

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Mayfield offered the following:

2  
3 **Amendment**

4 Remove lines 979-1023 and insert:

5 appurtenances which are approved by the Secretary of  
6 Environmental Protection pursuant to the authority delegated by  
7 the board of trustees shall meet the following criteria:

8 1. Such easements shall not prevent the use of the state-  
9 owned uplands adjacent to the easement area for the purposes for  
10 which such lands were acquired and shall not unreasonably  
11 diminish the ecological, conservation, or recreational values of  
12 the state-owned uplands adjacent to the easement area.

13 2. There is no practical and prudent alternative to  
14 locating the linear facility and related appurtenances on state-  
15 owned upland. For purposes of this subparagraph, the test of

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16 practicality and prudence shall compare the social, economic,  
17 and environmental effects of the alternatives.

18 3. Appropriate steps are taken to minimize the impacts to  
19 state-owned uplands. Such steps may include:

20 a. Siting of facilities so as to reduce impacts and  
21 minimize fragmentation of the overall state-owned parcel;

22 b. Avoiding significant wildlife habitat, wetlands, or  
23 other valuable natural resources to the maximum extent  
24 practicable; or

25 c. Avoiding interference with active land management  
26 practices, such as prescribed burning.

27 4. Except for easements granted as a part of a land  
28 exchange to accomplish a recreational or conservation benefit or  
29 other public purpose, in exchange for such easements, the  
30 grantee pays an amount equal to the market value of the interest  
31 acquired. In addition, for the initial grant of such easements  
32 only, the grantee shall provide additional compensation by  
33 vesting in the board of trustees fee simple title to other  
34 available uplands that are 1.5 times the size of the easement  
35 acquired by the grantee. The Secretary of Environmental  
36 Protection shall approve the property to be acquired on behalf  
37 of the board of trustees based on the geographic location in  
38 relation to the land proposed to be under easement and a  
39 determination that economic, ecological, and recreational value  
40 is at least equivalent to the value of the lands under proposed  
41 easement. Priority for replacement uplands shall be given to  
42 parcels identified as in-holdings and additions to public lands  
43 and lands on a Florida Forever land acquisition list. However,

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44 if suitable replacement uplands cannot be identified, the  
45 grantee shall provide additional compensation for the initial  
46 grant of such easements only by paying to the department an  
47 amount equal to 2 times the current market value of the state-  
48 owned land or the highest and best use value at the time of  
49 purchase, whichever is greater. When determining such use of  
50 funds, priority shall be given to parcels identified as in-  
51 holdings and additions to public lands and lands on a Florida  
52 Forever land acquisition list.

53 (c) Where authority to approve easements for rights-of-way  
54 over, across, and upon uplands the title to which is vested in  
55 the board of trustees for the construction and operation of  
56 electric transmission and distribution facilities and related  
57 appurtenances has not been delegated to the Secretary of  
58 Environmental Protection, the board of trustees shall apply the  
59 same criteria and require the same compensation as provided  
60 above, provided, however, the board of trustees shall have the  
61 discretion to determine the amount of replacement lands required  
62 within a range of from one to two times the size of the easement  
63 acquired by the grantee, depending upon the degree to which the  
64 proposed use of the easement will interfere with the manner in  
65 which the lands within the proposed easement area have  
66 historically been managed.

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