Tallahassee/Leon County has proposed not accepting individual comprehensive plan amendments for the next amendment cycle in order to give the respective local government commissions the time to address proactive planning issues such as infrastructure phasing, and urban infill and redevelopment.

In addition, representatives of local government expressed a desire to receive more technical assistance from the department, especially from small and rural local governments, in addressing planning problems up-front before they are exhibited in comprehensive plan amendments. Hence, many individuals responded favorably to the idea of developing a different method of screening proposed comprehensive plan amendments for review.

Role of Commenting Agencies

Interview subjects were also asked about the effectiveness of the process whereby the Departments of Transportation and Environmental Protection, the water management districts, and regional planning council submit comments to the department on the proposed comprehensive plan amendment. Of the stakeholders interviewed, development interests were the most concerned with the issue of how the department translates issues related to the cumulative impacts of development proposed by an individual comprehensive plan amendment.

Staff interviewed employees of the Department of Environmental Protection, Department of Transportation, water management districts and regional planning councils regarding their experience with the comprehensive plan commenting process. Most agencies reported that they had a good working relationship with the department and that their comments were sufficiently addressed in the department's ORC report. The agencies, however, have different methods of arriving at their comments. For example, the Department of Transportation focuses its comments around the single issue of how a proposed amendment affects the Florida Interstate Highway System. Several of the water management districts base their comments on a matrix of the issues of water supply, flood protection, water quality & natural systems that are tied back to specific Rule 9J-5, F.A.C., criteria.

In contrast, the Department of Environmental Protection does not tie its comments directly to Rule 9J-5, F.A.C., but rather identifies how a particular comprehensive plan amendment raises important issues affecting its programs. According to DEP staff interviewed, this approach, while effectively targeting DEP's concerns, may be difficult for DCA staff to translate into specific Rule 9J-5, F.A.C., comments that are included in an ORC report. This "disconnect" raises the issue of whether Rule 9J-5 review, in its current form, while very specific, may miss certain broad state interests.

A specific area that a number of stakeholders identified as problematic is the issue of how cumulative impact issues associated with development are addressed in the comprehensive planning process. The two areas where these issues are most often raised are the cumulative impact of the use of septic tanks in an area on surface and groundwater quality, and the impact of development on wetlands. Several interview subjects expressed the opinion that there needs to be a better method of involving the technical agencies in comprehensive plan objections that involve issues within the technical expertise of permitting agencies, as opposed to department. While section 163.3184, F.S., prohibits the department from "requiring a local government to duplicate or exceed the permitting program [of federal state or regional agencies] in its comprehensive plan or to implement such a permitting program in its land development regulation," the department may make compliance determinations regarding densities and intensities consistent with the act. This authority has been used by the department to raise cumulative impact issues.

Development stakeholders expressed a preference for these issues being addressed directly by a permitting agency, rather than by the department. In addition, some local government and private sector interests believe that state agency comments should be limited to areas within their regulatory jurisdiction. However, often the permitting agencies lack the specific statutory authority to address cumulative impact issues. For example, the Department of Health is not authorized under law to evaluate the cumulative impact of the use of septic tanks in an area on water quality when making individual permitting decisions, and is not an agency required to review comprehensive plan amendments under section 163.3184(4), F.S.

Focusing State Review of Comprehensive Plan Amendments

Table 2 describes a number of options for focusing comprehensive planning review. The objective of each of the options (other than the status quo, **Option 1**) is to reduce the number of comprehensive plan amendments reviewed by DCA in order to provide more autonomy to local governments in making land-use decisions and to focus state and regional review of comprehensive plan amendments on those issues that are most significant from a state and regional standpoint. For the purposes of this report, other aspects of the comprehensive plan process, for example, the procedure for challenging amendments through an administrative proceeding, are assumed to remain unchanged.

Option 3 proposes the development of an alternative screening mechanism based on the identification of state and regional interests to trigger department review of proposed amendments. This approach would require identification, either in the State Comprehensive Plan or in chapter 163, F.S., of the important state and regional interests that the department would consider in reviewing comprehensive plan amendments. These important state interests might include: 1) the protection of key natural resources and agricultural lands; 2) the protection of water supply and quality; 3) the efficient use of state infrastructure dollars; 4) the provision of affordable housing; 5) the enhancement of emergency management; 6) the promotion of urban infill and compact development; and 7) the assurance of transportation/mobility. The number of amendments that receive ORC review would be limited only to those amendments that invoke the identified interests. This proposal would only work if the process by which amendments are identified for review is efficient so

that it doesn't take the department the current 30-60 days to decide whether an amendment should be reviewed.

Option 5 would allow local governments to propose specific areas within their jurisdiction to exempt from comprehensive plan amendment review. These areas could include urban infill & redevelopment areas, built-out areas, areas included within a sector plan, or areas where the local government has developed specific community design standards. The department and commenting agencies would review the areas proposed for exemption as a comprehensive plan amendment. The criteria for review could be based on the state interests identified in Option 3. Once approved, comprehensive plan amendments within these areas would be exempt from comprehensive plan amendment review. This option has the advantage of selecting areas for exemption, while at the same time protecting important state interests.

Options 2, 4, and 6 are based on extending the principles of certain limited comprehensive plan amendment models to a broader number of amendments. **Option 2** proposes raising the size ceiling for small scale amendments from 10 acres to 20 acres within targeted areas. Alternatively, the 120 acre/year maximum imposed on local governments containing designated urban infill and redevelopment areas, or transportation concurrency exception areas, could be removed based on assumption that these local governments are urban areas encouraging denser development as opposed to development along the urban fringe. The disadvantage to this approach is that size is not necessarily the best indicator of the potential impact of a comprehensive plan amendment because the location and character of the amendment can be just as important.

