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CHAMBER ACTION

Senate

House

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Floor: WD/2R  
4/16/2008 10:53 AM

Senator Bennett moved the following **amendment**:

**Senate Amendment**

Delete line(s) 1726-1790

and insert:

11. The state must play a major role in the recovery and management of its imperiled species through the acquisition, restoration, enhancement, and management of ecosystems that can support the major life functions of such species. It is the intent of the Legislature to support local, state, and federal programs that result in net benefit to imperiled species habitat by providing public and private land owners meaningful incentives for acquiring, restoring, managing, and repopulating habitats for imperiled species. It is the further intent of the Legislature that public lands, both existing and to be acquired, identified by the lead land managing agency, in consultation with the Florida Fish and Wildlife Conservation Commission for animals or



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18 the Department of Agriculture and Consumer Services for plants,  
19 as habitat or potentially restorable habitat for imperiled  
20 species, be restored, enhanced, managed, and repopulated as  
21 habitat for such species to advance the goals and objectives of  
22 imperiled species management consistent with the purposes for  
23 which such lands are acquired without restricting other uses  
24 identified in the management plan. It is also the intent of the  
25 Legislature that of the proceeds distributed pursuant to  
26 subsection (3), additional consideration be given to acquisitions  
27 that achieve a combination of conservation goals, including the  
28 restoration, enhancement, management, or repopulation of habitat  
29 for imperiled species. The Acquisition and Restoration Council,  
30 in addition to the criteria in subsection (9), shall give weight  
31 to projects that include acquisition, restoration, management, or  
32 repopulation of habitat for imperiled species. The term  
33 "imperiled species" as used in this chapter and chapter 253,  
34 means plants and animals that are federally listed under the  
35 Endangered Species Act, or state-listed by the Fish and Wildlife  
36 Conservation Commission or the Department of Agriculture and  
37 Consumer Services.

38 a. As part of the state's role, all state lands that have  
39 imperiled species habitat shall include as a consideration in  
40 management plan development the restoration, enhancement,  
41 management, and repopulation of such habitats. In addition, the  
42 lead land managing agency of such state lands may use fees  
43 received from public or private entities for projects to offset  
44 adverse impacts to imperiled species or their habitat in order to  
45 restore, enhance, manage, repopulate, or acquire land and to  
46 implement land management plans developed under s. 253.034 or  
47 land management prospectus developed and implemented under this



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48 chapter. Such fees shall be deposited into a foundation or fund  
49 created by each land management agency under s. 372.0215, s.  
50 589.012, or 259.032(11)(d), to be used solely to restore, manage,  
51 enhance, repopulate, or acquire imperiled species habitat.

52 b. Where habitat or potentially restorable habitat for  
53 imperiled species is located on state lands, the Fish and  
54 Wildlife Conservation Commission and the Department of  
55 Agriculture and Consumer Services shall be included on any  
56 advisory group required under chapter 253, and the short-term and  
57 long-term management goals required under chapter 253 must  
58 advance the goals and objectives of imperiled species management  
59 consistent with the purposes for which the land was acquired  
60 without restricting other uses identified in the management plan.

61 12.10. There is a need ~~It is the intent of the Legislature~~  
62 ~~to change the focus and direction of the state's major land~~  
63 ~~acquisition programs and to extend funding and bonding~~  
64 ~~capabilities, so that future generations may enjoy the natural~~  
65 ~~resources of this state.~~

66 (b) The Legislature recognizes that acquisition of lands in  
67 fee simple is only one way to achieve the aforementioned goals  
68 and encourages the use of less-than-fee interests, other  
69 techniques, and the development of creative partnerships between  
70 governmental agencies and private landowners. Such partnerships  
71 may include those that advance the restoration, enhancement,  
72 management, or repopulation of imperiled species habitat on state  
73 lands as provided for in subparagraph (a)11. Easements acquired  
74 pursuant to s. 570.71(2)(a) and (b), land protection agreements,  
75 rural land stewardship areas, sector planning, mitigation, and  
76 similar tools should be used, where appropriate, to bring  
77 environmentally sensitive tracts under an acceptable level of



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78 protection at a lower financial cost to the public, and to  
79 provide private landowners with the opportunity to enjoy and  
80 benefit from their property.

81 (c) Public agencies or other entities that receive funds  
82 under this section shall ~~are encouraged to better~~ coordinate  
83 their expenditures so that project acquisitions, when combined  
84 with acquisitions under Florida Forever, Preservation 2000, Save  
85 Our Rivers, the Florida Communities Trust, ~~and~~ other public land  
86 acquisition programs, and the techniques, partnerships, and tools  
87 referenced in subparagraph (a)11. and paragraph (b), are used to  
88 ~~will~~ form more complete patterns of protection for natural areas,  
89 ecological greenways, and functioning ecosystems, to better  
90 accomplish the intent of this section.

91 (d) A long-term financial commitment to restoring,  
92 enhancing, and managing Florida's public lands in order to  
93 implement land management plans developed under s. 253.034 or a  
94 land management prospectus developed and implemented under this  
95 chapter must accompany any ~~new~~ land acquisition program to ensure  
96 that the natural resource values of such lands are restored,  
97 enhanced, managed, and protected, that the public enjoys ~~has the~~  
98 ~~opportunity to enjoy~~ the lands to their fullest potential, and  
99 that the state achieves the full benefits of its investment of  
100 public dollars. Innovative strategies such as public-private  
101 partnerships and interagency planning and sharing of resources  
102 shall be used to achieve the state's management goals.

103 (e) With limited dollars available for restoration,  
104 enhancement, management, and acquisition of land and water areas  
105 and for providing long-term management and capital improvements,  
106 a competitive selection process shall ~~can~~ select those projects



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107 best able to meet the goals of Florida Forever and maximize the  
108 efficient use of the program's funding.

109 (f) To ensure success and provide accountability to the  
110 citizens of this state, it is the intent of the Legislature that  
111 any cash or bond proceeds used pursuant to this section be used  
112 to implement the goals and objectives recommended by a  
113 comprehensive science-based assessment and ~~the Florida Forever~~  
114 Advisory Council as approved by the Board of Trustees of the  
115 Internal Improvement Trust Fund and the Legislature.

116 (g) As it has with previous land acquisition  
117 programs, the Legislature recognizes the desires of the  
118 residents ~~citizens~~ of this state to prosper through  
119 economic development and to preserve, restore, and manage  
120 the state's natural areas and recreational open space ~~of~~  
121 ~~Florida~~. The Legislature further recognizes the urgency of  
122 restoring the natural functions, including wildlife and  
123 imperiled species habitat functions, of public lands or  
124 water bodies before they are degraded to a point where  
125 recovery may never occur, yet acknowledges the difficulty  
126 of ensuring adequate funding for restoration, enhancement  
127 and management efforts in light of other equally critical  
128 financial needs of the state. It is the Legislature's  
129 desire and intent to fund the implementation of this  
130 section and to do so in a fiscally responsible manner, by  
131 issuing bonds to be repaid with documentary stamp tax or  
132 other revenue sources, including those identified in  
133 subparagraph (a)11.