CHAPTER 97-222

House Bill No. 1073

An act relating to pollution control; amending s. 378.601, F.S.; exempting certain heavy mineral mining operations from requirements for development of regional impact review; requiring certain permits or plan approvals; amending s. 373.414, F.S.; providing requirements for the Department of Environmental Protection and the water management districts with respect to the acceptance of donations for mitigation purposes; creating s. 373.4415, F.S.; providing for delegation by the Department of Environmental Protection to Dade County certain permit program functions and responsibilities for limerock mining in the Dade County Lake Belt Area; creating s. 378.4115, F.S.; providing for certification by the department for Dade County to implement certain reclamation program functions and responsibilities for the Dade County Lake Belt Area; amending s. 373.414, F.S.; revising certain criteria for activities associated with mining operations in surface waters and wetlands; amending s. 378.035, F.S.; providing for use of Nonmandatory Land Reclamation Trust Fund moneys for reclamation and management of phosphate lands; providing for liens; requiring a report; amending s. 378.901, F.S.; providing conditions when a life-of-the-mine permit for sand mines may be issued; amending s. 403.0872, F.S.; revising certain requirements for permits for major sources of air pollution; amending s. 403.182, F.S.; providing that a change in a program rule is not applicable to an installation or source permitted and under construction at the time of the change under certain conditions; amending s. 373.4149, F.S.; revising provisions relating to the Northwest Dade County Freshwater Lake Plan to apply to the Dade County Lake Belt Plan; providing legislative findings; defining the Dade County Lake Belt Area; providing for a Dade County Lake Belt Plan Implementation Committee; providing for membership; providing duties of the committee; requiring reports; requiring the Department of Environmental Protection, in conjunction with certain agencies, develop a comprehensive mitigation plan for certain areas for certain purposes; authorizing certain state agencies to enter into agreements to accomplish certain purposes; requiring state agencies to review certain land holdings for certain purposes; deleting a future repeal; providing an effective date.

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

Section 1. Subsection (5) is added to section 378.601, Florida Statutes, to read:

378.601 Heavy minerals.—

(5) Any heavy mineral mining operation which annually mines less than 500 acres and whose proposed consumption of water is 3 million gallons per day or less shall not be required to undergo development of regional impact

review pursuant to s. 380.06, provided permits and plan approvals pursuant to either this section and part IV of chapter 373, or s. 378.901, are issued. This subsection applies only in the following circumstances:

(a) Mining is conducted in counties where the operator has conducted heavy mineral mining activities prior to March 1, 1997; and

(b) The operator of the heavy mineral mining operation has executed a developer agreement pursuant to s. 380.032 as of March 1, 1997. Lands mined pursuant to this section need not be the subject of the developer agreement.

Section 2. Paragraph (b) of subsection (1) of section 373.414, Florida Statutes, 1996 Supplement, is amended to read:

373.414 Additional criteria for activities in surface waters and wetlands.—

(1) As part of an applicant's demonstration that an activity regulated under this part will not be harmful to the water resources or will not be inconsistent with the overall objectives of the district, the governing board or the department shall require the applicant to provide reasonable assurance that state water quality standards applicable to waters as defined in s. 403.031(13) will not be violated and reasonable assurance that such activity in, on, or over surface waters or wetlands, as delineated in s. 373.421(1), is not contrary to the public interest. However, if such an activity significantly degrades or is within an Outstanding Florida Water, as provided by department rule, the applicant must provide reasonable assurance that the proposed activity will be clearly in the public interest.

(b) If the applicant is unable to otherwise meet the criteria set forth in this subsection, the governing board or the department, in deciding to grant or deny a permit, shall consider measures proposed by or acceptable to the applicant to mitigate adverse effects that may be caused by the regulated activity. Such measures may include, but are not limited to, onsite mitigation, offsite mitigation, offsite regional mitigation, and the purchase of mitigation credits from mitigation banks permitted under s. 373.4136. It shall be the responsibility of the applicant to choose the form of mitigation. The mitigation must offset the adverse effects caused by the regulated activity.

