

Bill No. SB 2288

Barcode 891902

CHAMBER ACTION

Senate

House

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Senator Posey moved the following amendment:

Senate Amendment (with title amendment)

On page 2, between lines 8 and 9,

insert:

Section 2. Paragraph (s) of subsection (2) of section
403.813, Florida Statutes, is amended to read:

403.813 Permits issued at district centers;
exceptions.--

(2) A permit is not required under this chapter,
chapter 373, chapter 61-691, Laws of Florida, or chapter 25214
or chapter 25270, 1949, Laws of Florida, 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

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1 requirements of county and municipal governments:

2 (s) The construction, installation, operation, or
3 maintenance of floating vessel platforms or floating boat
4 lifts, provided that such structures:

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

8 2. Are wholly contained within a boat slip previously
9 permitted under ss. 403.91-403.929, 1984 Supplement to the
10 Florida Statutes 1983, as amended, or part IV of chapter 373;
11 ~~are, or, when~~ associated with a dock that is exempt under this
12 subsection or a permitted dock with no defined boat slip and,
13 do not exceed a combined total of 500 square feet, or 200
14 square feet in an Outstanding Florida Water; or are attached
15 to a bulkhead on a parcel of land where there is no other
16 docking structure and do not exceed a combined total of 1,000
17 square feet outside of Outstanding Florida Waters, 500 square
18 feet within an Outstanding Florida Water that is not an
19 aquatic preserve, or 200 square feet within an aquatic
20 preserve;

21 3. Are not used for any commercial purpose or for
22 mooring vessels that remain in the water when not in use, and
23 do not substantially impede the flow of water, create a
24 navigational hazard, or unreasonably infringe upon the
25 riparian rights of adjacent property owners, as defined in s.
26 253.141;

27 4. Are constructed and used so as to minimize adverse
28 impacts to submerged lands, wetlands, shellfish areas, aquatic
29 plant and animal species, and other biological communities,
30 including locating such structures in areas where ~~no~~
31 seagrasses are least dense ~~exist if such areas are present~~

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1 adjacent to the dock or bulkhead; and

2 5. Are not constructed in areas specifically
3 prohibited for boat mooring under conditions of a permit
4 issued in accordance with ss. 403.91-403.929, 1984 Supplement
5 to the Florida Statutes 1983, as amended, or part IV of
6 chapter 373, or other form of authorization issued by a local
7 government.

8
9 Structures that qualify for this exemption are relieved from
10 any requirement to obtain permission to use or occupy lands
11 owned by the Board of Trustees of the Internal Improvement
12 Trust Fund and shall not be subject to any permitting or
13 registration requirements, or other more stringent regulation
14 by any local government. The exemption provided in this
15 paragraph shall be in addition to the exemption provided in
16 paragraph (b). By January 1, 2006 ~~2003~~, the department shall
17 adopt a general permit by rule for the construction,
18 installation, operation, or maintenance of those floating
19 vessel platforms or floating boat lifts that do not qualify
20 for the exemption provided in this paragraph but do not cause
21 significant adverse impacts to occur individually or
22 cumulatively. The issuance of such general permit shall also
23 constitute permission to use or occupy lands owned by the
24 Board of Trustees of the Internal Improvement Trust Fund.

25 Structures that qualify for ~~Upon the adoption of the rule~~
26 ~~creating~~ such general permit are not subject to any permitting
27 or registration requirement, or other ~~no local government~~
28 ~~shall impose a~~ more stringent regulation by any local
29 government ~~on floating vessel platforms or floating boat lifts~~
30 ~~covered by such general permit.~~

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1 (Redesignate subsequent sections.)

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4 ===== T I T L E A M E N D M E N T =====

5 And the title is amended as follows:

6 On page 1, line 9, after the semicolon,

7

8 insert:

9 amending s. 403.813, F.S.; clarifying

10 provisions relating to an existing exemption

11 from certain regulations for certain floating

12 vessel platforms;

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