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CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: FAV	.	
4/3/2008	.	
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	.	

1 The Committee on Environmental Preservation and Conservation
 2 (Saunders) recommended the following **amendment to amendment**
 3 **(088992)** :

Senate Amendment (with directory and title amendments)

Delete line(s) 2078-2129

and insert:

8 (17) On an annual basis, the Division of State Lands shall
 9 prepare an annual work plan that prioritizes projects on the
 10 Florida Forever list and sets forth the funding available in the
 11 fiscal year for land acquisition. The workplan shall consider the
 12 following categories of expenditure for land conservation
 13 projects already selected for the Florida Forever list pursuant
 14 to subsection (8).

15 (a) A critical natural lands category including functional
 16 landscape-scale natural systems, intact large hydrological
 17 systems, lands with significant imperiled natural communities and

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18 corridors linking large landscapes as identified and developed by
19 the best available scientific analysis.

20 (b) A partnerships or regional incentive category,
21 including:

22 1. Projects where local and regional cost-share agreements
23 provide a lower cost and greater conservation benefit to the
24 people of the state. Additional consideration shall be provided
25 under this category where parcels are identified as part of a
26 local or regional visioning process and are supported by
27 scientific analysis;

28 2. Bargain and shared projects where the state will receive
29 a significant reduction in price for public ownership of land as
30 a result of the removal of development rights or other interests
31 in lands, or receives alternative or matching funds.

32 (c) A substantially complete category of projects where
33 mainly inholdings, additions and linkages between preserved areas
34 will be acquired and where eighty-five percent of the project is
35 complete.

36 (d) A climate change category lists of lands where
37 acquisition or other conservation measures will address the
38 challenges of global climate change, such as through protection,
39 restoration, mitigation and strengthening of Florida's land,
40 water and coastal resources. This category includes lands which
41 provide opportunities to sequester carbon, provide habitat,
42 protect coastal lands or barrier islands, and otherwise mitigate
43 and help adapt to the effects of sea level rise, and meet other
44 objectives of the program.

45 (e) A less-than-fee category for working agricultural lands
46 that significantly contribute to resource protection through
47 conservation easements and other less-than-fee techniques, tax

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48 incentives, life estates, landowner agreements, and other
49 partnerships including conservation easements acquired in
50 partnership with federal conservation programs, that will
51 achieve the objectives of Florida Forever while allowing the
52 continuation of compatible agricultural uses on the land. Terms
53 of easements proposed for acquisition under this category shall
54 be jointly developed by the Division of State Lands and the
55 Department of Agriculture and Consumer Services. By January 1,
56 2009, the Commissioner of Agriculture and the Secretary of the
57 Department of Environmental Protection shall enter into an
58 interagency agreement establishing the procedures for such
59 projects.

60

61 Projects within each category shall be ranked by order of
62 priority.

63

64 The workplan shall be adopted by the Acquisition and Resource
65 Council after at least one public hearing. A copy of the
66 workplan shall be provided to the Board of Trustees of the
67 Internal Improvement Trust Fund no later than October 1 of each
68 year.

69

70 (18)-(17)(a) The Board of Trustees of the Internal
71 Improvement Trust Fund, or, in the case of water management
72 district lands, the owning water management district, may
73 authorize the granting of a lease, easement, or license for the
74 use of certain lands acquired pursuant to this section, for
75 certain uses that are determined by the appropriate board to be
76 compatible with the resource values of and management objectives
for such lands.



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77 (b) Any existing lease, easement, or license acquired for
78 incidental public or private use on, under, or across any lands
79 acquired pursuant to this section shall be presumed to be
80 compatible with the purposes for which such lands were acquired.

81 (c) Notwithstanding the provisions of paragraph (a), no
82 such lease, easement, or license shall be entered into by the
83 Department of Environmental Protection or other appropriate state
84 agency if the granting of such lease, easement, or license would
85 adversely affect the exclusion of the interest on any revenue
86 bonds issued to fund the acquisition of the affected lands from
87 gross income for federal income tax purposes, pursuant to
88 Internal Revenue Service regulations.

89 ~~(19)-(18)~~ The Acquisition and Restoration Council shall
90 recommend adoption of rules by the board of trustees necessary to
91 implement the provisions of this section relating to:
92 solicitation, scoring, selecting, and ranking of Florida Forever
93 project proposals; disposing of or leasing lands or water areas
94 selected for funding through the Florida Forever program; and the
95 process of reviewing and recommending for approval or rejection
96 the land management plans associated with publicly owned
97 properties. Rules promulgated pursuant to this subsection shall
98 be submitted to the President of the Senate and the Speaker of
99 the House of Representatives, for review by the Legislature, no
100 later than 30 days prior to the 2010 ~~2001~~ Regular Session and
101 shall become effective only after legislative review. In its
102 review, the Legislature may reject, modify, or take no action
103 relative to such rules. The board of trustees shall conform such
104 rules to changes made by the Legislature, or, if no action was
105 taken by the Legislature, such rules shall become effective.



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106 | ~~(20)-(19)~~ Lands listed as projects for acquisition under the
107 | Florida Forever program may be managed for conservation pursuant
108 | to s. 259.032, on an interim basis by a private party in
109 | anticipation of a state purchase in accordance with a contractual
110 | arrangement between the acquiring agency and the private party
111 | that may include management service contracts, leases, cost-share
112 | arrangements, or resource conservation agreements. Lands
113 | designated as eligible under this subsection shall be managed to
114 | maintain or enhance the resources the state is seeking to protect
115 | by acquiring the land and to accelerate public access to the
116 | lands as soon as practicable. Funding for these contractual
117 | arrangements may originate from the documentary stamp tax revenue
118 | deposited into the Conservation and Recreation Lands Trust Fund
119 | and Water Management Lands Trust Fund. No more than 5 percent of
120 | funds allocated under the trust funds shall be expended for this
121 | purpose.