1. The department or water management districts may accept the donation of money as mitigation only where the donation is specified for use in a duly noticed ~~department-or-water-management-district-endorsed~~ environmental creation, preservation, enhancement, or restoration project, endorsed by the department or the governing board of the water management district, which ~~that~~ offsets the impacts of the activity permitted under this part. However, the provisions of this subsection shall not apply to projects undertaken pursuant to s. 373.4137 or chapter 378. Where a permit is required under this part to implement any project endorsed by the department or a water management district, all necessary permits must have been issued prior to the acceptance of any cash donation. After the effective date of this act, when money is donated to either the department or a water management district to offset impacts authorized by a permit under this

part, the department or the water management district shall accept only a donation that represents the full cost to the department or water management district of undertaking the project that is intended to mitigate the adverse impacts. The full cost shall include all direct and indirect costs, as applicable, such as those for land acquisition, land restoration or enhancement, perpetual land management, and general overhead consisting of costs such as staff time, building, and vehicles. The department or the water management district may use a multiplier or percentage to add to other direct or indirect costs to estimate general overhead. Mitigation credit for such a donation shall be given only to the extent that the donation covers the full cost to the agency of undertaking the project that is intended to mitigate the adverse impacts. However, nothing herein shall be construed to prevent the department or a water management district from accepting a donation representing a portion of a larger project, provided that the donation covers the full cost of that portion and mitigation credit is given only for that portion. The department or water management district may deviate from the full cost requirements of this subparagraph to resolve a proceeding brought pursuant to chapter 70 or a claim for inverse condemnation. Nothing in this section shall be construed to require the owner of a private mitigation bank, permitted under s. 373.4136, to include the full cost of a mitigation credit in the price of the credit to a purchaser of said credit.

2. The department and each water management district shall report to the Executive Office of the Governor by January 31 and July 31 of each year all cash donations accepted during the preceding 6 months for wetland mitigation purposes, which shall include a description of the endorsed mitigation projects.

3.~~2.~~ If the applicant is unable to meet water quality standards because existing ambient water quality does not meet standards, the governing board or the department shall consider mitigation measures proposed by or acceptable to the applicant that cause net improvement of the water quality in the receiving body of water for those parameters which do not meet standards.

4.~~3.~~ If mitigation requirements imposed by a local government for surface water and wetland impacts of an activity regulated under this part cannot be reconciled with mitigation requirements approved under a permit for the same activity issued under this part, the mitigation requirements for surface water and wetland impacts shall be controlled by the permit issued under this part.

Section 3. Section 373.4415, Florida Statutes, is created to read:

373.4415 Role of Dade County in processing permits for limerock mining in Dade County Lake Belt.—The department and Dade County shall cooperate to establish and fulfill reasonable requirements for the departmental delegation to the Dade County Department of Environmental Resource Management of authority to implement the permitting program under ss. 373.403-373.439 for limerock mining activities within the geographic area of the Dade County Lake Belt which was recommended for mining in the report submitted to the Legislature in February 1997 by the Dade County

Lake Belt Plan Implementation Committee under s. 373.4149. The delegation of authority must be consistent with s. 373.441 and chapter 62-344, Florida Administrative Code. To further streamline permitting within the Dade County Lake Belt, the department and Dade County are encouraged to work with the United States Army Corps of Engineers to establish a general permit under s. 404 of the Clean Water Act for limerock mining activities within the geographic area of the Dade County Lake Belt consistent with the report submitted in February 1997. Dade County is further encouraged to seek delegation from the United States Army Corps of Engineers for the implementation of any such general permit. This section does not limit the authority of the department to delegate other responsibilities to Dade County under this part.

Section 4. Section 378.4115, Florida Statutes, is created to read:

378.4115 County certification for limerock mining in the Dade County Lake Belt.—The department and Dade County shall cooperate to establish and fulfill reasonable requirements for the departmental certification of the Dade County Department of Environmental Resource Management to implement the reclamation program under ss. 378.401-378.503 for limerock mining activities within the geographic area of the Dade County Lake Belt which was recommended for mining in the report submitted to the Legislature in February 1997 by the Dade County Lake Belt Plan Implementation Committee under s. 373.4149. The delegation of implementing authority must be consistent with s. 378.411 and chapter 62C-36, Florida Administrative Code. Further, the reclamation program shall maximize the efficient mining of limestone and the littoral area surrounding the lake excavations shall not be required to be greater than 100 feet average in width.

