

Bill No. SB 1434

Amendment No. 1

| <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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The Committee on Natural Resources recommended the following amendment:

Senate Amendment (with title amendment)

On page 1, line 16, through page 2, line 11, delete those lines

and insert:

Section 1. Subsection (11) of section 161.052, Florida Statutes, is created to read:

161.052 Coastal construction and excavation; regulation.--

(11) The department may adopt rules to implement the particular powers and duties set forth in this section.

Section 2. Subsection (12) is amended and subsection (21) is added to section 161.053, Florida Statutes, to read:

161.053 Coastal construction and excavation; regulation on county basis.--

(12)(a) The coastal construction control requirements defined in subsection (1) and the requirements of the erosion projections pursuant to subsection (6) do not apply to any

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1 modification, maintenance, or repair to any existing structure
2 within the limits of the existing foundation which does not
3 require, involve, or include any additions to, or repair or
4 modification of, the existing foundation of that structure.
5 Specifically excluded from this exemption are seawalls or
6 other rigid coastal or shore protection structures and any
7 additions or enclosures added, constructed, or installed below
8 the first dwelling floor or lowest deck of the existing
9 structure.

10 (b) Activities seaward of the coastal construction
11 control line which are determined by the department not to
12 cause a measurable interference with the natural functioning
13 of the coastal system are exempt from the requirements in
14 subsection (5).

15 (c) The department may establish exemptions from the
16 requirements of this section for minor activities determined
17 by the department not to have adverse impacts on the coastal
18 system. Examples of such activities include, but are not
19 limited to:

- 20 1. Boat moorings;
- 21 2. Maintenance of existing beach/dune vegetation;
- 22 3. The burial of seaweed, dead fish, whales, or other
23 marine animals on the unvegetated beach;
- 24 4. The removal of piers or other derelict structures
25 from the unvegetated beach or seaward of mean high water;
- 26 5. Temporary emergency vehicular access, provided any
27 impacted area is immediately restored;
- 28 6. The removal of any existing structures or debris
29 from the upland, provided there is no excavation or
30 disturbance to the existing topography or beach/dune
31 vegetation;

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1 7. Construction of any new roof overhang extending no
 2 more than 4 feet beyond the confines of the existing
 3 foundation during modification, renovation, or reconstruction
 4 of a habitable structure within the confines of the existing
 5 foundation of that structure which does not include any
 6 additions to or modification of the existing foundation of
 7 that structure;

8 8. Minor and temporary excavation for the purpose of
 9 repairs to existing subgrade residential service utilities
 10 (e.g., water and sewer lines, septic tanks and drainfields,
 11 electrical and telephone cables, and gas lines), provided that
 12 there is minimal disturbance and that grade is restored with
 13 fill compatible in both coloration and grain size to the
 14 on-site material and any damaged or destroyed vegetation is
 15 restored using similar vegetation; and

16 9. Any other minor construction with impacts similar
 17 to the above activities.

18 (21) The department may adopt rules to implement the
 19 particular powers and duties set forth in this section.

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 21
 22 ===== T I T L E A M E N D M E N T =====

23 And the title is amended as follows:

24 On page 1, lines 4-9, delete those lines

25
 26 and insert:

27 amending s. 161.052, F.S.; providing authority
 28 to adopt rules relating to coastal construction
 29 and excavation; amending s. 161.053; F.S.;
 30 authorizing the exemption of certain activities
 31 from permit requirements; providing authority

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to adopt rules relating to coastal construction
and regulation on county basis; amending