



The Florida Senate

Interim Summary Report 2005-122

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Committee on Community Affairs

Senator Michael Bennett, Chair

WORKING WATERFRONTS

SUMMARY

Public access to marinas and boat ramps may be diminishing for recreational boating because the capacity to launch and moor boats has not kept pace with the surge in annual vessel registrations. In addition, there is evidence that, for both commercial-fishing and recreational working waterfronts, conversion from public to private use is contributing to this loss of access.

This report profiles the relative decrease in public access to waterways in the state, and the decline in commercial-fishing and recreational working waterfronts. In addition, it identifies current programs and strategies, and recommends new strategies, to help preserve or increase public access and to help recreational and fishing working waterfronts remain economically viable.

BACKGROUND

A diversified waterfront industry, both commercial and recreational, is an important component of the state economy. According to a recent study, the "marine industry represents a total economic output of over \$14.1 billion and is responsible for over 180,000 jobs in the state."¹ Another study found that the marine industry in Broward County generated \$8.8 billion in total economic output in 2000, providing \$3 billion in wages and earnings. This study also found that the industry provided 109,820 full time jobs, making it among the county's largest employment sectors.²

A recent study commissioned by the Florida Fish and Wildlife Conservation Commission found that:

"Statewide, the total economic impact of public boat ramps is approximately \$1.3 billion per year....In addition to the economic impact, over 25,000 jobs are created statewide and approximately \$128 million generated in state and local tax revenue."³

Changes in Florida's economy and land use may be affecting the economic viability of commercial-fishing and recreational working waterfronts. It is reported that, increasingly, development interests are buying traditional working waterfronts and converting them to private and residential use. "Water-enhanced" and "water-related" activities are replacing traditional or "water-dependent" activities.⁴ This has the effect of both decreasing the availability of waterfront property necessary to sustain commercial-fishing and recreational boating activities, and increasing the value of nearby working waterfront property. This increase in property value results in higher property taxes, which may cause the working waterfronts to be decreasingly profitable, thereby compounding the pressure to convert to the "highest and best" use of the property.

The local and regional economic benefit of converting working waterfronts to residential uses varies, depending on the specific social and economic circumstances. However, a recent study in Maine found that while such conversions initially invigorate the local economy (during the construction stage), the positive benefit diminishes over the long term – especially in small jurisdictions.⁵

¹ "Florida's Recreational Marine Industry – Economic Impact and Growth 1980-2000," March 2001, by Thomas J. Murray & Associates, for the Marine Industries Association of Florida, Inc., p. iii.

² "Marine Industries Association of South Florida Master Plan," published by the FAU Joint Center for Environmental & Urban Problems, 2002.

³ "Assessing the Economic Impact and Value of Florida's Public Piers and Boat Ramps," Florida Fish and Wildlife Conservation Commission, March 2001, p. 8.

⁴ "Watermarks: Technical Briefs on Coastal Waterfront Revitalization," Volume 1, Issue 3. Department of Community Affairs, July 1997.

⁵ http://www.portlandphoenix.com/features/other_stories/multi3/documents/03919490.asp

Coastal residential development may also be decreasing the relative availability of public access to the water through boat ramps. Research indicates that the construction of new launch facilities has not kept pace with increases in annual vessel registrations. Escalating prices for coastal property make it difficult for state and local governments to purchase new access points to meet this growing demand.

Economic pressures to convert property from public accessible to private residential uses is not a recent development.

In 1983, the Governor appointed a Blue Ribbon Marina Committee to “investigate problems encountered by water-dependent activities in the state with an emphasis on marinas and recreational boating.”⁶ The committee concluded that increasingly waterfront is being developed for private as opposed to public access.

In 1995, the Florida Coastal Management Program commissioned a study to develop a profile of Florida’s working waterfronts and the economic viability of those areas. The report found that “many working waterfronts are experiencing a decline in economic activity due to market forces and demands for waterfront property, the fishing net ban, and other trends affecting small-scale commercial fishing.”⁷

Consequently, loss of commercial and recreational waterfront to residential development and the relative diminishing access to boat launch facilities may have a long term adverse economic impact on our state and local economies. Access to public waterfront is an amenity that adds to our quality of life and makes Florida a desirable destination for residents as well as tourists.

