

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WITHDRAWN	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: Agriculture & Natural
 2 Resources Subcommittee
 3 Representative Renuart offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

7 Section 1. Subsections (17) and (18) of section 161.053,
8 Florida Statutes, are amended to read:

9 161.053 Coastal construction and excavation; regulation on
10 county basis.—

11 (17) The department may grant areawide permits to local
 12 governments, other governmental agencies, and utility companies
 13 for special classes of activities in areas under their general
 14 jurisdiction or responsibility or for the construction of minor
 15 structures, if these activities or structures, due to the type,
 16 size, or temporary nature of the activity or structure, will not

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17 cause measurable interference with the natural functioning of
18 the beach-dune system or with marine turtles or their nesting
19 sites. Such activities or structures must comply with this
20 section and may include, but are not limited to: road repairs,
21 not including new construction; utility repairs and
22 replacements, or other minor activities necessary to provide
23 utility services; beach cleaning; dune restoration; on-grade
24 walkovers for enhancing accessibility or usage in compliance
25 with the Americans with Disabilities Act; and emergency
26 response. The department shall ~~may~~ adopt rules to establish
27 criteria and guidelines for permit applicants. The department
28 must require notice provisions appropriate to the type and
29 nature of the activities for which the areawide permits are
30 sought.

31 (18) (a) The department may grant general permits for
32 projects, including dune restoration, dune walkovers, decks,
33 fences, landscaping, sidewalks, driveways, pool resurfacing,
34 minor pool repairs, and other nonhabitable structures, if the
35 projects, due to type, size, or temporary nature, will not cause
36 a measurable interference with the natural functioning of the
37 beach-dune system or with marine turtles or their nesting sites.
38 Multifamily habitable structures do not qualify for general
39 permits. However, single-family habitable structures and
40 swimming pools associated with such single-family habitable
41 structures that do not advance the line of existing construction
42 and satisfy all siting and design requirements of this section,

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43 and minor reconstruction for existing coastal armoring
44 structures may be eligible for a general permit.

45 (b) The department may adopt rules to establish criteria
46 and guidelines for permit applicants.

47 (c) ~~(a)~~ Persons wishing to use the general permits must, at
48 least 30 days before beginning any work, notify the department
49 in writing on forms adopted by the department. The notice must
50 include a description of the proposed project and supporting
51 documents depicting the proposed project, its location, and
52 other pertinent information as required by rule, to demonstrate
53 that the proposed project qualifies for the requested general
54 permit. Persons who undertake projects without proof of notice
55 to the department, but whose projects would otherwise qualify
56 for general permits, shall be considered to have undertaken a
57 project without a permit and are subject to enforcement pursuant
58 to s. 161.121.

59 (d) ~~(b)~~ Persons wishing to use a general permit must
60 provide notice as required by the applicable local building code
61 where the project will be located. If a building code requires
62 no notice, any person wishing to use a general permit must, at a
63 minimum, post a sign describing the project on the property at
64 least 5 days before commencing construction. The sign must be at
65 least 88 square inches, with letters no smaller than one-quarter
66 inch.

67 Section 2. Section 258.435, Florida Statutes, is created
68 to read:

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Published On: 3/11/2014 6:21:58 AM

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69 258.435 Use of aquatic preserves for the accommodation of
70 visitors.-

71 (1) The Department of Environmental Protection shall
72 promote the public use of aquatic preserves and their associated
73 uplands. The department may receive gifts and donations to carry
74 out the purpose of Part II of Chapter 258, F.S. Money received
75 in trust by the department by gift, devise, appropriation, or
76 otherwise, subject to the terms of such trust, shall be
77 deposited into the Land Acquisition Trust Fund and appropriated
78 to the department for the administration, development,
79 improvement, promotion, and maintenance of aquatic preserves and
80 their associated uplands and for any future acquisition or
81 development of aquatic preserves and their associated uplands.

82 (2) The department may grant a privilege or concession for
83 the accommodation of visitors in and use of aquatic preserves
84 and their associated state-owned uplands if the privilege or
85 concession does not deny or interfere with the public's access
86 to such lands and is compatible with the aquatic preserve's
87 management plan as approved by ARC. A privilege or concession
88 may be granted without advertisement or without using a
89 competitive bidding process. A privilege or concession may not
90 be assigned or transferred by the grantee without the consent of
91 the department.

92 Section 3. This act shall take effect July 1, 2014.
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T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to coastal management; amending s. 161.053, F.S.; revising permit requirements; authorizing the Department of Environmental Protection to grant areawide permits and general permits for certain structures; creating s. 258.435, F.S.; requiring the Department of Environmental Protection to promote the public use of aquatic preserves; authorizing the department to receive gifts and donations; providing restrictions for moneys received; authorizing the department to grant privileges or concessions for the use of certain state-owned lands for the accommodation of visitors in aquatic preserves; providing restrictions on such privileges or concessions and prohibiting them from being assigned or transferred without the department's consent; providing an effective date.