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LEGISLATIVE ACTION

Senate . House

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04/28/2010 05:02 PM

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Senator Constantine moved the following:

Senate Amendment (with title amendment)

Between lines 1508 and 1509

insert:

Section 31. Subsection (6) of section 369.317, Florida Statutes, is amended to read:

369.317 Wekiva Parkway.—

(6) The Orlando-Orange County Expressway Authority is hereby granted the authority to act as a third-party acquisition agent, pursuant to s. 259.041 on behalf of the Board of Trustees or chapter 373 on behalf of the governing board of the St. Johns River Water Management District, for the acquisition of all necessary lands, property and all interests in property



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14 identified herein, including fee simple or less-than-fee simple
15 interests. The lands subject to this authority are identified in
16 paragraph 10.a., State of Florida, Office of the Governor,
17 Executive Order 03-112 of July 1, 2003, and in Recommendation 16
18 of the Wekiva Basin Area Task Force created by Executive Order
19 2002-259, such lands otherwise known as Neighborhood Lakes, a
20 1,587+/-acre parcel located in Orange and Lake Counties within
21 Sections 27, 28, 33, and 34 of Township 19 South, Range 28 East,
22 and Sections 3, 4, 5, and 9 of Township 20 South, Range 28 East;
23 Seminole Woods/Swamp, a 5,353+/-acre parcel located in Lake
24 County within Section 37, Township 19 South, Range 28 East; New
25 Garden Coal; a 1,605+/-acre parcel in Lake County within
26 Sections 23, 25, 26, 35, and 36, Township 19 South, Range 28
27 East; Pine Plantation, a 617+/-acre tract consisting of eight
28 individual parcels within the Apopka City limits. The Department
29 of Transportation, the Department of Environmental Protection,
30 the St. Johns River Water Management District, and other land
31 acquisition entities shall participate and cooperate in
32 providing information and support to the third-party acquisition
33 agent. The land acquisition process authorized by this paragraph
34 shall begin no later than December 31, 2004. Acquisition of the
35 properties identified as Neighborhood Lakes, Pine Plantation,
36 and New Garden Coal, or approval as a mitigation bank shall be
37 concluded no later than December 31, 2010. Department of
38 Transportation and Orlando-Orange County Expressway Authority
39 funds expended to purchase an interest in those lands identified
40 in this subsection shall be eligible as environmental mitigation
41 for road construction related impacts in the Wekiva Study Area.
42 If any of the lands identified in this subsection are used as



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43 environmental mitigation for road-construction-related impacts
44 incurred by the Department of Transportation or Orlando-Orange
45 County Expressway Authority, or for other impacts incurred by
46 other entities, within the Wekiva Study Area or within the
47 Wekiva parkway alignment corridor and, if the mitigation offsets
48 these impacts, the St. Johns River Water Management District and
49 the Department of Environmental Protection shall consider the
50 activity regulated under part IV of chapter 373 to meet the
51 cumulative impact requirements of s. 373.414(8)(a).

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

55 And the title is amended as follows:

56 Delete line 136

57 and insert:

58 certain circumstances; amending s. 369.317, F.S.;

59 providing that certain activity relating to mitigation

60 of certain environmental impacts in the Wekiva Study

61 Area or the Wekiva parkway alignment corridor meet

62 specified impact requirements under certain

63 conditions; amending 373.41492, F.S.;