

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	_____	(Y/N)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

1 Committee/Subcommittee hearing bill: Environment, Agriculture &
 2 Flooding Subcommittee
 3 Representative Sirois offered the following:

Amendment (with directory and title amendments)

Between lines 90 and 91, insert:

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

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

2. Are wholly contained within a boat slip previously
 permitted under ss. 403.91-403.929, 1984 Supplement to the
 Florida Statutes 1983, as amended, or part IV of chapter 373, or
 do not exceed a combined total of 500 square feet, or 200 square

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17 feet in an Outstanding Florida Water, when associated with a
18 dock that is exempt under this subsection or associated with a
19 permitted dock with no defined boat slip or attached to a
20 bulkhead on a parcel of land where there is no other docking
21 structure;

22 3. Are not used for any commercial purpose or for mooring
23 vessels that remain in the water when not in use, and do not
24 substantially impede the flow of water, create a navigational
25 hazard, or unreasonably infringe upon the riparian rights of
26 adjacent property owners, as defined in s. 253.141;

27 4. Are constructed and used so as to minimize adverse
28 impacts to submerged lands, wetlands, shellfish areas, aquatic
29 plant and animal species, and other biological communities,
30 including locating such structures in areas where seagrasses are
31 least dense adjacent to the dock or bulkhead; and

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

37
38 Structures that qualify for this exemption are relieved from any
39 requirement to obtain permission to use or occupy lands owned by
40 the Board of Trustees of the Internal Improvement Trust Fund
41 and, with the exception of those structures attached to a

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42 bulkhead on a parcel of land where there is no docking
43 structure, are ~~may not be~~ subject to any more stringent
44 permitting requirements, registration requirements, or other
45 regulation by any local government. Structures associated with a
46 dock on a parcel of land pursuant to subparagraph 2. which comply
47 with this subsection create a presumption of compliance with any
48 requirement to minimize adverse environmental impacts. A local
49 government ~~governments~~ may require a permit ~~either permitting~~ or
50 one-time registration of floating vessel platforms to be
51 attached to a bulkhead on a parcel of land where there is no
52 other docking structure as necessary to ensure compliance with
53 local ordinances, codes, or regulations. A local government
54 ~~governments~~ may require either permitting or one-time
55 registration of all other floating vessel platforms as necessary
56 to ensure compliance with the exemption criteria in this
57 section; to ensure compliance with local ordinances, codes, or
58 regulations relating to building or zoning, which are no more
59 stringent than the exemption criteria in this section or address
60 subjects other than subjects addressed by the exemption criteria
61 in this section; and to ensure proper installation, maintenance,
62 and precautionary or evacuation action following a tropical
63 storm or hurricane watch of a floating vessel platform or
64 floating boat lift that is proposed to be attached to a bulkhead
65 or parcel of land where there is no other docking structure. The
66 exemption provided in this paragraph is ~~shall be~~ in addition to

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67 the exemption provided in paragraph (b). The department shall
68 adopt a general permit by rule for the construction,
69 installation, operation, or maintenance of those floating vessel
70 platforms or floating boat lifts that do not qualify for the
71 exemption provided in this paragraph but do not cause
72 significant adverse impacts to occur individually or
73 cumulatively. The issuance of such general permit shall also
74 constitute permission to use or occupy lands owned by the Board
75 of Trustees of the Internal Improvement Trust Fund. A local
76 government ~~governments~~ may not impose a more stringent
77 regulation, permitting requirement, registration requirement, or
78 other regulation covered by such general permit. A local
79 government ~~governments~~ may require either permitting or one-time
80 registration of floating vessel platforms as necessary to ensure
81 compliance with the general permit in this section; to ensure
82 compliance with local ordinances, codes, or regulations relating
83 to building or zoning that are no more stringent than the
84 general permit in this section; and to ensure proper
85 installation and maintenance of a floating vessel platform or
86 floating boat lift that is proposed to be attached to a bulkhead
87 or parcel of land where there is no other docking structure. As
88 used in this paragraph, the term "local government" includes a
89 charter county, a county that is required to implement a manatee
90 protection plan pursuant to s. 379.2431(2) (t), or a county or
91 municipality that establishes and administers a local pollution

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92 control program under s. 403.182.

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94 **D I R E C T O R Y A M E N D M E N T**

95 Remove lines 39-40 and insert:

96 Section 3. Paragraphs (b) and (s) of subsection (1) of
97 section 403.813, Florida Statutes, are amended to read:
98

99 -----

100 **T I T L E A M E N D M E N T**

101 Remove line 13 and insert:

102 approval of the board; providing that specified
103 structures associated with a dock create a presumption
104 of compliance with certain environmental impact
105 requirements; providing a definition; providing an
106 effective date.
107