METHODOLOGY

Committee staff consulted staff of the Fish and Wildlife Conservation Commission, the Department of Community Affairs, the Department of Environmental Protection and other government entities, and surveyed local governments and representatives from the boating industries to obtain information and to identify strategies to expand public access and assist working waterfronts.

⁶ *Economic Impact of Blue-belted Incentives on the Marina Industry in Florida*, by Frederick Bell, Department of Economics, FSU, July 1990. p. ii.

⁷ *Profile of Working Waterfronts*, FAU/FIU Joint Center for Environmental and Urban Problems, 1995, p. v.

FINDINGS

Inventory of Facilities

Definitively documenting the conversion of working waterfronts to private and residential uses and the relative loss of access to boat ramps is problematic. First, a comprehensive current inventory of commercial-fishing and recreational working waterfronts in Florida (marinas, boatyards, and boat ramps) does not exist. However, various estimates are available.

In 1995, the FAU/FIU Joint Center for Environmental and Urban Problems identified thirty-one “traditional” or **commercial-fishing working waterfronts** throughout the state.⁸ These are working waterfronts with commercial fishing and workboat repair yards, seafood processing and fish-house facilities that “are not part of a commercial port and may represent a part of Florida’s history and culture threatened by urban development and market forces.”⁹

The Division of Recreation and Parks within the Department of Environmental Protection (DEP) maintains an inventory of all outdoor **recreational facilities and resources** in the state provided by federal, state, regional, county and municipal governments, commercial enterprises (which may include retail sales facilities), non-profit organizations, and private clubs.¹⁰ Preliminary tallies for 2004 indicate that there were 62,954 boat slips in 1,546 fresh and saltwater marinas. The inventory also shows 35,908 dry storage slips. [See TABLE 1] The Division of Law Enforcement within DEP also maintains a database of public marinas across the state. As of July, 2004, the database lists 944 marinas.¹¹ Approximately 25 percent are “boatyards”, or boat repair facilities.

⁸ *Profile of Working Waterfronts*, p. 5-9. The report acknowledged that the inventory “probably is not exhaustive...”

⁹ *Ibid*, p. iv.

¹⁰ *Outdoor Recreation in Florida – 2000, Florida’s Statewide Comprehensive Outdoor Recreation Plan*, (SCORP) Florida DEP, February 2002. p. 2-62. The estimate does not include private facilities, such as condominium slips or “dockominiums.” This information is self-reported.

¹¹ July, 2004. See: http://www.dep.state.fl.us/law/Grants/CVA/Marinas_Database.XLS These figures differ from the SCORP database because they do not include private clubs and retail facilities.

The Florida Wildlife Commission recently estimated that there are approximately 8,000 **boat ramps** across the state.¹² However, the report noted that many of these ramps are not available to the public – the use is “limited to their owners or members of exclusive marinas and yacht clubs.” The report found that there are an “estimated 1,300 ramps statewide operated by public agencies (federal, state and local) explicitly for public use.”¹³ Approximately 200 of these ramps sites are maintained by the FWC. ¹⁴ TABLE 1 shows that DEP lists 2,714 public and private (non-residential) ramps with 3,404 lanes in the state.

However, measuring the change in access, as depicted in TABLE 1, is problematic because the information is self-reported and the totals for 2004 are preliminary. While the totals may capture new facilities, they do not capture facilities closed, or converted from public to private use since the most recent Florida’s Statewide Comprehensive Outdoor Recreation Plan report (SCORP).

Given the limitations in the data presented in TABLE 1, it may be concluded that, since 1987, there has been no change in the number of marinas, a decline in dry storage units, and a small increase in marina slips and boat ramps (and ramp lanes).

