



COMMITTEE ON CONSERVATION & STATE LANDS

**WEDNESDAY, MARCH 26, 2008
5:15 PM – 7:00 PM
216 THE CAPITOL**

ACTION PACKET

**Marco Rubio
Speaker**

**Rep. Will Kendrick
Chair**

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Speaker Marco Rubio

Committee on Conservation & State Lands

Start Date and Time: Wednesday, March 26, 2008 05:15 pm or 10 minutes after Session

End Date and Time: Wednesday, March 26, 2008 07:00 pm

Location: 216 Capitol

Duration: 1.75 hrs

Consideration of the following bill(s):

HB 31 Springs Protection by Boyd

Consideration of recommendations with respect to Proposed Council Bill ENRC 08-09, relating to Florida Forever Successor.

Pursuant to rule 7.12, the deadline for amendments to bills on the agenda by non-appointed member shall be 6:00p.m., Tuesday, March 25, 2008.

NOTICE FINALIZED on 03/24/2008 16:23 by SIMS-DAVIS.LINDA

**House of Representatives
Committee Recommendations Worksheet
Proposed Council Bills**

Committee on Conservation & State Lands
 Meeting Date March 26, 2008 Time 5:15 PM Place 216-C
 Subject FL Forever Successor

Motion:
 ___ to recommend a proposed council bill with respect to _____
 (subject)
 X to recommend proposed council bill 08-09 relating to FL Forever Successor
 (PCB #)

Other action: _____

Vote On Recommendations		MEMBERS								
Yea	Nay		Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
X		Rep. Brandenburg								
X		Rep. Chestnut								
X		Rep. Culp, Vice-Chair								
X		Rep. Garcia								
X		Rep. Holder								
X		Rep. Sasso								
X		Rep. Schenk								
X		Rep. Machek								
X		Rep. Weatherford								
X		Rep. Kendrick, Chair								
Yeas	Nays		Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
10	0	Totals								

Appearance Record

<u>Name</u>	<u>Representing</u>	<u>Address</u>

SECTION 1

- Extends the retirement date for Florida Forever bonds from 2030 to 2040.

SECTION 2

- Increases the total amount of bonds to be issued from \$3 billion to \$5.3 billion.
- Requires the legislature analyze state's debt ratio in relation to projected revenues prior to authorizing any bonds for land acquisition.

SECTION 3

- Revises the duties of Florida Fish and Wildlife Commission and Department of Agriculture and Consumer Services, designating both of them state's primary land managers.

SECTION 4

- Transferring rulemaking authority relating to the requirements for selecting individual appraiser from the Division of State Lands to the Board of Trustees.
- Removes the requirement for a review appraiser to perform a general field inspection of the subject property prior to accepting or rejecting and appraisal.
- Transferring rulemaking authority relating to waiving the requirements for an appraisal report to obtain a sales history of the subject property.

SECTION 5

- Lowers the threshold for obtaining two appraisals from \$1 million to \$500,000.
- Requires the Department of Agriculture and Consumer Services to select one of the two appraisers.
- If the two appraisal differ by 20% or greater a third appraisal is required. The third appraiser is to be selected by the Chief Financial Officer.
- Requires the Chief Financial Officer to select review appraiser.
- Requires the Department of Agriculture and Consumer Services, Chief Financial Officer and Department of Environmental Protection to enter into an interagency agreement to provide for the reimbursement of appraisal fees by the Department of Environmental Protection.
- Allows the Division of State Lands to prepare appraisals for parcels estimated to be less than \$100,000.
- Disallows the current practice that authorizes the payment of up to 150% of the value of a parcel, for joint purchases.

SECTION 6

- Requires the Division of State Lands to inventory all lands acquired under P2000 and Florida Forever (This includes water management district and Florida Communities Trust lands)
- Requires the Division of State Lands inventory of state lands and all lands acquired under P2000 and Florida Forever to include an element that tracks bond covenants and the expiration of bond covenants.
- Requires Department of Environmental Protection to initiate and maintain an information system that will be the basis for land acquisition and land management decision making and modeling. The information system is to map, in an electronic format, the natural communities on each tract of state land and each proposed land acquisition. Natural community is defined as a distinct and recurring assemblage of populations of plants, animals, fungi and microorganisms naturally associated with each other and their physical environment. Each natural community will be partitioned into natural community categories, each natural community category will be partitioned into natural community groups and each natural community group will be partitioned into natural community types.
- Department of Agriculture and Consumer Services and Florida Fish and Wildlife Commission will assist in the development and standardization of the information system.
- Allows Department of Environmental Protection to utilize a third party for the development of the information system and its data. However, the information system and its data are to be the property of the state.

