

Bill No. CS for CS for CS for SB 1214

Amendment No. \_\_\_\_ Barcode 451352

CHAMBER ACTION

Senate

House

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Senator Constantine moved the following amendment:

**Senate Amendment (with title amendment)**

On page 7, line 22, through page 13, line 2, delete those lines

and insert:

(2) The Wekiva Parkway and related transportation facilities shall follow the design criteria contained in the recommendations of the Wekiva River Basin Area Task Force adopted by reference by the Wekiva River Basin Coordinating Committee in its final report of March 16, 2004 and the recommendations of the Wekiva Coordinating Committee contained in its final report of March 16, 2004, subject to reasonable environmental, economic and engineering considerations.

(3) With the exception of the road commonly referred to as the Apopka Bypass, the construction of any other limited-access highway or expressway that is identified by the Final Recommendations of the State Road 429 Working Group adopted January 16, 2004 within the Wekiva Study Area shall adhere to transportation and conservation principles

Bill No. CS for CS for CS for SB 1214

Amendment No. \_\_\_\_ Barcode 451352

1 identified within the Final Report of the Wekiva River Basin  
2 Coordinating Committee dated March 16, 2004. If any other  
3 limited-access highway or expressway is considered within the  
4 Wekiva Study Area, then such a project shall adhere to the  
5 extent practicable with transportation and conservation  
6 principles identified within the Final Report of the Wekiva  
7 River Basin Coordinating Committee dated March 16, 2004.

8 (4) Access to properties adjacent to SR 46 shall be  
9 maintained through appropriate neighborhood streets or  
10 frontage roads integrated into the parkway design.

11 (5) In Seminole County, the Seminole County Expressway  
12 Authority, the Department of Transportation, and the Florida  
13 Turnpike Enterprise shall locate the precise corridor and  
14 interchanges for the Wekiva Parkway consistent with the  
15 legislative intent expressed in this act and other provisions  
16 of this act.

17 (6) The Orlando-Orange County Expressway Authority is  
18 hereby granted the authority to act as a third-party  
19 acquisition agent, pursuant to s. 259.041 on behalf of the  
20 Board of Trustees or chapter 373 on behalf of the governing  
21 board of the St. Johns River Water Management District, for  
22 the acquisition of all necessary lands, property and all  
23 interests in property identified herein, including fee simple  
24 or less-than-fee simple interests. The lands subject to this  
25 authority are identified in paragraph 10.a., State of florida,  
26 Office of the Governor, Executive Order 03-112 of July 1,  
27 2003, and in Recommendation 16 of the Wekiva Basin Area Task  
28 Force created by Executive Order 2002-259, such lands  
29 otherwise known as Neighborhood Lakes, a 1,587+/- acre parcel  
30 located in Orange and Lake Counties within Sections 27, 28, 33  
31 and 34 of Township 19 South, Range 28 East, and Sections 3, 4,

Bill No. CS for CS for CS for SB 1214

Amendment No. \_\_\_\_ Barcode 451352

1 5 and 9 of Township 20 South, Range 28 East; Seminole  
 2 Woods/Swamp, a 5,353+/- acre parcel located in Lake County  
 3 within Section 37, Township 19 South, Range 28 East; New  
 4 Garden Coal; a 1,605+/- acre parcel in Lake County within  
 5 Sections 23, 25, 26, 35 and 36, Township 19 South, Range 28  
 6 East; Pine Plantation, a 617+/- acre tract consisting of eight  
 7 individual parcels within the Apopka City limits. The  
 8 Department of Transportation, the Department of Environmental  
 9 Protection, the St. Johns River Water Management District, and  
 10 other land acquisition entities shall participate and  
 11 cooperate in providing information and support to the  
 12 third-party acquisition agent. The land acquisition process  
 13 authorized by this paragraph shall begin no later than  
 14 December 31, 2004. Acquisition of the properties identified as  
 15 Neighborhood Lakes, Pine Plantation, and New Garden Coal, or  
 16 approval as a mitigation bank shall be concluded prior to the  
 17 completion of the Parkway.

18 (a) Acquisition of the land described in this section  
 19 is required to provide right of way for the Wekiva Parkway, a  
 20 limited access roadway linking State Road 429 to Interstate 4,  
 21 an essential component in meeting regional transportation  
 22 needs to provide regional connectivity, improve safety,  
 23 accommodate projected population and economic growth, and  
 24 satisfy critical transportation requirements caused by  
 25 increased traffic volume growth and travel demands.

26 (b) Acquisition of the lands described in this section  
 27 is also required to protect the surface water and groundwater  
 28 resources of Lake, Orange, and Seminole counties, otherwise  
 29 known as the Wekiva Study Area, including recharge within the  
 30 springshed that provides for the Wekiva River system.

31 Protection of this area is crucial to the long term viability

Bill No. CS for CS for CS for SB 1214

Amendment No. \_\_\_\_ Barcode 451352

1 of the Wekiva River and springs and the central Florida  
2 region's water supply. Acquisition of the lands described in  
3 this section is also necessary to alleviate pressure from  
4 growth and development affecting the surface and groundwater  
5 resources within the recharge area.

6 (c) Lands acquired pursuant to this section that are  
7 needed for transportation facilities for the Wekiva Parkway  
8 shall be determined not necessary for conservation purposes  
9 pursuant to ss. 253.034(6) and 373.089(5) and shall be  
10 transferred to or retained by the Orlando-Orange County  
11 Expressway Authority or the Department of Transportation upon  
12 reimbursement of the full purchase price and acquisition  
13 costs.

14 (7) The Department of Transportation, the Department  
15 of Environmental Protection, the St. Johns River Water  
16 Management District, Orlando-Orange County Expressway  
17 Authority and other land acquisition entities shall cooperate  
18 and establish funding responsibilities and partnerships by  
19 agreement to the extent funds are available to the various  
20 entities. Properties acquired with Florida Forever funds shall  
21 be in accordance with s. 259.041 or chapter 373. The  
22 Orlando-Orange County Expressway Authority shall acquire land  
23 in accordance with this section of law to the extent funds are  
24 available from the various funding partners, but shall not be  
25 required nor assumed to fund the land acquisition beyond the  
26 agreement and funding provided by the various land acquisition  
27 entities.

28 (8) The Department of Environmental Protection and the  
29 St. Johns River Water Management District shall give the  
30 highest priority to the acquisition of the lands described and  
31 identified in subsection (6) for Florida Forever purchases.

Bill No. CS for CS for CS for SB 1214

Amendment No. \_\_\_\_ Barcode 451352

1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 1, line s 18 through 30, delete

4

5 and insert:

6 County consistent with this act; providing that  
7 the Orlando-Orange County Expressway Authority  
8 is granted authority to act as a third-party  
9 acquisition agent on behalf of the Board of  
10 Trustees of the Internal Improvement Trust Fund  
11 or the St. Johns River Water Management  
12 District; providing that certain properties  
13 shall be acquired prior to the completion of  
14 the parkway; requiring certain entities and  
15 agencies to cooperate and establish funding  
16 responsibilities and partnerships; requiring  
17 certain studies by the

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