

By the Committee on Water & Resource Management and Representatives Alexander, Merchant, Cantens, Brummer, Lee, K. Smith, Ogles, Kelly and Betancourt

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A bill to be entitled
An act relating to construction of private seawalls; amending s. 403.813, F.S.; revising circumstances under which the construction of certain private seawalls is exempt from permitting requirements; providing an effective date.

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

Section 1. Paragraphs (i) and (o) of subsection (2) of section 403.813, Florida Statutes, are amended to read:

403.813 Permits issued at district centers; exceptions.--

(2) No permit under this chapter, chapter 373, chapter 61-691, Laws of Florida, or chapter 25214 or chapter 25270, 1949, Laws of Florida, shall be required for activities associated with the following types of projects; however, nothing in this subsection relieves an applicant from any requirement to obtain permission to use or occupy lands owned by the Board of Trustees of the Internal Improvement Trust Fund or any water management district in its governmental or proprietary capacity or from complying with applicable local pollution control programs authorized under this chapter or other requirements of county and municipal governments:

(i) The construction of private docks and seawalls in artificially created waterways where such construction will not violate existing water quality standards, impede navigation, or affect flood control. This exemption does not apply to the construction of vertical seawalls in estuaries or lagoons unless the proposed construction is within an existing

1 manmade canal where the shoreline is currently occupied in
2 whole or in part by vertical seawalls.
3 (o) The construction of private seawalls in wetlands
4 or other surface waters of the state where such construction
5 is between and adjoins at both ends existing seawalls, follows
6 a continuous and uniform seawall construction line with the
7 existing seawalls, is no more than 150 feet in length, and
8 does not violate existing water quality standards, impede
9 navigation, or affect flood control. However, in estuaries
10 and lagoons, the construction of vertical seawalls is limited
11 to the circumstances and purposes stated in s.
12 373.414(5)(b)1.-4. This paragraph does ~~this shall~~ not affect
13 the permitting requirements of chapter 161, and department
14 rules must ~~shall~~ clearly indicate that this exception does not
15 constitute an exception from the permitting requirements of
16 chapter 161.

17 Section 2. This act shall take effect upon becoming a
18 law.

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21 HOUSE SUMMARY

22 Revises circumstances under which current exemptions from
23 permitting requirements for the construction of private
24 seawalls apply.
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