1	A bill to be entitled
2	An act relating to vessel anchoring; amending s.
3	253.0346, F.S.; providing tenancy and lease conditions
4	for approved and permitted mooring and mooring fields
5	in Monroe County; amending s. 327.4108, F.S.;
6	requiring certain anchored vessels in Monroe County to
7	be re-anchored in a new location that meets certain
8	requirements according to a specified timeframe;
9	requiring the Fish and Wildlife Conservation
10	Commission, in consultation with certain entities, to
11	establish designated anchoring areas within the county
12	by rule; providing requirements for the designated
13	anchoring areas; providing an exception for certain
14	domiciled vessels; removing provisions requiring the
15	county to approve a specified number of moorings at
16	specified locations; requiring certain vessels
17	equipped with marine sanitation devices to maintain
18	specified records of such devices; providing
19	construction; providing an effective date.
20	
21	Be It Enacted by the Legislature of the State of Florida:
22	
23	Section 1. Present subsection (4) of section 253.0346,
24	Florida Statutes, is redesignated as subsection (5), and a new
25	subsection (4) is added to that section, to read:
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26 253.0346 Lease of sovereignty submerged lands for marinas, 27 boatyards, mooring fields, and marine retailers.-28 (4) Notwithstanding any other law, all of the following conditions apply for approved and permitted moorings or mooring 29 30 fields in Monroe County: The general tenancy on a mooring may exceed 12 months, 31 (a) 32 if requested, but may not exceed 10 years. 33 (b) A sovereign submerged land or other proprietary lease 34 may not prohibit a vessel from an approved and permitted mooring or mooring field or limit the tenancy of a vessel because an 35 36 individual has established it as his or her domicile in 37 accordance with s. 222.17 or because the vessel is an individual's primary residence. 38 39 Section 2. Subsection (3) of section 327.4108, Florida 40 Statutes, is amended to read: 41 327.4108 Anchoring of vessels in anchoring limitation 42 areas.-43 (3) (a) Monroe County is designated as an anchoring 44 limitation area within which no less than once every a vessel 45 waters of the state may only be anchored in the same location 46 for a maximum of 90 days each vessel anchored within Monroe County on waters of this state within 10 linear nautical miles 47 48 of a public mooring field or a designated anchoring area must 49 pull anchor and be moved from its location using the vessel's propulsion system and be re-anchored in a new location. The new 50 Page 2 of 5

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51	location must be:
52	1. No less than one-half linear nautical mile from the
53	vessel's starting location. A vessel may not be re-anchored
54	within one-half linear nautical mile from the vessel's starting
55	location for at least 90 days; or
56	2. In a different designated anchoring area. A vessel may
57	not be re-anchored in its originating designated anchoring area
58	for at least 90 days after anchoring within a new designated
59	anchoring area. The commission shall adopt rules to implement
60	this subsection.
61	(b) The commission, in consultation with Monroe County and
62	the Florida Keys National Marine Sanctuary, shall establish by
63	rule designated anchoring areas throughout the county. The
64	designated anchoring areas must:
65	1. Specify a maximum vessel draft for each area;
66	2. Be created only in locations where the water depth is
67	sufficient to allow vessels whose drafts are less than the
68	area's specified maximum vessel draft to navigate into and out
69	of the areas without grounding or stranding;
70	3. Not be located over coral reefs or other sensitive fish
71	or wildlife habitat, to the maximum extent practicable, as
72	determined by the commission;
73	4. Not be located in an area subject to ongoing hazardous
74	water currents or tides or containing navigational hazards; and
75	5. Not be located within navigational channels, setbacks
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76 established by the United States Army Corps of Engineers 77 associated with federal channels, areas where anchoring is 78 prohibited pursuant to s. 327.4109, or any other lawfully 79 established areas that prohibit anchoring. 80 (c) Paragraph (a) does The anchoring limitations in this 81 subsection do not apply to vessels moored to approved and 82 permitted moorings or mooring fields. 83 (d) (c) A vessel upon the waters of this state and within 84 Monroe County, for which the owner or occupant has established 85 the vessel as a domicile in accordance with s. 222.17, is exempt 86 from paragraph (a) Notwithstanding the commission rules adopted 87 pursuant to this section, this section is not effective for 88 Monroe County until at least 100 the county approves, permits, 89 and opens new moorings are available for public use, including 90 at least 250 moorings within 1 mile of the Key West Bight City 91 Dock and at least 50 moorings within the Key West Garrison Bight 92 Mooring Field. Until such time, the commission shall designate 93 the area within 1 mile of the Key West Bight City Dock as a 94 priority for the investigation and removal of derelict vessels. 95 (e) All of the following vessels within Monroe County on 96 waters of this state which are equipped with a marine sanitation 97 device other than a marine composting toilet that processes and 98 manages human waste using technologies that comply with United 99 States Coast Guard requirements must maintain a record of the date of each pumpout of the marine sanitation device and the 100

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101	location of the pumpout station or waste reception facility for
102	1 year after the date of the pumpout, and the record must
103	indicate that the vessel was pumped out within the last 30 days:
104	1. A vessel that:
105	a. Has enclosed living spaces or rooms; and
106	b. Is used by a person as a dwelling or living space
107	overnight at any time, notwithstanding whether or not the vessel
108	is also used for navigation.
109	2. A vessel moored in a public mooring field.
110	(f) This subsection does not prohibit anchoring for less
111	than 90 days in areas within Monroe County.
112	Section 3. This act shall take effect July 1, 2022.

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