

CHAMBER ACTION

1 The Committee on Natural Resources recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to recreational and fishing working
7 waterfronts; creating s. 342.07, F.S.; providing
8 legislative findings; providing definitions; requiring the
9 Fish and Wildlife Conservation Commission to conduct a
10 study of recreational and fishing working waterfronts and
11 provide a report to the Governor and Cabinet and the
12 Legislature; providing a source of funding for the study;
13 providing an effective date.

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

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17 Section 1. Section 342.07, Florida Statutes, is created to
18 read:

19 342.07 Recreational and fishing working waterfronts;
20 legislative findings; definitions.--

21 (1) The Legislature recognizes that there is an important
22 state interest in boating access to the state's navigable
23 waters. This access is vital to recreational users and the

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24 marine industry in the state, to maintaining or enhancing the
25 \$14 billion economic impact of boating in the state, and to
26 insuring continued access to all residents and visitors to the
27 navigable waters of the state. The Legislature recognizes that
28 there is an important state interest in maintaining viable
29 water-dependent support facilities, such as boat hauling and
30 repairing and commercial fishing facilities, and in maintaining
31 the availability of public access to the navigable waters of the
32 state. The Legislature further recognizes that the waterways of
33 the state are important for engaging in commerce and the
34 transportation of goods and people upon such waterways and that
35 such commerce and transportation is not feasible unless there is
36 access to and from the navigable waters of the state through
37 recreational and fishing working waterfronts.

38 (2) For purposes of this section, the term "recreational
39 and fishing working waterfronts" means a parcel or parcels of
40 real property that provide access for water-dependent commercial
41 activities or provide access for the public to the navigable
42 waters of the state. Recreational and fishing working
43 waterfronts require direct access to or a location on, over, or
44 adjacent to a navigable body of water. The term "recreational
45 and fishing working waterfronts" includes water-dependent
46 facilities that are open to the public and offer public access
47 by vessels to the waters of the state or are support facilities
48 for recreational, commercial, research, or governmental vessels.
49 These facilities include docks, wharfs, lifts, wet and dry
50 marinas, public boat ramps, boat hauling and repair facilities,
51 commercial fishing facilities, boat construction facilities, and

52 | other support structures over the water. For purposes of this
 53 | section, the term "vessel" is as defined in s. 327.02(37),
 54 | Florida Statutes. Seaports are excluded from such definition.

55 | Section 2. Recreational and fishing working waterfronts
 56 | study.--The Fish and Wildlife Conservation Commission shall
 57 | undertake a comprehensive study pertaining to the future demand
 58 | for and economic impact of recreational and fishing working
 59 | waterfronts on all navigable waters of the state. The study
 60 | shall develop use profiles of current recreational and fishing
 61 | working waterfronts, project future trends, and determine the
 62 | types of facilities to be used. The study shall also estimate
 63 | capital costs necessary to meet the demands of future
 64 | recreational and fishing working waterfronts through public boat
 65 | ramps, governmentally owned marinas, and mooring fields and
 66 | shall determine funding sources. Working with stakeholders, a
 67 | prioritization strategy shall be developed for the replacement
 68 | of recreational and fishing working waterfronts or the
 69 | rebuilding of existing infrastructures. The study shall evaluate
 70 | the need for public access, as well as economic impact and
 71 | economic value considerations, as part of the rebuilding of
 72 | existing recreational and working waterfronts. The study shall
 73 | also evaluate potential incentives for continued use or
 74 | additional development of recreational and fishing working
 75 | waterfronts by the private sector to help avoid further loss of
 76 | public access through changes to other uses. This portion of the
 77 | study shall include, but is not limited to, the voluntary use of
 78 | both tax relief and the purchase of development rights. At a
 79 | minimum, the scope of work for the study shall provide the

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80 details of all the components of the study on a county-by-county
81 basis and shall provide the request for qualifications and
82 request for proposal process to carry out the study. All state
83 agencies are directed to provide the Fish and Wildlife
84 Conservation Commission with staff assistance and information as
85 appropriate for the development of the study. The findings of
86 the study shall be furnished to the Governor and Cabinet, the
87 President of the Senate, and the Speaker of the House of
88 Representatives no later than November 30, 2007. The Fish and
89 Wildlife Conservation Commission shall use funds appropriated to
90 the Office of Boating and Waterways from the Marine Resources
91 Conservation Trust Fund for the purpose of funding the study.

92 Section 3. This act shall take effect upon becoming a law.