Our limited research indicates that while the number of boat ramps and ramp lanes has increased slightly statewide, the public’s relative access has declined due to the increase in the number of registered boats in the state. This is especially apparent in Florida’s urban counties.

While the launching capacity of boat ramps is the primary problem, lack of parking for vehicles and trailers is another indication that existing facilities may be inadequate

Increased Demand for Recreational Access

In 2003, Florida had 978,225 registered boats, a 29.5 percent increase from 1997, and a 51.7 percent increase from 1987. This is approximately twice the rate of the population increase for the state over the same period.¹⁵

¹² *Assessing the Economic Impact and Value of Florida’s Public Piers and Boat Ramps*. FWC, March 2001, pp. 13-14.

¹³ *Ibid.*, p. 14.

¹⁴ <http://www.floridaconservation.org/fishing/ramps/>

¹⁵ The estimated statewide population increase was 14.2 percent, from 14.9 to 17 million. See <http://www.state.fl.us/edr/population/web7.xls>

Visiting vessels registered in other states also require waterfront facilities. It is reported that Florida is the top ranked destination for marine recreation in the United States, with an estimated 4.3 million participants.”¹⁶ Consequently, it appears that our present inventory of waterfront facilities may be insufficient to meet current demand.

TABLE 1: DEP Estimate of Facilities*

	2004**	1998	1992	1987
Fresh Water				
Marinas	480	511	342	344
Salt Water				
Marinas	1,066	1,123	1,073	1,201
Total	1,546	1,634	1,415	1,545
Fresh Water				
Marina Slips	12,369	12,237	11,417	11,183
Salt Water				
Marina Slips	50,585	45,839	45,436	49,499
Total	62,954	58,076	56,853	60,682
Fresh Water				
Dry Storage	4,052	4,980	3,800	4,298
Salt Water				
Dry Storage	31,856	33,791	31,052	33,476
Total	35,908	38,771	34,852	37,774
Fresh Water				
Ramps	1,639	1,558	***	***
Salt Water				
Ramps	1,075	1,055	***	***
Total	2,714	2,613		
Fresh Water				
Ramp Lanes	2,031	2,017	1,817	1,761
Salt Water				
Ramp Lanes	1,373	1,328	1,256	1,232
Total	3,404	3,345	3,073	2,993

* This is an inventory of facilities owned by federal, state, regional, county and municipal governments, commercial enterprises (including retail sales facilities), non-profit organizations, and private clubs. It does not include condominium slips or “dockominiums.”

** These totals represent preliminary tallies, which historically capture new facilities, but not facilities closed since the last SCORP report.

*** Information not compiled in this category

SOURCE: Tables from *Florida’s Statewide Comprehensive Outdoor Recreation*, years 2000, 1995, & 1990.

Conversion of Commercial-Fishing Waterfronts

A number of factors have combined to exert pressure on the commercial-fishing industry to convert their property to other uses:

¹⁶ See *A Recreational Boating Characterization For Tampa and Sarasota Bays*, Sea Grant, University of Florida TP-130, June 2004, p. 1.

- The constitutional net-ban adopted by the electorate in 1994 resulted in reducing the catch and consequently, the income potential, of commercial fisheries;
- Increased regulation on commercial fishing;
- Recent increases in imported seafood has depressed the prices for locally harvested seafood, further reducing income potential;
- Escalations in waterfront property values have resulted in higher property taxes, thereby increasing the operating costs; and
- Regulatory impediments to new marina development make existing commercial-fishing waterfronts attractive to residential developers.

In response to these pressures, it is reported that some commercial fishermen have “down-sized” their operations and modified portions of their properties to include mixed-use development (recreational/transient marinas, restaurants, tourism), or sold their property to residential developers. Commercial fishermen who sell their working waterfront property may remain in operation by docking in other commercial-fishing facilities, or in private residential slips or recreational marinas.

We surveyed all counties and municipalities about changes in waterfront land use in their jurisdictions. In response to our survey, the ten counties and ten municipalities reported that commercial-fishing working waterfronts in their jurisdictions have been in the past five years or are currently being bought by private interests and converted to public or private marinas/dry docks.

