

FLERA

Florida Local Environmental Resource Agencies

Oppose Subsections 23, 24 and 26 of Senate Bill 1752

This “Jobs” bill proposes to “streamline” certain aspects of the environmental regulatory process. The bill however has had **no review** to assess environmental impacts, while making sweeping policy changes that prevent Local Governments from implementing mandated Clean Water Act requirements in their jurisdictions.

Section 23 – Expedites Permitting Process

Requires even the most complicated environmental permit applications to be approved or denied within 30 days after receipt. **It approves permits by default after 30 days** and it applies to both state and local environmental permits.

Section 24 – Environmental Resource Permitting

Requires Local Governments to apply for state delegation of the ERP program by June, 2011 or be prohibited from implementing anything “**substantially similar**”. This broad language could **preempt anything related to water** - stormwater, low impact development ordinances, wetland regulations as well as fertilizer and other water quality ordinances.

This bill **ties the hands of Local Governments**, from cleaning up impaired local waters, while the EPA mandates new, more restrictive nutrient standards that local governments must meet.

Section 26 – General Permit Created

Creates a **general permit** for the construction of a surface water management system of 40 acres or less, **without any agency action**, if the application is signed and sealed by the applicant’s professional engineer.

This provision bypasses the current public interest test, essentially **shifting the burden** to the agency. This is a sweeping policy change without any review by the Senate Environmental Protection and Conservation Committee.

These sections of SB 1752 will have significant unintended consequences for DEP, local governments, and the environment.