Section 5. Subsections (15) and (16) of section 373.414, Florida Statutes, 1996 Supplement, are amended to read:

373.414 Additional criteria for activities in surface waters and wetlands.—

(15) Activities associated with mining operations as defined by and subject to ss. 378.201-378.212 and 378.701-378.703 and included in a conceptual reclamation plan or modification application submitted prior to July 1, 1996, shall continue to be reviewed under the rules of the department adopted pursuant to ss. 403.91-403.929, 1984 Supplement to the Florida Statutes 1983, as amended, the rules of the water management districts under this part, and interagency agreements, in effect on January 1, 1993. Such activities shall be exempt from rules adopted pursuant to subsection (9) and the statewide methodology ratified pursuant to s. 373.4211. As of January 1, 1994, such activities may be issued permits authorizing construction for the life of the mine. ~~This subsection shall be in effect until January 1, 1998, and shall not apply to new mines. For purposes of this subsection, a "new mine" means a mine on which the owner or operator has neither commenced construction nor initiated the permitting process prior to June 1, 1994.~~

(16) Until October 1, 2000 ~~1997~~, regulation under rules adopted pursuant to this part of any sand, limerock, or limestone mining activity which is located in Township 52 South, Range 39 East, sections 1, 2, 3, 10, 11, 12,

13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36; in Township 52 South, Range 40 East, sections 6, 7, 8, 18, and 19; in Township 53 South, Range 39 East, sections 1, 2, 13, 21, 22, 23, 24, 25, 26, 33, 34, 35, and 36; and in Township 54 South, Range 38 East, sections 24, and 25, and 36, shall not include the rules adopted pursuant to subsection (9). In addition, until October 1, 2000 ~~1997~~, such activities shall continue to be regulated under the rules adopted pursuant to ss. 403.91-403.929, 1984 Supplement to the Florida Statutes 1983, as amended, as such rules existed prior to the effective date of the rules adopted pursuant to subsection (9) and such dredge and fill jurisdiction shall be that which existed prior to January 24, 1984. In addition, any such sand, limerock, or limestone mining activity shall be approved by Dade County and the United States Army Corps of Engineers. This section shall only apply to mining activities which are continuous and carried out on land contiguous to mining operations that were in existence on or before October 1, 1984.

Section 6. Subsections (5), (6), and (7) are added to section 378.035, Florida Statutes, to read:

378.035 Department responsibilities and duties with respect to Nonmandatory Land Reclamation Trust Fund.—

(5) On July 1, 1997, $30 million of the unencumbered funds within the Nonmandatory Land Reclamation Trust Fund are hereby reserved for use by the department. These reserved moneys are to be used to reclaim lands disturbed by the severance of phosphate rock on or after July 1, 1975, in the event that a mining company ceases mining and the associated reclamation prior to all lands disturbed by the operation being reclaimed. Moneys expended by the department to accomplish reclamation pursuant to this subsection shall become a lien upon the property enforceable pursuant to chapter 85. The moneys received as a result of a lien foreclosure or as repayment shall be deposited into the trust fund. In the event the money received as a result of lien foreclosure or repayment is less than the amount expended for reclamation, the department shall use all means available to recover, for the use of the fund, the difference from the affected parties. Paragraph (3)(b) shall apply to lands acquired as a result of a lien foreclosure.

(6)(a) Up to one-half of the interest income accruing to the funds reserved by subsection (5) shall be available to the department annually for the purpose of funding basic management or protection of reclaimed, restored, or preserved phosphate lands:

1. Which have wildlife habitat value as determined by the Bureau of Mine Reclamation;

2. Which have been transferred by the landowner to a public agency or a private, nonprofit land conservation and management entity in fee simple, or which have been made subject to a conservation easement pursuant to s. 704.06; and

3. For which other management funding options are not available.

These funds may, after the basic management or protection has been assured for all such lands, be combined with other available funds to provide a higher level of management for such lands.

