



956336

LEGISLATIVE ACTION

Senate

House

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Floor: WD/3R

04/08/2010 10:52 AM

Senator Constantine moved the following:

1 **Senate Substitute for Amendment (933454) (with title**
2 **amendment)**

3
4 Between lines 174 and 175
5 insert:

6 Section 5. Existing single-family docks constructed prior
7 to June 1, 2009, that are located within Nassau County on Lofton
8 Creek in the Nassau River-St. Johns River Marshes Aquatic
9 Preserve between State Road 200 to the north and a line drawn
10 between N30°32'44.890", W-81°33'08.68" and N30°32'40.001", W-
11 81°32'55.79" to the south shall:

12 (1) Be exempt from the need to obtain a permit under part
13 IV of chapter 373, Florida Statutes, for the existing dock or



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14 for modifications to the existing dock necessary to meet the
15 conditions for applying for a letter of consent pursuant to this
16 act.

17 (2) Notwithstanding the provisions of chapter 258, Florida
18 Statutes, and rule 18-20, Florida Administrative Code, be
19 allowed to retain a terminal platform, as defined in rule 18-
20 20.003(67), Florida Administrative Code, with a cumulative total
21 deck and roof area not to exceed 800 square feet, provided that
22 by December 31, 2010, the owner of the riparian parcel
23 associated with the dock conforms the dock to meet the terminal
24 platform size requirement, if necessary, and applies for a
25 letter of consent to use sovereignty submerged lands from the
26 Department of Environmental Protection acting on behalf of the
27 Board of Trustees of the Internal Improvement Trust Fund. A
28 letter of consent shall be issued once applicable criteria of
29 this act are met and the owner shall record the original letter
30 of consent in the Nassau County Official Records Book to run
31 with the upland parcel.

32 (3) Be maintained or repaired within a footprint the same
33 as or smaller than the footprint of the current structure in
34 accordance with rule 18-21.004(7)(h), Florida Administrative
35 Code. This subsection does not prohibit an owner from
36 demolishing or removing such a dock. However, should more than
37 50 percent of a nonconforming structure fall into a state of
38 disrepair or be destroyed as a result of any natural or manmade
39 force, the entire structure shall be brought into full
40 compliance with the current rules of the board.

41 Section 6. Nothing in this act shall be construed to
42 prevent the Department of Environmental Protection from taking



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43 enforcement action against the owner of the riparian parcel
44 associated with a dock that does not meet the criteria of
45 section 1 after December 31, 2010.

46 Renumber subsequent sections

47

48

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

50 And the title is amended as follows:

51 Delete line 28

52 and insert:

53 docks or piers; providing that certain single-family
54 docks located in the Nassau River St. Johns River
55 Marches Aquatic Preserve must meet specified criteria;
56 authorizing the Department of Environmental Protection
57 to take action against owners of docks that do not
58 meet such criteria after a specified date; providing
59 an effective date.