SECTION 7

- Allows all recreational activities on public lands acquired under chapter 259 (P2000 and Florida Forever), not just those designated natural resource based recreation.
- Requires lands designated as "multiple-use" to be managed in a manner that enhances public access.
- Revises the types of lands designated as single use by removing parks and wild life management areas and included designated preserves.
- Provides for enhancing public access to state waters in designated "single use" lands.
- Revises the definition of conservation lands to include lands managed by the Department of Agriculture and Consumer Services, Florida Fish and Wildlife Commission, and Department of Environmental Protection.
- Allows those lands acquired to facilitate the acquisition of conservation to be considered conservation lands, if in doing so provides an increase in public recreation opportunities or creates a more efficient land management plan. This ensures all state owned lands are eligible for long-term land management dollars.
- Requires state lands are to be managed to ensure the conservation of the state's plant and animal species and to assure the accessibility of public lands for the benefit and enjoyment all people of the state, both present and future. Land

Management Plans (LMP) are to be prepared for all state lands -- each LMP is to provide a desired outcome with measurable short-term and long-term objectives that are the basis for all land management activities conducted to achieve the desired outcome.

The measurable objectives:

- habitat restoration and improvement;
 - public access and recreation;
 - hydrological preservation and restoration;
 - forest management;
 - exotic and invasive species control; and
 - Capital facilities and infrastructure
 - financial sustainability of land management activities.
- The LMP is to include the following elements:
 - A physical description of the property;
 - a quantitative data description of the property to include an inventory of forest resources, exotic and invasive plants, hydrological features, capital facilities including recreational facilities -- the description shall be of such detail that objective measures and benchmarks can be established for each tract of land and monitored during the lifetime of the plan, all quantitative data collected are to be aggregated, standardized, collected and presented in an electronic format to allow for management reporting and analysis, and the information collected by the Department of Environmental Protection pursuant to s. 253.0325(2), F.S., is to be available to the land manager and their assignee;
 - a detailed description of each land management objective and the activities that are to be performed to meet the land management objectives-- each land management objective must be addressed by the land management plan but no land management objective shall be performed to the detriment of the other land management objectives;
 - A schedule shall be prepared that contains a timeline, quantitative measures, detailed expense and manpower budgets for each activity; and
 - A summary budget for the land management activities of the LMP which is to be prepared in such a manner that it facilitates an aggregation of land management costs for all state lands.
 - Requires the managing agency make available to the public electronic copies of land management plans.
 - Adds lands managed by Department of Agriculture and Consumer Services Department of Environmental Protection and Florida Fish and Wildlife Commission to be included as lands managed for conservation purposes.
 - Allows land not currently and actively managed to be managed by a private contractor or leased.
 - Removes an obsolete provision.

- Requires a second appraisal for surplus lands value at \$1 million or great and provides for the payment of the second appraisal. Murphy Acts lands are included in these requirements.

SECTION 8

- Provides consistency for noticing provisions to local governments from 30 days to 45 days.

SECTION 9

- Removes the limitation for one appraisal for Murphy Act lands.

SECTION 10

- Provides flexibility for the use of Conservation and Recreation Trust Fund (CARL), including expending monies for Restoration, Enhancement and Management of public lands.
- Allows the uses of CARL funds for activities related to habitat for species of concern, imperiled, threatened or endangered species.
- Requires the ARC to develop and adopt rules that provide specific acquisition criteria and numeric performance measures to prioritize land acquisitions by July 1, 2009. The rules must be approved by the Board of Trustees and then adopted by the legislature.
- Allows Department of Environmental Protection to utilize up to 5% of funds credited to the CARL TF in one year for purposes of maintaining the land records information system. Currently, this funding can go to FNAI.
- Emphasis is provided for lead managers to enter into contracts with entities outside state government.
- Provides conforming changes related to revised requirements of the LMP.
- Removes ARC and Board of Trustees ability to modify plans. The continued authority to accept or reject plans remains.
- Changes the current ceiling of 1.5% of CARL funds for land management purposes to a floor of 1.5%.
- Requires Department of Environmental Protection, Department of Agriculture and Consumer Services, and Florida Fish and Wildlife Commission to develop an allocation formula that distributes CARL funds for land management. The formula is to be based on intensity of activities related to land management and public access, as well as, other revenue sources. The formula is to be adopted by the legislature.
- Extends the time limits related to Payment in Lieu of Taxes provisions from 10 years to perpetual, as long as the entity remains below the population eligibility threshold

SECTION 11

- Revises the membership of the ARC. Currently four members are appointed by the Governor. Two members will be appointed by the Governor, one by the Commissioner of Agriculture, and one by the Executive Director of Florida Fish and Wildlife Commission.
- Removes the compensation provisions for ARC members.

