

CHAMBER ACTION

1 The State Resources Council recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to public marinas and boat ramps; amending  
7 s. 373.118, F.S.; directing the Department of  
8 Environmental Protection to adopt by rule one or more  
9 general permits for local governments to construct,  
10 operate, and maintain public marinas and boat ramps;  
11 exempting certain facilities from development-of-regional-  
12 impact review; defining the term "public"; providing for  
13 the use of submerged lands; providing for regulatory  
14 criteria; requiring the conditions of such permits to be  
15 effective for the life of the facility and binding on  
16 future facility owners; providing an effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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

22 373.118 General permits.--

23        (5) The department shall adopt by rule one or more general  
 24 permits for local governments to construct, operate, and  
 25 maintain public marina facilities and public boat ramps,  
 26 including associated courtesy docks and associated parking  
 27 facilities located in uplands. Such general permits adopted by  
 28 rule shall include provisions to ensure compliance with  
 29 subsection (1), part IV of this chapter, and the criteria  
 30 necessary to include the general permits in a state programmatic  
 31 general permit issued by the United States Army Corps of  
 32 Engineers under s. 404 of the Clean Water Act, Pub. L. No. 92-  
 33 500, as amended, 33 U.S.C. ss. 1251 et seq. A facility  
 34 authorized under such general permits is exempt from review as a  
 35 development of regional impact if the facility complies with the  
 36 comprehensive plan of the applicable local government. As used  
 37 in this subsection, the term "public" means the marina or ramp  
 38 is open to the public on a first-come, first-served basis with  
 39 slip rental terms not to exceed 1 year. Such facilities shall be  
 40 consistent with the local government manatee protection plan  
 41 required pursuant to chapter 370 and shall obtain Clean Marina  
 42 Program status prior to opening for operation and maintain that  
 43 status for the life of the facility. Marinas authorized under  
 44 any such general permits shall not exceed an area of 50,000  
 45 square feet over wetlands and other surface waters and shall  
 46 accommodate an average vessel length not to exceed 45 feet or  
 47 vessels whose size range reflects that of vessels registered in  
 48 the jurisdiction of the local government. Boat ramps authorized  
 49 under any such general permits shall be limited to ramps  
 50 associated with a parking facility designed to accommodate no

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51 | more than 100 vehicles with trailers. All conditions of general  
52 | permits adopted pursuant to this subsection shall remain in  
53 | effect for the life of the facility and shall be binding on any  
54 | future owners of the facility.

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