



537904

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/16/2011	.	
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	.	

The Committee on Commerce and Tourism (Ring) recommended the following:

Senate Amendment (with title amendment)

Between lines 407 and 408
insert:

Section 7. Subsection (3) of section 403.813, Florida Statutes, is amended to read:

403.813 Permits issued at district centers; exceptions.—

(3) A permit is not required under this chapter, chapter 373, chapter 61-691, Laws of Florida, or chapter 25214 or chapter 25270, 1949, Laws of Florida, for maintenance dredging ~~conducted under this section~~ by the seaports of Jacksonville, Port Canaveral, Fort Pierce, Palm Beach, Port Everglades, Miami,



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13 Port Manatee, St. Petersburg, Tampa, Port St. Joe, Panama City,
14 Pensacola, Key West, and Fernandina or by inland navigation
15 districts, if the dredging is no more than is necessary to meet
16 the original design specifications or configurations and
17 previously undisturbed natural areas are not significantly
18 impacted, and if the work conducted does not violate the
19 protections for manatees under s. 379.2431(2)(d). In addition:

20 (a) A mixing zone for turbidity is granted within a 150-
21 meter radius from the point of dredging while dredging is
22 ongoing, except that the mixing zone may not extend into areas
23 supporting wetland communities, submerged aquatic vegetation, or
24 hardbottom communities.

25 (b) The discharge of the return water from the site used
26 for the disposal of dredged material shall be allowed only if
27 such discharge does not result in a violation of water quality
28 standards in the receiving waters. The return-water discharge
29 into receiving waters shall be granted a mixing zone for
30 turbidity within a 150-meter radius from the point of discharge
31 into the receiving waters during and immediately after the
32 dredging, except that the mixing zone may not extend into areas
33 supporting wetland communities, submerged aquatic vegetation, or
34 hardbottom communities. Ditches, pipes, and similar types of
35 linear conveyances are not considered receiving waters for the
36 purposes of this paragraph.

37 (c) The state may not exact a charge for material that this
38 subsection allows a public port or an inland navigation district
39 to remove. In addition, consent to use any sovereignty submerged
40 lands pursuant to this section is hereby granted.

41 (d) The use of flocculants at the site used for disposal of



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42 the dredged material is allowed if the use, including supporting
43 documentation, is coordinated in advance with the department and
44 the department has determined that the use is not harmful to
45 water resources.

46 (e) The spoil material from the maintenance dredging may be
47 deposited on an unpermitted, self-contained, upland spoil site
48 that will prevent the escape of the spoil material into the
49 waters of the state.

50 (f)~~(e)~~ This subsection does not prohibit maintenance
51 dredging of areas where the loss of original design function and
52 constructed configuration has been caused by a storm event,
53 provided that the dredging is performed as soon as practical
54 after the storm event. Maintenance dredging that commences
55 within 3 years after the storm event shall be presumed to
56 satisfy this provision. If more than 3 years are needed to
57 commence the maintenance dredging after the storm event, a
58 request for a specific time extension to perform the maintenance
59 dredging shall be submitted to the department, prior to the end
60 of the 3-year period, accompanied by a statement, including
61 supporting documentation, demonstrating that contractors are not
62 available or that additional time is needed to obtain
63 authorization for the maintenance dredging from the United
64 States Army Corps of Engineers.

65
66 ===== T I T L E A M E N D M E N T =====

67 And the title is amended as follows:

68 Delete line 42

69 and insert:

70 certain compliance; amending s. 403.813, F.S.;



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71 exempting specified seaports and inland navigation
72 districts from requirements to conduct maintenance
73 dredging under certain circumstances; providing that
74 ditches, pipes, and similar linear conveyances are not
75 receiving waters; authorizing public ports and inland
76 navigation districts to use sovereignty submerged
77 lands in connection with maintenance dredging;
78 authorizing spoil material to be disposed on a self-
79 contained, upland spoil site that will prevent the
80 escape of spoil material into the waters of the state;
81 providing an effective date.