

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: State Affairs Committee
 2 Representative Renuart offered the following:

Amendment (with title amendment)

5 Remove lines 43-106 and insert:

6 guidelines for permit applicants. The department must consult
 7 with the Florida Fish and Wildlife Conservation Commission on
 8 each proposed areawide permit and must require notice provisions
 9 appropriate to the type and nature of the activities for which
 10 the areawide permits are sought.

11 (18) (a) The department may grant general permits for
 12 projects, including dune restoration, dune walkovers, decks,
 13 fences, landscaping, sidewalks, driveways, pool resurfacing,
 14 minor pool repairs, and other nonhabitable structures, if the
 15 projects, due to type, size, or temporary nature, will not cause
 16 a measurable interference with the natural functioning of the
 17 beach-dune system or with marine turtles or their nesting sites.

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18 Multifamily habitable structures do not qualify for general
19 permits. However, single-family habitable structures and
20 swimming pools associated with such single-family habitable
21 structures that do not advance the line of existing construction
22 and satisfy all siting and design requirements of this section,
23 and minor reconstruction for existing coastal armoring
24 structures, may be eligible for a general permit.

25 (b) The department shall ~~may~~ adopt rules to establish
26 criteria and guidelines for permit applicants.

27 (c) ~~(a)~~ Persons wishing to use the general permits must, at
28 least 30 days before beginning any work, notify the department
29 in writing on forms adopted by the department. The notice must
30 include a description of the proposed project and supporting
31 documents depicting the proposed project, its location, and
32 other pertinent information as required by rule, to demonstrate
33 that the proposed project qualifies for the requested general
34 permit. Persons who undertake projects without proof of notice
35 to the department, but whose projects would otherwise qualify
36 for general permits, shall be considered to have undertaken a
37 project without a permit and are subject to enforcement pursuant
38 to s. 161.121.

39 (d) ~~(b)~~ Persons wishing to use a general permit must
40 provide notice as required by the applicable local building code
41 where the project will be located. If a building code does not
42 require ~~requires no~~ notice, a ~~any~~ person wishing to use a
43 general permit must, at a minimum, post a sign describing the

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44 project on the property at least 5 days before commencing
45 construction. The sign must be at least 88 square inches, with
46 letters no smaller than one-quarter inch.

47 Section 2. Section 258.435, Florida Statutes, is created
48 to read:

49 258.435 Use of aquatic preserves for the accommodation of
50 visitors.-

51 (1) The Department of Environmental Protection shall
52 promote the public use of aquatic preserves and their associated
53 uplands. The department may receive gifts and donations to carry
54 out the purpose of part II of this chapter. Moneys received in
55 trust by the department by gift, devise, appropriation, or
56 otherwise, subject to the terms of such trust, shall be
57 deposited into the Land Acquisition Trust Fund and appropriated
58 to the department for the administration, development,
59 improvement, promotion, and maintenance of aquatic preserves and
60 their associated uplands and for any future acquisition or
61 development of aquatic preserves and their associated uplands.

62 (2) The department may grant a privilege or concession for
63 the accommodation of visitors in and use of aquatic preserves
64 and their associated state-owned uplands if the privilege or
65 concession does not deny or interfere with the public's access
66 to such lands and is compatible with the aquatic preserve's
67 management plan as approved by the Acquisition and Restoration
68 Council. A concession will be granted based on business plans,
69 qualifications, approach, and specified expectations or

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70 criteria. A privilege or concession may not be assigned or
71 transferred by the grantee without the consent of the
72 department. Upon submittal to the department of a proposed
73 concession or privilege, the department shall post a description
74 of the proposed concession or privilege on the department's
75 website, including a description of the activity to occur under
76 the proposed concession or privilege, the time of year the
77 activity would take place, and the location of the activity.
78 Once the description of the proposed privilege or concession is
79 posted on the department's website and at least 60 days prior to
80 the execution of a privilege or concession agreement, the
81 department must provide an opportunity for public comment on the
82 proposed privilege or concession agreement.

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84
85 **T I T L E A M E N D M E N T**

86 Remove line 19 and insert:
87 requiring the department to post a description of the proposed
88 privilege or concession on the department's website; directing
89 the department to provide an opportunity for public comment on a
90 proposed privilege or concession agreement; providing an
91 effective date.