(b) Up to one-half of the interest income accruing to the funds reserved by subsection (5) shall be available to the department annually for the sole purpose of funding the department's implementation of:

1. The NPDES permitting program authorized by s. 403.0885, as it applies to phosphate mining and beneficiation facilities, phosphate fertilizer production facilities, and phosphate loading and handling facilities;

2. The regulation of dams in accordance with department Rule 62-672, Florida Administrative Code; and

3. The phosphogypsum management program pursuant to s. 403.4154 and department Rule 62-673, Florida Administrative Code.

On or before August 1 of each fiscal year, the department shall prepare a report presenting the expenditures using the interest income allocated by this section made by the department during the immediately preceding fiscal year, which report shall be available to the public upon request.

(7) Should the nonmandatory land reclamation program encumber all the funds in the Nonmandatory Land Reclamation Trust Fund except those reserved by subsection (5) prior to funding all the reclamation applications for eligible parcels, the funds reserved by subsection (5) shall be available to the program to the extent required to complete the reclamation of all eligible parcels for which the department has received applications.

Section 7. Subsections (3) through (9) of section 378.901, Florida Statutes, 1996 Supplement, are renumbered as subsections (4) through (10), respectively, and a new subsection (3) is added to said section to read:

378.901 Life-of-the-mine permit.—

(3) The bureau may also issue life-of-the-mine permits to operators of sand mines as part of the consideration for conveyance to the Board of Trustees of the Internal Improvement Trust Fund of environmentally sensitive lands in an amount equal to or greater than the acreage included in the life-of-the-mine permit and provided such environmentally sensitive lands are contiguous to or within reasonable proximity to the lands included in the life-of-the-mine permit.

Section 8. Paragraph (a) of subsection (11) of section 403.0872, Florida Statutes, 1996 Supplement, is amended to read:

403.0872 Operation permits for major sources of air pollution; annual operation license fee.—Provided that program approval pursuant to 42 U.S.C. s. 7661a has been received from the United States Environmental Protection Agency, beginning January 2, 1995, each major source of air pollution, including electrical power plants certified under s. 403.511, must obtain from the department an operation permit for a major source of air

pollution under this section, which is the only department operation permit for a major source of air pollution required for such source. Operation permits for major sources of air pollution, except general permits issued pursuant to s. 403.814, must be issued in accordance with the following procedures and in accordance with chapter 120; however, to the extent that chapter 120 is inconsistent with the provisions of this section, the procedures contained in this section prevail:

(11) Commencing in 1993, each major source of air pollution permitted to operate in this state must pay between January 15 and March 1 of each year, upon written notice from the department, an annual operation license fee in an amount determined by department rule. The annual operation license fee shall be terminated immediately in the event the United States Environmental Protection Agency imposes annual fees solely to implement and administer the major source air-operation permit program in Florida under 40 C.F.R. s. 70.10(d).

(a) The annual fee must be assessed based upon the source's previous year's emissions and must be calculated by multiplying the applicable annual operation license fee factor times the tons of each regulated air pollutant (except carbon monoxide) allowed to be emitted per hour by specific condition of the source's most recent construction or operation permit, times the annual hours of operation allowed by permit condition; provided, however, that:

1. For 1993 and 1994, the license fee factor is $10. For 1995, the license fee factor is $25. In succeeding years, the license fee factor is $25 or another amount determined by department rule which ensures that the revenue provided by each year's operation license fees is sufficient to cover all reasonable direct and indirect costs of the major stationary source air-operation permit program established by this section. The license fee factor may be increased beyond $25 only if the secretary of the department affirmatively finds that a shortage of revenue for support of the major stationary source air-operation permit program will occur in the absence of a fee factor adjustment. The annual license fee factor may never exceed $35. The department shall retain a nationally recognized accounting firm to conduct a study to determine the reasonable revenue requirements necessary to support the development and administration of the major source air-operation permit program as prescribed in paragraph (b). The results of that determination must be considered in assessing whether a $25-per-ton fee factor is sufficient to adequately fund the major source air-operation permit program. The results of the study must be presented to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Public Service Commission, including the Public Counsel's Office, by no later than October 31, 1994.

