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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/01/2016	.	
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The Committee on Appropriations (Grimsley) recommended the following:

Senate Amendment

Delete lines 112 - 135

and insert:

Section 5. Subsection (1) of section 704.06, Florida Statutes, is amended to read:

704.06 Conservation easements; creation; acquisition; enforcement.—

(1) As used in this section, "conservation easement" means a right or interest in real property which is appropriate to



427514

11 retaining land or water areas predominantly in their natural,
12 scenic, open, agricultural, or wooded condition; retaining such
13 areas as suitable habitat for fish, plants, or wildlife;
14 retaining the structural integrity or physical appearance of
15 sites or properties of historical, architectural,
16 archaeological, or cultural significance; or maintaining
17 existing land uses and which prohibits or limits any or all of
18 the following:

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

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

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

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

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



427514

40 of Agriculture and Consumer Services.

41 (f) Activities detrimental to drainage, flood control,
42 water conservation, erosion control, soil conservation, or fish
43 and wildlife habitat preservation.

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

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

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51 Paragraphs (c) and (e) do not restrict or diminish the authority
52 of any unit of government to allow forest management and
53 livestock grazing as a compatible use on lands subject to a
54 conservation easement.