

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Needelman offered the following:

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3 **Substitute Amendment for Amendment (520211) (with title**  
4 **amendment)**

5 Remove the entire body and insert:

6 Section 1. Subsection (5) is added to section 373.118,  
7 Florida Statutes, to read:

8 373.118 General permits.--

9 (5) The department shall adopt by rule one or more general  
10 permits for local governments to construct, operate, and  
11 maintain public marina facilities, public mooring fields, public  
12 boat ramps, including associated courtesy docks, and associated  
13 parking facilities located in uplands. Such general permits  
14 adopted by rule shall include provisions to ensure compliance  
15 with subsection (1), part IV of this chapter, and the criteria

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16 necessary to include the general permits in a state programmatic  
 17 general permit issued by the United States Army Corps of  
 18 Engineers under s. 404 of the Clean Water Act, Pub. L. No. 92-  
 19 500, as amended, 33 U.S.C. ss. 1251 et seq. A facility  
 20 authorized under such general permits is exempt from review as a  
 21 development of regional impact if the facility complies with the  
 22 comprehensive plan of the applicable local government. Such  
 23 facilities shall be consistent with the local government manatee  
 24 protection plan required pursuant to ch. 370 and shall obtain  
 25 Clean Marina Program status prior to opening for operation and  
 26 maintain that status for the life of the facility. Marinas  
 27 authorized under any such general permit shall not exceed an  
 28 area of 50,000 square feet over wetlands and other surface  
 29 waters. The department shall initiate the rulemaking process  
 30 within 60 days after the effective date of this act.

31 Section 2. This act shall take effect July 1, 2005.

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

34 Remove the entire title and insert:

35 A bill to be entitled

36 An act relating to public marinas and boat ramps; amending  
 37 s. 373.118, F.S.; directing the Department of  
 38 Environmental Protection to adopt rules to authorize local  
 39 governments to construct and maintain all facilities,  
 40 including public marinas and boat ramps; exempting certain  
 41 facilities from development-of-regional-impact review;

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HOUSE AMENDMENT

Bill No. HB 989 CS

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42 | providing for regulatory criteria; providing for the use  
43 | of submerged lands; providing an effective date.

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