

By Senator Brown-Waite

10-275-02

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A bill to be entitled

An act relating to environmental regulation;  
amending s. 403.813, F.S.; providing for an  
exemption from permitting requirements for  
specified types of floating vessel platforms or  
floating boat lifts; providing an effective  
date.

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

Section 1. Paragraph (s) is added to subsection (2) of  
section 403.813, Florida Statutes, 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,  
except as otherwise provided in this subsection,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:

(s) Floating vessel platforms or floating boat lifts  
if such structures:

1. Float at all times in the water for the sole  
purpose of supporting a vessel so that the vessel is out of  
the water when not in use;

1           2. Are wholly contained within a boat slip previously  
2 permitted under ss. 403.91-403.929, 1984 Supplement to the  
3 Florida Statutes 1983, as amended, or Part IV of chapter 373,  
4 or, when associated with a dock that is exempt under this  
5 subsection or a permitted dock with no defined boat slip, do  
6 not exceed a combined total of 500 square feet, or 200 square  
7 feet in an Outstanding Florida Water;

8           3. Are not used for any commercial purpose or for  
9 mooring vessels that remain in the water when not in use, and  
10 do not substantially impede the flow of water, create a  
11 navigational hazard, or unreasonably infringe upon the  
12 riparian rights of adjacent property owners, as defined in s.  
13 253.141;

14           4. Are constructed and used so as to minimize adverse  
15 impacts to submerged lands, wetlands, shellfish areas, aquatic  
16 plant and animal species, and other biological communities,  
17 including locating such structures in areas where no  
18 seagrasses exist if such areas are present adjacent to the  
19 dock; and

20           5. Are not constructed in areas specifically  
21 prohibited for boat mooring under conditions of a permit  
22 issued in accordance with ss. 403.91-403.929, 1984 Supplement  
23 to the Florida Statutes 1983, as amended, or Part IV of  
24 Chapter 373, or other form of authorization issued by a local  
25 government.

26  
27 Structures that qualify for this exemption are relieved from  
28 any requirement to obtain permission to use or occupy lands  
29 owned by the Board of Trustees of the Internal Improvement  
30 Trust Fund and are not subject to any more stringent  
31 regulation by any local government. The exemption provided in

