

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: State Affairs Committee
2 Representative Raburn offered the following:

3
4 **Amendment**

5 Remove lines 99-123 and insert:

6 Section 4. Subsection (1) of section 704.06, Florida
7 Statutes, is amended to read:

8 704.06 Conservation easements; creation; acquisition;
9 enforcement.—

10 (1) As used in this section, "conservation easement" means
11 a right or interest in real property which is appropriate to
12 retaining land or water areas predominantly in their natural,
13 scenic, open, agricultural, or wooded condition; retaining such
14 areas as suitable habitat for fish, plants, or wildlife;
15 retaining the structural integrity or physical appearance of
16 sites or properties of historical, architectural,
17 archaeological, or cultural significance; or maintaining

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18 existing land uses and which prohibits or limits any or all of
19 the following:

20 (a) Construction or placing of buildings, roads, signs,
21 billboards or other advertising, utilities, or other structures
22 on or above the ground.

23 (b) Dumping or placing of soil or other substance or
24 material as landfill or dumping or placing of trash, waste, or
25 unsightly or offensive materials.

26 (c) Removal or destruction of trees, shrubs, or other
27 vegetation except when necessary for maintenance purposes or as
28 part of forest management conducted in accordance with
29 applicable best management practices adopted by the Department
30 of Agriculture and Consumer Services.

31 (d) Excavation, dredging, or removal of loam, peat,
32 gravel, soil, rock, or other material substance in such manner
33 as to affect the surface.

34 (e) Surface use except for purposes that permit the land
35 or water area to remain predominantly in its natural or
36 agricultural condition. An allowable surface use may include,
37 but is not limited to, livestock grazing if such activity is a
38 current or historic use and if such future use within the
39 conservation easement area is conducted in accordance with
40 applicable best management practices adopted by the Department
41 of Agriculture and Consumer Services.

42 (f) Activities detrimental to drainage, flood control,
43 water conservation, erosion control, soil conservation, or fish

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44 and wildlife habitat preservation.

45 (g) Acts or uses detrimental to such retention of land or
46 water areas.

47 (h) Acts or uses detrimental to the preservation of the
48 structural integrity or physical appearance of sites or
49 properties of historical, architectural, archaeological, or
50 cultural significance.

51

52 Nothing in paragraphs (c) or (e) shall be construed to restrict
53 or diminish the authority previously afforded any unit of
54 government to allow forest management and livestock grazing as a
55 compatible use on lands subject to a conservation easement.

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