

## CHAPTER 374

## NAVIGATION DISTRICTS; WATERWAYS DEVELOPMENT

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**374.761 Navigation districts subject to supervision of division.**—Any navigation district created pursuant to the provisions of this chapter, or any navigation district heretofore or hereafter created by special acts of the Legislature, shall act in conjunction with, but at all times under and subject to the control and supervision of, the Division of Resource Management.

**History.**—s. 1, ch. 65-502; ss. 25, 35, ch. 69-106; s. 233, ch. 81-259.

**374.975 Inland navigation districts; legislative intent.**—

(1) The Legislature hereby recognizes the continuing need for inland navigation districts to undertake programs necessary to accomplish the purposes of construction, maintenance, and operation of Florida's inland waterways pursuant to s. 107 of the federal River and Harbor Act of 1960 (33 U.S.C. 577).

(2) The Legislature hereby directs all inland navigation districts to undertake, as outlined in this act, additional programs designed to alleviate the problems associated with the districts' waterways.

(3) The Florida Inland Navigation District and the West Coast Inland Navigation District are directed to develop long-range plans for maintenance of the intracoastal waterway and for spoil disposal.

**History.**—s. 1, ch. 85-200; s. 29, ch. 87-225; s. 1, ch. 90-264; s. 16, ch. 95-146.

**374.976 Authority to address impacts of waterway development projects.**—

(1) Each inland navigation district, except the district created pursuant to 's. 374.301, is empowered and authorized to undertake programs intended to alleviate the problems associated with its waterway or waterways, including, but not limited to, the following:

(a) The district may act as a local interest sponsor for any project designated as a "Section 107, River and Harbor Act of 1960" project authorized and undertaken by the U.S. Army Corps of Engineers and, in this regard, may comply with any or all conditions imposed on local interests as part of such project.

(b) The district may sponsor or furnish assistance and support to member counties and local governments within the district in planning and carrying out beach nourishment and inlet management projects. Such assistance and support, if financial in nature, shall be contributed only after a finding by the board that any such project, by the dredging of the beach nourishment material or otherwise, is a benefit to public navigation in the district.

(c) The district is authorized to aid and cooperate with the state, member counties, and local governments within the district in planning and carrying out public navigation, public recreation, inlet management, environmental education, and boating safety projects, directly related to the waterways. The district is also authorized to enter into cooperative agreements with the state and member counties, and to covenant in any such cooperative agreement to pay part of the costs of acquisition, planning, development, construction, reconstruction, extension, improvement, operation, and maintenance of such projects.

(d) The district is authorized to enter into cooperative agreements with navigation-related districts to pay part of the costs of acquisition of spoil disposal sites.

(2) A district that sponsors a program pursuant to this section shall adopt rules to govern the program, pursuant to chapter 120. At a minimum, such rules shall prohibit the encumbrance of funds for a project beyond 3 years following approval of the project and, except for funds provided to enhance public navigation, law enforcement on the waterways, or environmental education projects within its district, shall prohibit financial support unless matching funds are provided by the recipient of such financial support. The district may waive such rules for a project approved in a county that is recovering from a state of emergency declared under chapter 252.

(3) All financial assistance and support furnished by the Florida Inland Navigation District and the West Coast Inland Navigation District to member counties and local governments within the districts shall require matching funds. Such matching funds shall be clearly identified and enumerated as to amount and source. Such financial assistance and support except as provided pursuant to paragraph (1)(a) shall not exceed the proportional share of ad valorem tax collections from each county.

(4) Each district shall report to the Legislature no later than January 1, 1991, on the type of projects, amount of financial assistance, and amount and source of matching funds received for said projects. The report shall delineate the justification for awarding financial assistance and shall include the direct relationship the project has to the maintenance of the intracoastal waterways.

(5) The Florida Inland Navigation District may furnish assistance and support to seaports for the purpose of planning and carrying out dredge material management projects and other environmental mitigation projects. Port projects shall benefit publicly maintained channels and harbors. Any port eligible for funding shall be located in a member county of the district, and each port shall contribute matching funds for funded projects.

**History.**—s. 2, ch. 85-200; s. 2, ch. 90-264; s. 80, ch. 93-120; s. 31, ch. 93-211.

**Note.**—Repealed by s. 2, ch. 93-265.

**374.977 Inland navigation districts; manatee protection speed zones, responsibility for sign posting.**—Each inland navigation district shall be responsible for

posting and maintaining regulatory markers, as approved by the Department of Environmental Protection, for manatee protection speed zones. Such responsibility shall not be limited to the intracoastal waterway, but shall include all waters within each member county for which regulatory markers must be posted. Sign locations shall be jointly selected by the Department of Environmental Protection and the appropriate inland navigation district, pending necessary federal, state and local approvals. Should an inland navigation district lack the resources or otherwise be unable to carry out its sign posting and maintenance duties, this responsibility shall then be assumed by the Department of Environmental

Protection.

**History.**—s. 6, ch. 90-219; s. 3, ch. 90-264; s. 281, ch. 94-356.

**374.978 District board; compensation.**—Members of inland navigation districts shall be reimbursed for per diem and travel expenses as provided in s. 112.061.

**History.**—s. 3, ch. 85-200.

**374.9785 Exemption from ch. 85-200.**—The Cross Florida Canal Navigation District, created pursuant to 1s. 374.301, is hereby exempt from any and all provisions of this act.

**History.**—s. 4, ch. 85-200.

**Note.**—Repealed by s. 2, ch. 93-265.