Conversion of Recreational Waterfronts

Newspaper articles have documented the recent increase in demand for condominiums, for condominiums with marina access, and “marina condominiums” for boats. This demand may be a significant factor contributing to the conversion of recreational waterfront property to private or private residential uses. While this conversion probably may not decrease the relative number of slips statewide, it limits their availability.

We surveyed all counties and municipalities about conversion of recreational working waterfronts in their jurisdictions. In response to our survey, thirteen counties and twenty-three municipalities reported that, within their respective jurisdictions and within the past

five years, the public has lost access to recreational working waterfronts because such facilities are being bought by development interests and converted to private marinas/dry docks or to private residential uses.

Recreational boating industry representatives report that fifty-seven marinas or boatyards have recently converted to condominiums or other private uses, and a number of sales of such facilities are pending or have been proposed.¹⁷ Finally, industry representatives note that the recent hurricanes have also affected the inventory of public-accessible waterfront facilities.

Impediments to Development of New Access

Industry representatives identify two major impediments to development of new waterfront access: the cost to develop (land and infrastructure) and government approval of such development.

Balancing the demand for new marinas and boat ramps against protection of natural resources has proved to be difficult. Representatives of the marina industry report that obtaining the necessary permits for new marinas or expanding existing marinas is expensive and time-consuming.

To obtain a permit, applicants must obtain the approval of both the state and federal government. State permits are issued by DEP, or the applicable water management district for facilities in conjunction with larger commercial or residential developments. Each permitting entity reviews the application for, among other things, potential impact on sea grass, manatees, and water quality. Permits for facilities of more than 50 slips, or projects of “heightened concern” are approved by the Florida Board of Trustees (the Florida Cabinet). Permits for use of sovereign submerged lands are also approved by the Board of Trustees.

DEP reports that over the past five years, 368 permits have been granted for either the expansion or construction of public and private water-related recreational facilities (marinas, boat yards, moorings, dry docks, or boat ramps).

Applicants must also obtain a permit from the U.S. Army Corp of Engineers. In response to recent litigation in the federal courts addressing manatee protection, projects in specified areas of the state must be reviewed for their impact on manatees, and facility

¹⁷ This information was provided by members of the Florida Water Access Coalition, an organization of various boating interest groups in the state.

permits may not be approved unless certain measures are in place. Over the past eleven years, an annual average of 450 permits have been granted for commercial, private, or public-owned recreational facilities. However, in those Florida counties that have not adopted Manatee Protection Plans, permitting for new or expanded large-scale projects may be delayed or denied.

In addition to the DEP permits, marinas with 150 or more wet slips, or 200 dry slips, must be approved through the Development of Regional Impact (DRI) program through the Department of Community Affairs (DCA). However, counties that have adopted countywide marina siting plans into the coastal management element of their local comprehensive plans are exempt from the DRI program. DCA reports that four marina DRIs have been approved by the department since 1997.¹⁸

State Strategies to Preserve or Increase Access

There are several state or regional government programs to assist local governments and the private sector in their efforts to preserve or increase access for commercial or recreational boating activities.

DCA provides technical assistance and limited funding to small waterfront communities through the *Waterfronts Florida Partnership Program*. This program helps participating communities develop a plan to revitalize, renew and promote interest in their waterfront district. Waterfront revitalization targets environmental resource protection, public access, retention of viable traditional waterfront economies, and hazard mitigation.

New Waterfronts Florida Partnership Communities are selected every two years and those communities receive technical assistance over a two-year period and a grant to reimburse the recipient for a portion of costs associated with preparing the plan. Once the plans are complete, communities can begin the process of financing implementation of the plan from sources such as state and federal grants, bonds issuances, private borrowing, and tax increment financing districts. Since 1997, DCA has designated 13 communities as Waterfronts Florida Partnership Communities. These communities have been the beneficiaries of 7,000 hours of volunteer services,

¹⁸ A total of 39 DRIs have been approved since 1974. All DRI applications were approved, after modifications or conditions. Ken Metcalf, Regional Planning Administrator, Div. of Community Planning, DCA. 8/04.

