

Bill No. HB 989, 1st Eng.

Barcode 634986

CHAMBER ACTION

Senate

House

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Senator Bennett moved the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Subsection (12) is added to section 403.814, Florida Statutes, to read:

403.814 General permits; delegation.--

(12) The department shall adopt by rule one or more general permits for local governments to construct, operate, and maintain public marina facilities, public mooring fields, public boat ramps, including associated courtesy docks, and associated parking facilities located in uplands. Such general permits adopted by rule shall include provisions to ensure compliance with part IV of this chapter, section 373.118(1), and the criteria necessary to include the general permits in a state programmatic general permit issued by the United States Army Corps of Engineers under s. 404 of the Clean Water Act, Pub. L. No. 92-500, as amended, 33 U.S.C. ss. 1251 et seq. A facility authorized under such general permits is exempt from

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1 review as a development of regional impact if the facility
2 complies with the comprehensive plan of the applicable local
3 government. Such facilities shall be consistent with the local
4 government manatee protection plan required pursuant to ch.
5 370, F.S., and shall obtain Clean Marina Program status prior
6 to opening for operation and maintain that status for the life
7 of the facility. Marinas and mooring fields authorized under
8 any such general permit shall not exceed an area of 50,000
9 square feet over wetlands and other surface waters. All
10 facilities permitted under this section shall be constructed,
11 maintained, and operated in perpetuity for the exclusive use
12 of the general public. The department shall initiate the
13 rulemaking process within 60 days after the effective date of
14 this act.

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

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

And the title is amended as follows:

Delete everything before the enacting clause

and insert:

A bill to be entitled

An act relating to public marina facilities and
boat ramps; amending s. 403.814, F.S.;
authorizing the Department of Environmental
Protection to allow such facilities or ramps to
be constructed and maintained by local
governments; providing guidelines and
limitations relating to such projects;
providing for fees; providing an effective

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