2. For any source that operates for fewer hours during the calendar year than allowed under its permit, the annual fee calculation must be based upon actual hours of operation rather than allowable hours if the owner or operator of the source documents the source's actual hours of operation for the calendar year. For any source that has an emissions limit that is dependent upon the type of fuel burned, the annual fee calculation must be based on the emissions limit applicable during actual hours of operation.

3. For any source whose allowable emission limitation is specified by permit per units of material input or heat input or product output, the applicable input or production amount may be used to calculate the allowable emissions if the owner or operator of the source documents the actual input or production amount. If the input or production amount is not documented, the maximum allowable input or production amount specified in the permit must be used to calculate the allowable emissions.

4. For any new source that does not receive its first operation permit until after the beginning of a calendar year, the annual fee for the year must be reduced pro rata to reflect the period during which the source was not allowed to operate.

5. For any source that emits less of any regulated air pollutant than allowed by permit condition, the annual fee calculation for such pollutant must be based upon actual emissions rather than allowable emissions if the owner or operator documents the source's actual emissions by means of data from a department-approved certified continuous emissions monitor or from an emissions monitoring method which has been approved by the United States Environmental Protection Agency under the regulations implementing 42 U.S.C. ss. 7651 et seq., or from a method approved by the department for purposes of this section.

6. The amount of each regulated air pollutant in excess of 4,000 tons per year allowed to be emitted by any source, or group of sources belonging to the same Major Group as described in the Standard Industrial Classification Manual, 1987, may not be included in the calculation of the fee. Any source, or group of sources, which does not emit any regulated air pollutant in excess of 4,000 tons per year, is allowed a one-time credit not to exceed 25 percent of the first annual licensing fee for the prorated portion of existing air-operation permit application fees remaining upon commencement of the annual licensing fees.

7. If the department has not received the fee by February 15 of the calendar year, the permittee must be sent a written warning of the consequences for failing to pay the fee by March 1. If ~~the department has not received~~ the fee is not postmarked by March 1 of the calendar year commencing with calendar year 1997, the department shall impose, in addition to the fee, a penalty of 50 percent of the amount of the fee, plus interest on such amount computed in accordance with s. 220.807. The department may not impose such penalty or interest on any amount underpaid, provided that the permittee has timely remitted payment of at least 90 percent of the amount determined to be due and remits full payment within 60 days after receipt of notice of the amount underpaid. The department may waive the collection of underpayment and shall not be required to refund overpayment of the fee, if the amount due is less than 1 percent of the fee, up to $50. The department may revoke any major air pollution source operation permit if it finds that the permitholder has failed to timely pay any required annual operation license fee, penalty, or interest.

8. During the years 1993 through 1999, inclusive, no fee shall be required to be paid under this section with respect to emissions from any unit which is an affected unit under 42 U.S.C. s. 7651c.

9. Notwithstanding the computational provisions of this subsection, the annual operation license fee for any source subject to this section shall not be less than $250, except that the annual operation license fee for sources permitted solely through general permits issued under s. 403.814 shall not exceed $50 per year.

10. Notwithstanding the provisions of s. 403.087(5)(a)4.a., authorizing air pollution construction permit fees, the department may not require such fees for changes or additions to a major source of air pollution permitted pursuant to this section, unless the activity triggers permitting requirements under Title I, Part C or Part D, of the federal Clean Air Act, 42 U.S.C. ss. 7470-7514a. Costs to issue and administer such permits shall be considered direct and indirect costs of the major stationary source air-operation permit program under s. 403.0873. The department shall, however, require fees pursuant to the provisions of s. 403.087(5)(a)4.a. for the construction of a new major source of air pollution that will be subject to the permitting requirements of this section once constructed and for activities triggering permitting requirements under Title I, Part C or Part D, of the federal Clean Air Act, 42 U.S.C. ss. 7470-7514a.

Section 9. Subsections (8) and (9) of section 403.182, Florida Statutes, are renumbered as subsections (9) and (10), respectively, and a new subsection (9) is added to said section to read:

403.182 Local pollution control programs.—

(8) If any local program changes any rule, regulation, or order, whether or not of a stricter or more stringent nature, such change shall not apply to any installation or source located north of the Cross Florida Greenway, permitted and under construction as of May 1, 1997. Provisions of this subsection shall not apply to any facility which primarily generates electric power.