\$143,362 in private donations, and \$7.4 million of other public investment. This program is funded, in part, by an award from the National Oceanic and Atmospheric Administration Award.

The *Florida Boating Improvement Program* of the Office of Boating and Waterways within the Fish and Wildlife Conservation Commission coordinates funding for projects to improve boating access.¹⁹ In each fiscal year, a portion of the state taxes collected on motor fuel are transferred to the FWC to fund, in part, local projects that provide “recreational channel marking, public launching facilities, aquatic plant control, and other local boating related activities.”²⁰ In addition, a portion of taxes collected on motor and diesel fuels at marinas is transferred to the FWC to be used, in part, to “provide funding for construction and maintenance of publicly owned boat ramps, piers, and docks, directly and through grants to counties and municipalities.”²¹ Also, a portion of vessel registration fees collected by the Department of Highway Safety and Motor Vehicles (DHSMV) is transferred to FWC to fund a variety of services, to include public launching facilities.²²

Additional funding is available to local governments through the Florida Recreational Development Assistance Program,²³ the Land and Water Conservation Program,²⁴ the Florida Recreational Development Assistance Program,²⁵ and the Boating Infrastructure Grant Program.²⁶

Counties have two sources of funds available to finance water access facilities. Counties receive a

¹⁹ Section 20.331, F.S.

²⁰ Section 206.606(1)(b)1., F.S. A minimum of \$1.25 million must be used for this purpose. Section 206.606(1)(d), F.S., requires that \$5 million be appropriated in FY 2004-5, increasing to \$13.4 million in FY 2007/8, and each year thereafter.

²¹ Section 370.0603(4)(c), F.S.

²² Section 328.76(1), F.S. However, to date, it appears that this money has never been appropriated for public launching facilities.

²³ Federal funds administered by DEP. See <http://www.dep.state.fl.us/parks/bdrs/>

²⁴ Administered by DEP, last year, \$3.9 million in federal funds were available, with preference given to projects on water bodies.

²⁵ Administered by Bureau of Design and Recreation Services, Division of Recreation and Parks in DEP.

²⁶ Administered by FWC, this program provides federal funds to local governments for tie-up facilities (slips, mooring buoys, docks, piers, etc.) for transient recreational boats 26' or longer. See <http://myfwc.com/boating/grants/bigp.htm>

portion of recreational vessel registration fees, proceeds of which are used, in part, to provide public launching facilities.²⁷ They are also authorized to levy an additional fee (which is 50 percent of the state fee) on vessels registered in their jurisdiction. Fee proceeds may only be used for “the patrol, regulation, and maintenance of the lakes, rivers, and waters and for other boating-related activities...”²⁸ DHSMV reports that the fee has generated \$3.7 million in FY 03/04 in the 12 counties that levy the fee.

The *Florida Communities Trust* (FCT) is a state land acquisition grant program administered by DCA.²⁹ FCT provides funding to local governments and eligible non-profit environmental organizations for acquisition of community-based parks, open space and greenways, and access to water that further outdoor recreation and natural resource protection needs identified in local government comprehensive plans.³⁰ Matching and full grants for land acquisition projects are provided to communities through an annual competitive application cycle. Approximately \$66 million is available to eligible applicants each year and applicants are eligible for up to 6.6 million.³¹ Since 1991, the FTC has awarded 387 grants totaling \$563,074,185 to local communities for projects that provided public access to water for recreational uses.

The *Florida Inland Navigation District*, an independent special taxing district comprised of all of the eastern coastal counties (Miami-Dade to Duval Counties), has two grant programs to, in part, assist local governments in increasing access to coastal waters. The Waterway Assistance Program and the Cooperative Assistance Program award approximately \$7.2 million annually. Similarly, the *West Coast Inland Navigation District* has two similar grant programs: the Waterway Development Program and the Cooperative Assistance Program.

