



629132

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/03/2009	.	
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The Committee on Environmental Preservation and Conservation  
(Sobel) recommended the following:

**Senate Amendment to Amendment (561386)**

Delete lines 16 - 37  
and insert:

1. A penalty of up to \$5,000 per violation against any person who violates any provision of ss. 403.9321-403.9333 ~~the contractor or agent of the owner or tenant that conducts mangrove trimming or alteration without a permit as required by s. 403.9328.~~ However, for minor unauthorized trimming that otherwise would have qualified for a general permit under s. 403.9327 or that has only minimal or insignificant individual or



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12 cumulative adverse impacts on mangrove resources, the department  
13 shall assess a penalty of up to \$1,000 for the first offense.

14 For purposes of this paragraph, the preparation or signing of a  
15 permit application by a person currently licensed under chapter  
16 471 to practice as a professional engineer does ~~shall~~ not  
17 constitute a violation ~~make that person an agent of the owner or~~  
18 ~~tenant.~~

19 2. For major unauthorized trimming or a second or  
20 subsequent violation of subparagraph 1., an additional penalty  
21 of up to \$100 for each mangrove illegally trimmed and up to \$250  
22 for each mangrove illegally altered, not to exceed a total of  
23 \$10,000.

24 3. For major unauthorized trimming or a second or  
25 subsequent violation of subparagraph 1. by a professional  
26 mangrove trimmer, an additional penalty of up to \$250 for each  
27 mangrove illegally trimmed or altered, not to exceed a total of  
28 \$10,000.