Section 10. Section 373.4149, Florida Statutes, is amended to read:

373.4149 ~~Northwest~~ Dade County ~~Freshwater~~ Lake Belt Plan.—

(1) The Legislature hereby accepts and adopts the recommendations contained in the Phase I Lake Belt Report and Plan, known as the "Dade County Lake Plan," dated February 1997 and submitted by the Dade County Lake Belt Plan Implementation Committee.

(2)(a)~~(1)~~ The Legislature recognizes that deposits of limestone and sand suitable for production of construction aggregates, cement, and road base materials are located in limited areas of the state.

(b) The Legislature recognizes that the deposit of limestone available in South Florida is limited due to urbanization to the east and the Everglades to the west.

(3)~~(2)~~ The Dade County Lake Belt Area is that area ~~Legislature recognizes that the deposit of limestone available in South Florida is limited due to urbanization to the east and the Everglades to the west, and that the area~~

~~generally~~ bounded by the Florida Turnpike to the east, the Dade-Broward County line to the north, Krome Avenue to the west and Tamiami Trail to the south together with the land south of Tamiami Trail in sections 5, 6, 7, 8, 17, and 18, Township 54 South, Range 39 East, and in sections 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36, Township 54 South, Range 38 East ~~is one of the few remaining high-quality deposits in the state available for recovery of limestone, and that the Dade County 1985 Northwest Wellfield Protection Plan encourages limestone quarrying activity in lieu of urban development in this area~~.

(4)~~(3)~~ The ~~Northwest~~ Dade County ~~Freshwater~~ Lake Belt Plan Implementation Committee shall be appointed by the governing board of the South Florida Water Management District to develop a strategy for the design and implementation of the ~~Northwest~~ Dade County ~~Freshwater~~ Lake Belt Plan. The committee shall consist ~~be comprised of 13 members and 2 ex officio members, consisting~~ of the chair of the governing board ~~or his or her designee~~ of the South Florida Water Management District, who shall serve as chair of the committee, the policy director of Environmental and Growth Management in the Office of the Governor, the secretary ~~or the secretary's designee~~ of the Department of Environmental Protection, the director of the Division of Resource Management or its successor division within the Department of Environmental Protection, the director of the Office of Tourism, Trade, and Economic Development within the Office of the Governor, ~~the secretary or the secretary's designee of the Department of Commerce,~~ the secretary ~~or the secretary's designee~~ of the Department of Community Affairs, the executive director of the Game and Freshwater Fish Commission, the director of the Department of Environmental Resource Management of Dade County, the director of the Dade County Water and Sewer Department, the Director of Planning in Dade County, a representative of the Friends of the Everglades, a representative of the Florida Audubon Society, a representative of the Florida chapter of the Sierra Club, a representative of the nonmining private landowners within the Dade County Lake Belt area and four representatives from the limestone mining industry to be appointed by the governing board of the South Florida Water Management District. ~~The~~ Two ex officio seats on the committee will be filled by one member of the Florida House of Representatives to be selected by the Speaker of the House of Representatives from among representatives whose districts, or some portion of whose districts, are included within the geographical scope of the committee as described in subsection (3) ~~(2)~~, and one member of the Florida Senate to be selected by the President of the Senate from among senators whose districts, or some portion of whose districts, are included within the geographical scope of the committee as described in subsection (3) ~~(2)~~. The committee may appoint other ex officio members, as needed, by a majority vote of all committee members. A committee member may designate in writing an alternate member who, in the member's absence, may participate and vote in committee meetings.

(5)~~(4)~~ The committee shall develop Phase II of the Lake Belt ~~a~~ Plan which shall:

(a) Include a detailed master plan to further implementation;

(b) Further address compatible land uses, opportunities, and potential conflicts;

(c) Provide for additional wellfield protection;

(d) Provide measures to prevent the reclassification of the Northwest Dade County wells as groundwater under the direct influence of surface water.

(e) Secure additional funding sources; and

(f) Consider the need to establish a land authority.