It has also been reported that the five Water Management Districts throughout the state may also have limited grants available to increase public access through boat ramps or similar facilities.

Local Initiatives to Preserve or Increase Access

We surveyed counties and municipalities to ascertain any action undertaken to preserve or create recreational

and commercial-fishing working waterfronts, or public access to the water through boat ramps. The full report provides a brief overview of these local efforts.

Conclusion

Public access to marinas and boat ramps may be diminishing for the recreational boating public. It appears that the capacity to launch and moor boats has not kept pace with increases in annual vessel registrations. In addition, there is evidence that, for both commercial-fishing and recreational working waterfronts, conversion from public to private use is contributing to this loss of access. Other contributing factors include :

- the unavailability of suitable waterfront property for access development, especially in urban areas;
- the cost of developing new facilities; and
- the cost and length of time necessary to obtain state and federal permits for new facilities.

However, there are programs and strategies available to either preserve or increase public access. The Legislature could consider expanding such programs or initiating new strategies to facilitate this preservation or increase in access.

Property Tax Relief: Currently Available

Article VII, s. 4 of the State Constitution requires that all property be assessed at its just value for ad valorem tax purposes. Just value has been interpreted to mean fair market value.³² However, this section also provides exceptions to this requirement for agricultural land and land used exclusively for non-commercial recreational purposes, all of which may be assessed solely on the basis of their character or use. Additionally, counties and cities may be authorized to assess historical property based solely on the basis of its character or use.

Absent any change in law, owners of commercial-fishing or recreational working waterfronts currently have three options available to them to decrease or eliminate their property tax burden, to include:

- **Sell the property to the county** and contract with the county to operate the marina. Property owned by subdivisions of the state are not taxed, thereby lowering the operating costs of enterprises situated on high-value property. If the property is leased back to a non-exempt

²⁷ Section 328.72(1) and (15), F.S.

²⁸ Section 328.66, F.S.

²⁹ Sections 380.501 – 380.515, F.S.

³⁰ <http://www.dca.state.fl.us/ffct/>

³¹ *ibid.*

³² *Walter v. Schuler*, 176 So.2d 81.

entity, the lease-hold interest is subject to the intangibles tax.

- **Sell the development rights** to a governmental (city or county) or non-profit entity, thereby substantially reducing the property tax burden. The property would be taxed on its current use, based on its “income stream,” and not the speculative value or value of a comparable property.
- Create a **Conservation Easement** for land used for “outdoor recreation or park purposes.” Section 193.501 F.S., allows property owners to contract with public agencies or charitable corporations to restrict the use of property for a variety of purposes, to include “boating” that is open to the general public for a term of years, thereby linking property values to the income stream generated by the current use. Current law provides for “recapture” of deferred taxes only if the covenant is rescinded.
- In a limited number of situations, some working waterfront property could qualify for an “**Historically Significant**” classification,³³ an **exemption** for the entire property,³⁴ or an **exemption** for improvements on the property.³⁵

Property Tax Relief: Proposed Options

The Legislature could modify existing property tax relief provisions, or propose amending the constitution to create new provisions, such as:

- Create a **Deferred Property Tax Program** for working waterfront property. Currently, such a program exists for qualified low-income persons entitled to claim homestead

³³ Under specified conditions, s. 193.505, F.S., allows property owners to covenant with county government to restrict the use of historically significant property, thereby potentially deferring a portion of their property taxes. Current law provides for “recapture” of deferred taxes only if the covenant is rescinded.

³⁴ Qualified properties may receive an exemption of up to 50 percent of the assessed value from county and municipal property taxes. Section 196.1961, F.S.

