

26 egress, boating, bathing, and fishing and such others as may be
27 or have been defined by law. Such rights are not of a
28 proprietary nature. They are rights inuring to the owner of the
29 riparian land but are not owned by him or her. They are
30 appurtenant to and are inseparable from the riparian land. The
31 land to which the owner holds title must extend to the ordinary
32 high watermark of the navigable water in order that riparian
33 rights may attach. Conveyance of title to or lease of the
34 riparian land entitles the grantee to the riparian rights
35 running therewith whether or not mentioned in the deed or lease
36 of the upland.

37 (b) When establishing the boundaries of a residential
38 property owner's riparian rights along a channel, for purposes
39 of the construction of docks, piers, marinas, moorings, pilings,
40 and other private improvements, land surveyors must give
41 preference to the prolongation-of-property-line method unless
42 doing so would result in inequitable apportionment of riparian
43 rights among property owners along the channel.

44 1. As used in this paragraph, the term:

45 a. "Channel" means the marked, buoyed, or artificially
46 dredged channel, if any, or if none, means a space equal to 20
47 percent of the average width of the river or stream at the point
48 concerned which furnishes uninterruptedly, through its course,
49 the deepest water at ordinary low water.

50 b. "Prolongation-of-property-line method" means

51 establishing the boundary of a property owner's riparian rights
52 by extending the owner's property line out into the waterbody at
53 the same angles at which they intersect the ordinary high
54 watermark.

55 2. This paragraph does not apply to littoral waters, such
56 as a lake, an ocean, or a gulf.

57 3. This paragraph applies only when establishing the
58 boundaries of riparian rights after July 1, 2022.

59 (c) In a civil action relating to the riparian rights of a
60 residential dock owner, the court shall award reasonable
61 attorney fees and costs to the prevailing party when such rights
62 are exercised with all appropriate environmental and regulatory
63 approvals and permits.

64 Section 2. For the purpose of incorporating the amendment
65 made by this act to section 253.141, Florida Statutes, in a
66 reference thereto, paragraph (s) of subsection (1) of section
67 403.813, Florida Statutes, is reenacted to read:

68 403.813 Permits issued at district centers; exceptions.—

69 (1) A permit is not required under this chapter, chapter
70 373, chapter 61-691, Laws of Florida, or chapter 25214 or
71 chapter 25270, 1949, Laws of Florida, and a local government may
72 not require a person claiming this exception to provide further
73 department verification, for activities associated with the
74 following types of projects; however, except as otherwise
75 provided in this subsection, this subsection does not relieve an

76 applicant from any requirement to obtain permission to use or
 77 occupy lands owned by the Board of Trustees of the Internal
 78 Improvement Trust Fund or a water management district in its
 79 governmental or proprietary capacity or from complying with
 80 applicable local pollution control programs authorized under
 81 this chapter or other requirements of county and municipal
 82 governments:

83 (s) The construction, installation, operation, or
 84 maintenance of floating vessel platforms or floating boat lifts,
 85 provided that such structures:

86 1. Float at all times in the water for the sole purpose of
 87 supporting a vessel so that the vessel is out of the water when
 88 not in use;

89 2. Are wholly contained within a boat slip previously
 90 permitted under ss. 403.91-403.929, 1984 Supplement to the
 91 Florida Statutes 1983, as amended, or part IV of chapter 373, or
 92 do not exceed a combined total of 500 square feet, or 200 square
 93 feet in an Outstanding Florida Water, when associated with a
 94 dock that is exempt under this subsection or associated with a
 95 permitted dock with no defined boat slip or attached to a
 96 bulkhead on a parcel of land where there is no other docking
 97 structure;

98 3. Are not used for any commercial purpose or for mooring
 99 vessels that remain in the water when not in use, and do not
 100 substantially impede the flow of water, create a navigational

101 | hazard, or unreasonably infringe upon the riparian rights of
 102 | adjacent property owners, as defined in s. 253.141;

103 | 4. Are constructed and used so as to minimize adverse
 104 | impacts to submerged lands, wetlands, shellfish areas, aquatic
 105 | plant and animal species, and other biological communities,
 106 | including locating such structures in areas where seagrasses are
 107 | least dense adjacent to the dock or bulkhead; and

108 | 5. Are not constructed in areas specifically prohibited
 109 | for boat mooring under conditions of a permit issued in
 110 | accordance with ss. 403.91-403.929, 1984 Supplement to the
 111 | Florida Statutes 1983, as amended, or part IV of chapter 373, or
 112 | other form of authorization issued by a local government.

113 |
 114 | Structures that qualify for this exemption are relieved from any
 115 | requirement to obtain permission to use or occupy lands owned by
 116 | the Board of Trustees of the Internal Improvement Trust Fund
 117 | and, with the exception of those structures attached to a
 118 | bulkhead on a parcel of land where there is no docking
 119 | structure, may not be subject to any more stringent permitting
 120 | requirements, registration requirements, or other regulation by
 121 | any local government. Local governments may require either
 122 | permitting or one-time registration of floating vessel platforms
 123 | to be attached to a bulkhead on a parcel of land where there is
 124 | no other docking structure as necessary to ensure compliance
 125 | with local ordinances, codes, or regulations. Local governments

126 | may require either permitting or one-time registration of all
127 | other floating vessel platforms as necessary to ensure
128 | compliance with the exemption criteria in this section; to
129 | ensure compliance with local ordinances, codes, or regulations
130 | relating to building or zoning, which are no more stringent than
131 | the exemption criteria in this section or address subjects other
132 | than subjects addressed by the exemption criteria in this
133 | section; and to ensure proper installation, maintenance, and
134 | precautionary or evacuation action following a tropical storm or
135 | hurricane watch of a floating vessel platform or floating boat
136 | lift that is proposed to be attached to a bulkhead or parcel of
137 | land where there is no other docking structure. The exemption
138 | provided in this paragraph shall be in addition to the exemption
139 | provided in paragraph (b). The department shall adopt a general
140 | permit by rule for the construction, installation, operation, or
141 | maintenance of those floating vessel platforms or floating boat
142 | lifts that do not qualify for the exemption provided in this
143 | paragraph but do not cause significant adverse impacts to occur
144 | individually or cumulatively. The issuance of such general
145 | permit shall also constitute permission to use or occupy lands
146 | owned by the Board of Trustees of the Internal Improvement Trust
147 | Fund. Local governments may not impose a more stringent
148 | regulation, permitting requirement, registration requirement, or
149 | other regulation covered by such general permit. Local
150 | governments may require either permitting or one-time

151 registration of floating vessel platforms as necessary to ensure
 152 compliance with the general permit in this section; to ensure
 153 compliance with local ordinances, codes, or regulations relating
 154 to building or zoning that are no more stringent than the
 155 general permit in this section; and to ensure proper
 156 installation and maintenance of a floating vessel platform or
 157 floating boat lift that is proposed to be attached to a bulkhead
 158 or parcel of land where there is no other docking structure.

159 Section 3. For the purpose of incorporating the amendment
 160 made by this act to section 253.141, Florida Statutes, in a
 161 reference thereto, subsection (3) of section 403.9323, Florida
 162 Statutes, is reenacted to read:

163 403.9323 Legislative intent.—

164 (3) It is the intent of the Legislature to provide
 165 waterfront property owners their riparian right of view, and
 166 other rights of riparian property ownership as recognized by s.
 167 253.141 and any other provision of law, by allowing mangrove
 168 trimming in riparian mangrove fringes without prior government
 169 approval when the trimming activities will not result in the
 170 removal, defoliation, or destruction of the mangroves.

171 Section 4. This act shall take effect upon becoming a law.