CS/CS/HB 831 2010

A bill to be entitled

An act relating to Nassau County; providing that certain single-family docks located in the Nassau River-St. Johns River Marshes Aquatic Preserve must meet specified criteria; authorizing the Department of Environmental Protection to take action against owners of docks that do not meet such criteria after a specified date; providing an effective date.

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

- Section 1. Existing single-family docks constructed prior to June 1, 2009, that are located within Nassau County on Lofton Creek in the Nassau River-St. Johns River Marshes Aquatic Preserve between State Road 200 to the north and a line drawn between N30°32'44.890", W-81°33'08.68" and N30°32'40.001", W-81°32'55.79" to the south shall:
- (1) Be exempt from the need to obtain a permit under part

  IV of chapter 373, Florida Statutes, for the existing dock or

  for modifications to the existing dock necessary to meet the

  conditions for applying for a letter of consent pursuant to this

  act.
- (2) Notwithstanding the provisions of chapter 258, Florida Statutes, and rule 18-20, Florida Administrative Code, be allowed to retain a terminal platform, as defined in rule 18-20.003(67), Florida Administrative Code, with a cumulative total deck and roof area not to exceed 800 square feet, provided that by December 31, 2010, the owner of the riparian parcel

Page 1 of 2

CS/CS/HB 831 2010

associated with the dock conforms the dock to meet the terminal platform size requirement, if necessary, and applies for a letter of consent to use sovereignty submerged lands from the Department of Environmental Protection acting on behalf of the Board of Trustees of the Internal Improvement Trust Fund. A letter of consent shall be issued once applicable criteria of this act are met and the owner shall record the original letter of consent in the Nassau County Official Records Book to run with the upland parcel.

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

Section 2. Nothing in this act shall be construed to prevent the Department of Environmental Protection from taking enforcement action against the owner of the riparian parcel associated with a dock that does not meet the criteria of section 1 after December 31, 2010.

Section 3. This act shall take effect upon becoming a law.