³⁵ Qualified properties may receive an exemption from county and municipal property taxes for improvements to designated historic properties. Section 196.1997, F.S.

tax exemption may annually defer payment of their property taxes and special assessments.³⁶

- Pass a Joint Resolution to allow the electorate to consider a constitutional amendment that expands the **Agricultural Classification** to include commercial-fishing working waterfront property used to support commercial fishing operations. Such a benefit should include a “recapture” provision for all deferred property taxes, up through the last 10 year period.
- Pass a Joint Resolution to allow the electorate to consider a constitutional amendment to allow for a **property tax differential or “use-value” or “income” assessments** for working waterfronts. This preferential tax assessment should include a “recapture provision.”

Industry/Intergovernmental Coordination

There may be no single program or strategy to preserve working waterfronts or increase public access to the water through boat ramps. Consequently, the industries should coordinate with appropriate state agencies and regional governments to craft long-term strategies. There are several state programs and regional governments whose policies impact waterfront industries, including the Florida Coastal Management Program, the Florida Regional Planning Councils, and the Florida Water Management Districts.

Perhaps the most important partners are the local governments with jurisdiction over the waterfront areas. These local governments are responsible for preparing comprehensive plans that, among other things, guide the use of land and water resources. Coastal communities must have a coastal management element to address the goals and policies for the coastal area. Affected industries should work with the local planning department in each community to assure that the comprehensive plan includes provisions and features that protect and preserve existing marine-dependent sites and give priority to these uses at suitable waterfront locations.

Specific strategies to implement the goals established in local comprehensive plans may include:

- Conditional permitting or rezoning which would allow redevelopment only if it maintains or provides public access or

³⁶ Section 197.252, F.S. The county maintains a lien on the property. When the property is sold, it collects the deferred taxes.

retention/expansion of specified waterfront uses;

- Creating a waterfront zoning district or overlay, which would add special requirements to the underlying zoning category; and
- Creating an inventory of working waterfronts and establish a "**no net loss policy**," which would prohibit the rezoning of such property to residential uses.

Local governments could also invest directly in property preservation, either in **purchase of the property** or **purchase of the development rights** to the property. One strategy for funding these purchases includes using **tax increment financing** through a CRA.

Local governments could also "**trade**" for **development rights** with grants of density variances for adjoining or other property.

The acquisition or expansion of boat ramp facilities could also be financed using these strategies. In addition, such facilities could be financed with local **launch fees**.

Finally, industry and local governments should explore whether the **regional ports** have the capacity for new access facilities to provide public access to the water, or whether additional access may be available through the construction of mooring fields.

Additional Proposed Options

Additional strategies the Legislature could consider to preserve working waterfronts or increase public access to the water through boat ramps, include:

- Increase funding to expand the Waterfronts Florida Partnership Program;
- Expand access in appropriate state parks;
- Revise the fee structure for sovereign submerged land leases to encourage water-dependent uses and discourage water-enhanced and water-related uses; and
- Create a commission to coordinate and implement all public policy and projects for specific urban waterfront areas.³⁷

The Legislature could also consider funding access acquisition in the following ways:

- Increase boat registration fees;
- Expand the boat registration fee base by including non-motorized craft (canoes, etc.);
- Provide a greater portion of marina motor fuel tax revenue to FWC for this purpose;
- Increase the local option vessel registration fee, designating the increase for regional use;
- Designate a portion of Florida Forever³⁸ bond revenue funds (which includes the Florida Communities Trust Program) or Conservation and Recreation Lands Program funds,³⁹ for access acquisition; or
- Create a new bond program specifically to fund access preservation and acquisition.

RECOMMENDATIONS

The Legislature should consider expanding current or initiating new programs and strategies to facilitate the preservation of commercial-fishing or recreational working waterfronts to facilitate the expansion of public access through boat ramps.

³⁷ Such as the Miami River Commission as established in s. 163.06, F.S. <http://miamirivercommission.org/>

³⁸ Section 259.105(3), F.S. Paragraph (4)(e) currently provides that purchases through this program include increasing "natural resource-based recreational and educational opportunities..."

³⁹ Section 259.032(3)(g), F.S. currently authorizes the Board of Trustees to allocate funds to "provide areas, including recreational trails, for natural resource based recreation and other outdoor recreation on any part of any site compatible with conservation purposes."