

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Berfield offered the following:

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3 **Amendment to Amendment (326445) (with title amendment)**

4 Between lines 30 and 31, insert:

5 Section 2. Paragraph (s) of subsection (2) of section
6 403.813, Florida Statutes, is amended to read:

7 403.813 Permits issued at district centers; exceptions.--

8 (2) A permit is not required under this chapter, chapter
9 373, chapter 61-691, Laws of Florida, or chapter 25214 or
10 chapter 25270, 1949, Laws of Florida, for activities associated
11 with the following types of projects; however, except as
12 otherwise provided in this subsection, nothing in this
13 subsection relieves an applicant from any requirement to obtain
14 permission to use or occupy lands owned by the Board of Trustees
15 of the Internal Improvement Trust Fund or any water management

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16 district in its governmental or proprietary capacity or from
17 complying with applicable local pollution control programs
18 authorized under this chapter or other requirements of county
19 and municipal governments:

20 (s) The construction, installation, operation, or
21 maintenance of floating vessel platforms or floating boat lifts,
22 provided that such structures:

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

26 2. Are wholly contained within a boat slip previously
27 permitted under ss. 403.91-403.929, 1984 Supplement to the
28 Florida Statutes 1983, as amended, or part IV of chapter 373;
29 are, or, when associated with a dock that is exempt under this
30 subsection or a permitted dock with no defined boat slip and, do
31 not exceed a combined total of 500 square feet, or 200 square
32 feet in an Outstanding Florida Water; or are attached to a
33 bulkhead on a parcel of land where there is no other docking
34 structure and do not exceed a combined total of 1,000 square
35 feet outside of Outstanding Florida Waters, 500 square feet
36 within an Outstanding Florida Water that is not an aquatic
37 preserve, or 200 square feet within an aquatic preserve;

38 3. Are not used for any commercial purpose or for mooring
39 vessels that remain in the water when not in use, and do not
40 substantially impede the flow of water, create a navigational
41 hazard, or unreasonably infringe upon the riparian rights of
42 adjacent property owners, as defined in s. 253.141;

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43 4. Are constructed and used so as to minimize adverse
44 impacts to submerged lands, wetlands, shellfish areas, aquatic
45 plant and animal species, and other biological communities,
46 including locating such structures in areas where ~~no~~ seagrasses
47 are least dense ~~exist if such areas are present~~ adjacent to the
48 dock or bulkhead; and

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

54
55 Structures that qualify for this exemption are relieved from any
56 requirement to obtain permission to use or occupy lands owned by
57 the Board of Trustees of the Internal Improvement Trust Fund and
58 shall not be subject to any permitting requirement, registration
59 requirement, or other more stringent regulation by any local
60 government. The exemption provided in this paragraph shall be in
61 addition to the exemption provided in paragraph (b). By January
62 1, 2006 ~~2003~~, the department shall adopt a general permit by
63 rule for the construction, installation, operation, or
64 maintenance of those floating vessel platforms or floating boat
65 lifts that do not qualify for the exemption provided in this
66 paragraph but do not cause significant adverse impacts to occur
67 individually or cumulatively. The issuance of such general
68 permit shall also constitute permission to use or occupy lands
69 owned by the Board of Trustees of the Internal Improvement Trust

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70 Fund. Structures that qualify for ~~Upon the adoption of the rule~~
71 ~~creating~~ such general permit shall not be subject to any
72 permitting requirement, registration requirement, or other more
73 stringent regulation by any, ~~no~~ local government ~~shall impose a~~
74 ~~more stringent regulation on floating vessel platforms or~~
75 ~~floating boat lifts covered by such general permit.~~

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

78 Remove line 43 and insert:
79 of submerged lands; amending s. 403.813, F.S.; revising
80 permit exemption requirements for floating vessel
81 platforms or floating boat lifts; providing an effective
82 date.