Option 4 proposes a variation to the Sustainable Communities model whereby local governments could elect to establish an Urban Development Boundary and, in exchange, proposed comprehensive plan amendments located within the boundary would be exempt from department review. This approach might encourage local governments to promote more compact development patterns. However, the establishment and enforcement of an urban development boundary is a politically difficult task for local governments because property owners would perceive such a line as affecting their development rights.

Option 6 is modeled on the revised Evaluation & Appraisal Review "scoping" process whereby local governments, with the assistance of state and regional agencies, identify significant issues on which to base their planning efforts. The goal of this proposal is to identify problem areas and focus state review to address these issues.

Finally, **Option 7** proposes removing the department from the review of local government comprehensive plan amendments and, instead, relying on affected persons to challenge amendments that violate the provisions of the act. As with the small scale amendment adoption process, the department would not be involved in the review of the amendment. The limitation of this approach is that state and regional issues may not get addressed unless an amendment is challenged by an affected party.

OPTIONS FOR COMPREHENSIVE PLAN AMENDMENT REVIEW

OPTION	DESCRIPTION	BENEFITS	LIMITATIONS
1. Status Quo	The majority of comp. plan amendments submitted to DCA receive ORC review, with issuance of Notice of Intent.	Gives state and regional agencies the opportunity to identify state and regional interests through comment process.	DCA may not be targeting its resources on those proposed comp. plan amendments that invoke state interests. Delay for local government or property owner.
2. Expanding the size and/or total acreage that may be considered as small-scale amendments.	Raise size limit from 10 to 20 acres and/or delete 120 maximum in local govs. w/urban infill & redevelopment areas, TCEAs etc.	Would increase the number of small-scale amendments with streamlined adoption process.	The character, location & degree of state interest invoked may be better determinants of significance than size.

3. Develop alternative screening mechanism, based on the identification of important state and regional interests, to trigger DCA review.	Identify in State Comp. Plan or in ch. 163 important state & regional interest such as transportation, emergency management, environmental & water resource protection and review amends. that raise these issues.	Would reduce the number of amendments reviewed by DCA and focus department and commenting agency review.	Would need to ensure that initial screening process is streamlined.
4. Modified sustainable communities model--local governments adopt urban growth boundary, amendments inside of boundary exempt from review.	Offer local govs. the option of adopting urban growth boundary. DCA would review the setting of boundary & any changes. Amends inside of boundary exempt from review.	Would reduce number of amendments reviewed by DCA & focus review efforts on development along the urban fringe. Adoption of urban growth boundaries might reduce sprawl.	Difficult for a local government to identify & enforce a meaningful urban growth boundary. May be amendments inside boundaries that raise state issues, e.g., coastal high hazard areas.
5. Local Government Proposes Areas to exempt from compliance review--Urban infill areas, built-out areas, areas covered by sector plans.	Local govs. propose geographic areas within jurisdiction where major planning issues such as infrastructure transportation, have been addressed through an urban infill & redevelopment plan, sector plan, or which is built-out.	Provides more flexibility than adoption of urban development boundary. Could be incentive for local govs. to use sector planning or to undertake community design initiatives.	The department would need a system to keep track of areas exempted from compliance review.
6. EAR Scoping Model--	Local govs. with the assistance of commenting agencies & RPC identify critical issues up-front before a comp. plan amendments are submitted for review. DCA would review based on critical local & state interests.	Could resolves issues at an earlier stage in the planning process if commenting agencies involved up-front.	As with (3) would need to ensure the process for screening amendments is streamlined in addition to the probable narrowing of issues resulting from this approach.
7. Delegate Comprehensive Plan amendment review to local governments. Rely on citizen standing to challenge amendments.	Would significantly shorten the time frame for comprehensive plan adoption from approx. 6 months to 2-3 months.	Unless a citizen suit is filed, difficult for state & regional interests to be protected. Citizens have limited expertise & resources to bring such suits.	May result in increased litigation to resolve issues.

RECOMMENDATIONS

- Consolidate the 30-day preliminary review period in which DCA determines whether review of a comprehensive plan amendment is appropriate with the 30-day state and regional agency commenting period, so that the time frames are the same whether or not a local government requests review.
- Give local governments the option of proposing areas which are appropriate for exemption from comprehensive plan amendment review; for example, urban infill and redevelopment areas, built-out areas, and areas covered by sector plans.
- Amend 163.3184(4), F.S., to include the Department of Health as a commenting agency where a proposed amendment would result in the use of septic tanks. (Note: The Governor has charged an On-site Sewage Disposal System workgroup with providing him with recommendations for addressing adverse cumulative environmental impacts caused by the use of septic tanks by October 31, 1999).
- Give commenting agencies the specific authority to provide objections to the department where the cumulative impacts of an amendment could affect a subject within the agencies' regulatory jurisdiction.

COMMITTEE(S) INVOLVED IN REPORT ***(Contact first committee for more information.)***
Committee on Comprehensive Planning, Local and Military Affairs, 404 South Monroe Street, Tallahassee, FL 32399-1100, (850) 487-5167 SunCom 277-5167
Committee on Natural Resources

MEMBER OVERSIGHT
Senators Lee and Kurth