

1 A bill to be entitled
2 An act relating to rulemaking authority
3 regarding seawalls (RAB); amending s. 403.813,
4 F.S.; limiting a permit exemption for the
5 construction of seawalls in specified
6 circumstances; providing an effective date.

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

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

12 403.813 Permits issued at district centers;
13 exceptions.--

14 (2) No permit under this chapter, chapter 373, chapter
15 61-691, Laws of Florida, or chapter 25214 or chapter 25270,
16 1949, Laws of Florida, shall be required for activities
17 associated with the following types of projects; however,
18 nothing in this subsection relieves an applicant from any
19 requirement to obtain permission to use or occupy lands owned
20 by the Board of Trustees of the Internal Improvement Trust
21 Fund or any water management district in its governmental or
22 proprietary capacity or from complying with applicable local
23 pollution control programs authorized under this chapter or
24 other requirements of county and municipal governments:

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

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1 man-made canal where the shoreline is currently occupied in
2 whole or 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 section
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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