

Amendment No.

CHAMBER ACTION

Senate

House

.

---

1 Representative Kendrick offered the following:

2  
3 **Amendment (with title amendment)**

4 Remove lines 50-98 and insert:

5 Section 1. Subsection (18) is added to section 253.03,  
6 Florida Statutes, to read:

7 253.03 Board of trustees to administer state lands; lands  
8 enumerated.--

9 (18) The Board of Trustees of the Internal Improvement  
10 Trust Fund shall ensure the preservation and regeneration of  
11 seagrass, as defined in s. 253.04(4)(b)2., by providing for the  
12 establishment of seagrass mitigation banks, pursuant to s.  
13 373.4136, to offset the unavoidable impacts of projects where  
14 such banks meet the applicable public interest test of chapters  
15 253 and 258. This subsection shall not prohibit mitigation for  
16 impacts to seagrass or other habitats on sovereignty submerged

808903

4/22/2008 12:56 PM

Amendment No.

17 lands for other types of projects, or for projects occurring on  
18 nonsovereign submerged lands, upon applicable approval of the  
19 board of trustees.

20 Section 2. Subsections (4) through (7) of section 253.04,  
21 Florida Statutes, are renumbered as subsections (5) through (8),  
22 respectively, and a new subsection (4) is added to that section  
23 to read:

24 253.04 Duty of board to protect, etc., state lands; state  
25 may join in any action brought.--

26 (4) (a) The duty to conserve and improve state-owned lands  
27 and the products thereof shall include the preservation and  
28 regeneration of seagrass, which is deemed essential to the  
29 oceans, gulfs, estuaries, and shorelines of the state.

30 (b) Any person operating a vessel outside a lawfully  
31 marked channel in a careless manner that causes seagrass  
32 scarring within an aquatic preserve established in ss. 258.39-  
33 258.399 with the exception of the Lake Jackson, Wekiva River,  
34 and Rainbow River aquatic preserves, commits a civil infraction,  
35 punishable as provided in s. 327.73. Each violation is a  
36 separate offense. As used in this subsection, the term:

37 1. "Seagrass scarring" means the destruction of roots,  
38 shoots, or stems of seagrass plants that results in tracks on  
39 the substrate caused by the operation of a motorized vessel in  
40 waters supporting seagrasses, commonly known as prop-scars or  
41 propeller scars.

42 2. "Seagrasses" means Cuban shoal grass (Halodule  
43 wrightii), turtle grass (Thalassia testudinum), manatee grass  
44 (Syringodium filiforme), star grass (Halophila engelmannii),

808903

4/22/2008 12:56 PM

Amendment No.

45 paddle grass (Halophila decipiens), Johnson's seagrass  
46 (Halophila johnsonii), or widgeon grass (Ruppia maritima).

47 (c) Any violation of this subsection is a violation of the  
48 boating laws of this state and shall be charged on a uniform  
49 boating citation as provided in s. 327.74. Any person who  
50 refuses to post a bond or accept and sign a uniform boating  
51 citation commits a misdemeanor of the second degree as provided  
52 in s. 327.73(3), punishable as provided in s. 775.082 or s.  
53 775.083.

54 (d) All civil penalties imposed and collected pursuant to  
55 this subsection shall be deposited into the Internal Improvement  
56 Trust Fund and used solely to implement, administer, and enforce  
57 this subsection; provide for seagrass restoration; conduct a  
58 program to educate vessel operators about the need to protect  
59 seagrasses from damage caused by the operation of vessels; and  
60 fund the marking of seagrass.

61 (e) The board shall, by rule, provide for the selection of  
62 private sector companies that use scientifically established  
63 techniques utilizing containerized fine grain sediment to  
64 stabilize seagrass scars and damage to seagrasses from boat  
65 groundings and use proven methods to establish the  
66 recolonization of seagrasses. Such restoration and  
67 recolonization efforts shall be accomplished without cost to the  
68 state. Mitigation credits shall be provided for efforts that  
69 achieve successful restoration of damaged seagrass beds and  
70 creation of new seagrass beds. Such credits shall be determined  
71 by the uniform mitigation assessment methodology. The board  
72 shall

808903

4/22/2008 12:56 PM

Amendment No.

73  
74  
75  
76  
77  
78  
79  
80  
81  
82  
83  
84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95

-----

**T I T L E   A M E N D M E N T**

Remove lines 3-20 and insert:

life; amending s. 253.03, F.S.; requiring the Board of Trustees of the Internal Improvement Trust Fund to provide for the establishment of seagrass mitigation banks for specified purposes; amending s. 253.04, F.S.; providing that careless operation of a vessel outside a marked channel that causes seagrass scarring within certain aquatic preserves is a civil infraction; defining the terms "seagrass scarring" and "seagrasses"; providing that refusal to post bond or sign a boating citation is a second degree misdemeanor; providing criminal penalties; requiring that civil penalties collected for the careless operation of a vessel causing seagrass scarring be deposited into the Internal Improvement Trust Fund and used for specified purposes; requiring the board to adopt rules for the stabilization of propeller scarring and boat groundings; providing mitigation credits for restored and created seagrasses; specifying a methodology for determining such credits; requiring the board to conduct pilot projects in certain