

PAPPAS METCALF JENKS & MILLER

PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW
245 RIVERSIDE AVENUE • SUITE 400
JACKSONVILLE, FLORIDA 32202
Telephone: (904) 353-1980
Telecopier: (904) 356-1018
www.pmjmlaw.com

JOHN R. CAMPBELL
G. TODD COTTRILL
SPENCER N. CUMMINGS
THOMAS M. JENKS
W. WILLIAM LI
JOHN G. METCALF

FRANK E. MILLER
ZACHARY W. MILLER
M. LYNN PAPPAS
STACI M. REWIS
MARCIA PARKER TJOFLAT
KATHRYN F. WHITTINGTON

MEMORANDUM

To: Interested Clients

Date: June 15, 2009

Re: Permit Extensions Allowed by Senate Bill 360

On May 1, 2009 the Senate and the House passed Senate Bill 360, which contains provisions significantly amending growth management law. This bill was signed by Governor Crist and become law on June 1. One of the bill's provisions allows for a 2-year extension to:

- Any Department of Environmental Protection or any Water Management District permit issued under Fla. Stat. §373 part IV, that has an expiration date between September 1, 2008 and January 1, 2012, and
- Any local government issued development order, building permit or build out dates, including build out date extensions previously granted under Fla. Stat. §380.06(19)(c), that has an expiration date between September 1, 2008 and January 1, 2012.
- These extensions also apply to commencement and completion dates for required mitigation for phases of DRIs.

Permits issued by the Army Corps of Engineers and permits issued to holders determined to be in significant non-compliance with the conditions of the permit as established through a warning letter, formal enforcement or other equivalent action are not eligible for the extension.

IN ORDER FOR THE EXTENSION TO BE GRANTED, THE PERMIT HOLDER OR AUTHORIZED AGENT MUST NOTIFY THE AGENCY WHICH ISSUED THE PERMIT IN WRITING NO LATER THAN DECEMBER 31, 2009.

THE NOTICE TO THE AUTHORIZING AGENCY MUST IDENTIFY BOTH THE SPECIFIC AUTHORIZATION FOR WHICH THE PERMIT HOLDER INTENDS TO USE THE EXTENSION AND THE ANTICIPATED TIMEFRAME FOR ACTING ON THE AUTHORIZATION.

If you are a holder of any permit or authorization which falls into one of the above-mentioned categories, please call as soon as possible if we may assist you in the process of filing the extension notices with the appropriate agencies.