

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 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Subsection (5) is added to section 373.118,

6 Florida Statutes, to read:

7 373.118 General permits.--

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

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

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

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

33 Remove the entire title and insert:

34 A bill to be entitled

35 An act relating to marinas and public boat ramps; amending
 36 s. 373.118, F.S.; directing the Department of
 37 Environmental Protection to adopt rules to authorize local
 38 governments to construct and maintain all facilities,
 39 including marinas and public boat ramps; exempting certain
 40 facilities from development-of-regional-impact review;
 41 providing for regulatory criteria; providing for the use
 42 of submerged lands; providing an effective date.

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