



822796

CHAMBER ACTION

Senate

House

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Floor: 5a/AD/2R  
4/16/2008 2:44 PM

1 Senator Bennett moved the following **amendment to amendment**  
2 **(563226)** :

3  
4 **Senate Amendment (**

5 Delete lines 90 through 147  
6 and insert:

7 11. The state must play a major role in the recovery and  
8 management of its imperiled species through the acquisition,  
9 restoration, enhancement, and management of ecosystems that can  
10 support the major life functions of such species. It is the  
11 intent of the Legislature to support local, state, and federal  
12 programs that result in net benefit to imperiled species habitat  
13 by providing public and private land owners meaningful incentives  
14 for acquiring, restoring, managing, and repopulating habitats for  
15 imperiled species. It is the further intent of the Legislature  
16 that public lands, both existing and to be acquired, identified  
17 by the lead land managing agency, in consultation with the



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

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



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

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

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

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



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78 environmentally sensitive tracts under an acceptable level of  
79 protection at a lower financial cost to the public, and to  
80 provide private landowners with the opportunity to enjoy and  
81 benefit from their property.

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

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

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



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

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

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