Florida Senate - 2002

By Senator Brown-Waite

10-275-02 A bill to be entitled 1 2 An act relating to environmental regulation; 3 amending s. 403.813, F.S.; providing for an 4 exemption from permitting requirements for 5 specified types of floating vessel platforms or б floating boat lifts; providing an effective 7 date. 8 9 Be It Enacted by the Legislature of the State of Florida: 10 11 Section 1. Paragraph (s) is added to subsection (2) of section 403.813, Florida Statutes, to read: 12 13 403.813 Permits issued at district centers; 14 exceptions. --15 (2) No permit under this chapter, chapter 373, chapter 16 61-691, Laws of Florida, or chapter 25214 or chapter 25270, 1949, Laws of Florida, shall be required for activities 17 18 associated with the following types of projects; however, 19 except as otherwise provided in this subsection, nothing in 20 this subsection relieves an applicant from any requirement to obtain permission to use or occupy lands owned by the Board of 21 22 Trustees of the Internal Improvement Trust Fund or any water 23 management district in its governmental or proprietary capacity or from complying with applicable local pollution 24 25 control programs authorized under this chapter or other 26 requirements of county and municipal governments: 27 (s) Floating vessel platforms or floating boat lifts 28 if such structures: 29 1. Float at all times in the water for the sole 30 purpose of supporting a vessel so that the vessel is out of the water when not in use; 31 1

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1	2. Are wholly contained within a boat slip previously
2	permitted under ss. 403.91-403.929, 1984 Supplement to the
3	Florida Statutes 1983, as amended, or Part IV of chapter 373,
4	or, when associated with a dock that is exempt under this
5	subsection or a permitted dock with no defined boat slip, do
6	not exceed a combined total of 500 square feet, or 200 square
7	feet in an Outstanding Florida Water;
8	3. Are not used for any commercial purpose or for
9	mooring vessels that remain in the water when not in use, and
10	do not substantially impede the flow of water, create a
11	navigational hazard, or unreasonably infringe upon the
12	riparian rights of adjacent property owners, as defined in s.
13	253.141;
14	4. Are constructed and used so as to minimize adverse
15	impacts to submerged lands, wetlands, shellfish areas, aquatic
16	plant and animal species, and other biological communities,
17	including locating such structures in areas where no
18	seagrasses exist if such areas are present adjacent to the
19	dock; and
20	5. Are not constructed in areas specifically
21	prohibited for boat mooring under conditions of a permit
22	issued in accordance with ss. 403.91-403.929, 1984 Supplement
23	to the Florida Statutes 1983, as amended, or Part IV of
24	Chapter 373, or other form of authorization issued by a local
25	government.
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27	Structures that qualify for this exemption are relieved from
28	any requirement to obtain permission to use or occupy lands
29	owned by the Board of Trustees of the Internal Improvement
30	Trust Fund and are not subject to any more stringent
31	regulation by any local government. The exemption provided in
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1 this paragraph is in addition to the exemption provided in paragraph (b). By January 1, 2003, the department shall adopt 2 3 a general permit by rule for those floating vessel platforms 4 that do not qualify for the exemptions provided in this 5 paragraph, but do not cause significant adverse impacts to б occur individually or cumulatively. The issuance of a general 7 permit also constitutes permission to use or occupy lands 8 owned by the Board of Trustees of the Internal Improvement Trust Fund. Upon the adoption of the rule creating the general 9 10 permit, a local government may not impose a more stringent 11 regulation on floating vessel platforms covered by the general 12 permit. 13 Section 2. This act shall take effect upon becoming a 14 law. 15 16 17 SENATE SUMMARY Provides an exemption from environmental permitting requirements for specified floating vessel platforms or floating boat lifts. 18 19 20 21 22 23 24 25 26 27 28 29 30 31 3

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