By the Committee on Comprehensive Planning; and Senator Atwater

316-2622-04

1	A bill to be entitled
2	An act relating to recreational and fishing
3	working waterfronts; providing legislative
4	findings; providing a definition; requiring the
5	Fish and Wildlife Conservation Commission to
6	conduct a study of the future demand and
7	economic impact of recreational and fishing
8	working waterfronts; requiring a report to the
9	Governor, the Cabinet, and the Legislature;
10	providing for funding the study; providing an
11	effective date.
12	
13	Be It Enacted by the Legislature of the State of Florida:
14	
15	Section 1. Recreational and fishing working
16	waterfronts; definition
17	(1) The Legislature recognizes that there is an
18	important state interest in boating access to the state's
19	navigable waters. This access is vital to recreational users
20	and the marine industry in the state, to maintaining or
21	enhancing the \$14 billion economic impact of boating in this
22	state, and to ensuring continued access to all residents and
23	visitors to the navigable waters of the state. The Legislature
24	recognizes that there is an important state interest in
25	maintaining viable water-dependent support facilities, such as
26	boat hauling and repairing and commercial fishing facilities,
27	and in maintaining the availability of public access to the
28	navigable waterways in this state. The Legislature further
29	recognizes that the waterways of this state are important for
30	engaging in commerce and the transportation of goods and
31	people upon such waterways, and that such commerce and

2.7

2.8

29

30

31

transportation is not feasible unless there is access to and 2 from the navigable waters of the state through recreational and fishing working waterfronts. 3 4 (2) For purposes of this act, the term "recreational and fishing working waterfronts" means a parcel or parcels of 5 6 real property which provide access for water-dependent 7 commercial activities or provide access for the public to the 8 navigable waters of the state. Recreational and fishing working waterfronts require direct access to or a location on, 9 10 over, or adjacent to a navigable water body. The term "recreational and fishing working waterfronts" includes 11 12 water-dependent facilities that are open to the public and 13 offer public access by vessels to the waters of the state or that are support facilities for vessels, whether pleasure, 14 commercial, research, or governmental. These include docks, 15 wharfs, lifts, wet and dry marinas, public boat ramps, boat 16 hauling and repair facilities, commercial fishing facilities, 18 boat construction facilities, and other support structures over the water. Seaports are excluded from this definition. 19 The term "vessel," for the purposes of this act, has the same 2.0 21 meaning as in section 327.02, Florida Statutes. 22 (3) The Fish and Wildlife Conservation Commission 23 shall undertake a comprehensive study pertaining to the future demand and economic impact of recreational and fishing working 2.4 waterfronts on all navigable waters of the state. The study 2.5 shall develop use profiles of current recreational and fishing 2.6

working waterfronts, project future trends, and determine the

types of facilities to be used. The study shall also estimate

fishing working waterfront demands through public boat ramps,

capital costs necessary to meet future recreational and

government-owned marinas, and mooring fields and shall

31

determine funding sources. Working with stakeholders, a 2 prioritization scheme shall be developed for the placement of recreational and fishing working waterfronts or the rebuilding 3 4 of existing infrastructure. The study shall evaluate the need 5 for public access, as well as the economic impact and economic 6 value considerations as part of the rebuilding of existing 7 waterfronts. The study shall also evaluate potential 8 incentives for continued use or additional development of recreational and fishing working waterfronts by the private 9 10 sector to help avoid further loss of public access through changes to other uses. This portion of the study must include, 11 12 but need not be limited to, the voluntary use of tax relief 13 and the purchase of development rights. The study, at a minimum, must provide the details of all the components of the 14 study on a county-by-county basis and must provide a process 15 for a request for qualifications and request for proposals to 16 carry out the study. All state agencies shall provide the Fish 18 and Wildlife Conservation Commission with staff assistance and information, as appropriate, for the development of the study. 19 The findings of the study shall be furnished to the Governor, 2.0 21 the Cabinet, the President of the Senate, and the Speaker of 2.2 the House of Representatives no later than November 30, 2007. 23 The Fish and Wildlife Conservation Commission shall use funds appropriated to the Office of Boating and Waterways from the 2.4 Marine Resources Conservation Trust Fund for the study. 2.5 Section 2. This act shall take effect upon becoming a 2.6 2.7 law. 2.8 29 30

1 2	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR Senate Bill 2294
3	<u> </u>
	The committee substitute (CS) provides legislative findings with regard to "recreational and fishing working waterfronts." It requires the Fish and Wildlife Conservation Commission (FWC) to undertake a comprehensive study of the future demand for and economic impacts of recreational fishing working waterfronts on all navigable waters of the state with the findings to be provided to the Governor, the Cabinet, and the Legislature by November 30, 2007. It specifies the issues to be addressed in the study. The CS provides that FWC shall use funds appropriated to the Office of Boating and Waterways from the Marine Resources Conservation Trust Fund for the study.
8	
9	
10	to achieve a specified boat trailer parking capacity by July 1, 2014. It deletes a provision directing the Department of Community Affairs to commission a study on working
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	