~~(a) Enhances the water supply for Dade County and the Everglades;~~

~~(b) Maximizes efficient recovery of limestone while promoting the social and economic welfare of the community and protecting the environment; and~~

~~(c) Educates various groups and the general public of the benefits of the plan.~~

(6)~~(5)~~ The committee shall remain in effect until January 1, 2001 ~~1999~~, and shall meet as deemed necessary by the chair. The committee shall monitor and direct progress toward developing and implementing the plan. The committee shall submit progress reports to the governing board of the South Florida Water Management District and the Legislature by December 31 of each year~~, 1994, and by December 31, 1995~~. These reports shall include a summary of the activities of the committee, updates on all ongoing studies, any other relevant information gathered during the calendar year, and the committee recommendations for legislative and regulatory revisions. The committee shall submit a Phase II ~~final~~ report and plan to the governing board of the South Florida Water Management District and the Legislature by December 31, 2000, to supplement the Phase I report submitted on February 28, 1997 ~~1996~~. The Phase II ~~This~~ report must ~~shall~~ include the detailed master plan for the Dade County Lake Belt area together with the final reports on all studies, the final recommendations of the committee, the status of implementation of Phase I recommendations and other relevant information, and the committee's recommendation for legislative and regulatory revisions.

(7)~~(6)~~ ~~After completion of the plan,~~ The committee ~~shall continue to assist in its implementation and~~ shall report to the governing board of the South Florida Water Management District semiannually.

(8)~~(7)~~ In carrying out its work, the committee shall solicit comments from scientific and economic advisors and governmental, public, and private interests. The committee shall provide meeting notes, reports, and the strategy document in a timely manner for public comment.

(9)~~(8)~~ The committee is authorized to seek from the agencies or entities represented on the committee any grants or funds necessary to enable it to carry out its charge.

~~(9) The study area shall be extended to include land south of Tamiami Trail in sections 5, 6, 7, 8, 17, and 18, Township 54 South, Range 39 East, and to section 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36, Township 54 South, Range 38 East, all of which are located outside of Metro-Dade County's Current 2010 Urban Development Boundary Line. No additional biological studies will be required; however, computer hydrologic modeling, land use, and water quality studies may be necessary in the extended study area.~~

(10) The Department of Environmental Protection, in conjunction with the South Florida Water Management District and the Dade County Department of Environmental Resources Management, is directed to develop a comprehensive mitigation plan for the Dade County Lake Belt Plan, subject to approval by the Legislature, which offsets the loss of wetland functions and values resulting from rock mining in mining-supported and allowable areas. ~~The Legislature directs the committee and the Department of Environmental Protection to work with the United States Environmental Protection Agency and the Miami Dade Water and Sewer Authority Department to ensure that the Northwest Wellfield will retain its groundwater source classification for drinking water treatment standards. This determination shall be made utilizing hydrologic modeling and water quality studies. The committee shall seek funding for this study.~~

~~(11) The Legislature directs the South Florida Water Management District to oversee or carry out studies to determine evapotranspiration rates for melaleuca forest and prairie in the lakebelt area. Upon completion of the evapotranspiration study, the South Florida Water Management District shall incorporate study results as part of its overall water supply planning process. The committee shall seek funding for this study.~~

(11)~~(12)~~ The secretary of the Department of Environmental Protection, the secretary of the Department of Community Affairs, the secretary of the Department of Transportation, the Commissioner of Agriculture, the executive director of the Game and Freshwater Fish Commission, and the executive director of the South Florida Water Management District may enter into agreements with landowners, developers, businesses, industries, individuals, and governmental agencies as necessary to effectuate the provisions of this section. ~~The Legislature directs the Department of Commerce to oversee or carry out studies of the economic impact associated with the implementation of the lakebelt plan or any of its alternatives.~~

(12)~~(13)~~(a) All agencies of the state shall review the status of their land holdings within the boundaries of the Dade County Lake Belt. Those lands for which no present or future use is identified must be made available, together with other suitable lands, to the committee for its use in carrying out the objectives of this act.

(b) It is the intent of the Legislature that lands provided to the committee be used for land exchanges to further the objectives of this act. ~~This section is repealed January 1, 1999.~~

Section 11. This act shall take effect October 1, 1997.

Became a law without the Governor's approval May 30, 1997.

Filed in Office Secretary of State May 29, 1997.