SECTION 12

- Revises the membership of the management review team by expanding Department of Agriculture and Consumer Services and Florida Fish and Wildlife Commission membership and reducing Department of Environmental Protection membership.

SECTION 13

- Revises the reporting requirements of the LMUAC to include reporting land management cost as discussed in section 7.

SECTION 14

- Revises the provisions relating to option agreements for conservation lands.
 - By limiting s agreements to appraised values.
 - By requiring legislative approval for agreements that exceed \$100 million.
 - By requiring the Department of Agriculture and Consumer Services and the Chief Financial Officer to obtain appraisal when land values exceed \$500,000 or differ by more than 120%.
 - By disallowing option agreements until funds are appropriated by the legislature.

SECTION 15

- Expands the intent language of Florida Forever to include activities relating to imperiled species and their habitat.
- Revises the intent language regarding specific acquisition criteria and numeric performance measures to prioritize land acquisitions. The rules must be approved by the Board of Trustees and then adopted by the legislature.
- Revises the intent language regarding access to waterways, water supplies, working landscapes and agriculture
- Revises the uses of Florida Forever funds allocated to Department of Environmental Protection including water supply. Establishing a 3% floor and a 10% ceiling for capital projects at the time of acquisition that provide public access.
- Revises the allocation of Florida Forever funds to DCA to Department of Environmental Protection to facilitate the transfer of the Florida Communities Trust program.
- Revises the uses of Florida Forever funds allocated to DRP. Establishing a 1% floor and a 10% ceiling for capital projects at the time of acquisition that provide public access

- Revises the use of Florida Forever funds for capital projects and changes the DOF allocation to Department of Agriculture and Consumer Services for the Rural Family Lands program.
- Revises the uses of Florida Forever funds allocated to Florida Fish and Wildlife Commission. Establishing a 3% floor and a 10% ceiling for capital projects at the time of acquisition that provide public access.
- Revises certain performance goals to include imperiled species and water supply.
- Provides an opportunity for local governments, then the state to receive lands declared surplus by water management districts.
- Authorizes the use of Florida Forever funds for rural-land protection agreements as describes s. 570.71(3), F.S.

SECTION 16

- Revises the total bond amount from 3 billion to 5.3 billion

SECTION 17

- Transferring the Florida Community Trust from the Department of Community Affairs to the Department of Environmental Protection

SECTION 18

- Providing instructions for providing necessary revisions to statute regarding the transfer of the Florida Community Trust program from the Department of Community Affairs to the Department of Environmental Protection

SECTION 19

- Provides an effective date of July 1, 2008.

COMMITTEE MEETING REPORT

Committee on Conservation & State Lands

3/26/2008 5:15:00PM or 10 minutes after Session

Location: 216 Capitol

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Will Kendrick (Chair)	X		
Mary Brandenburg	X		
Charles Chestnut IV	X		
Faye Culp	X		
Rene Garcia	X		
Doug Holder	X		
Richard Machek	X		
Anthony Sasso III	X		
Robert Schenck	X		
Will Weatherford	X		
Totals:	10	0	0

Committee meeting was reported out: Wednesday, March 26, 2008 8:26:22PM

COMMITTEE MEETING REPORT

Committee on Conservation & State Lands

3/26/2008 5:15:00PM or 10 minutes after Session

Location: 216 Capitol

HB 31 : Springs Protection

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Mary Brandenburg	X				
Charles Chestnut IV	X				
Faye Culp	X				
Rene Garcia	X				
Doug Holder	X				
Richard Machek	X				
Anthony Sasso III	X				
Robert Schenck	X				
Will Weatherford	X				
Will Kendrick (Chair)	X				
Total Yeas: 10		Total Nays: 0			

Appearances:

Springs Protection

Stan McClain (General Public) - Proponent

Marion County Commissioner

111 South-East 25th Avenue

Ocala Florida 34471

Phone: 352-671-8560

Springs Protection

Steven Minnis (Lobbyist) - Proponent

Suwannee River Water Management District

9225 County Road 49

Live Oak Florida 32060

Phone: 386-362-1001

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COMMITTEE MEETING REPORT

Committee on Conservation & State Lands

3/26/2008 5:15:00PM or 10 minutes after Session

Location: 216 Capitol

Other Business Appearance:

FL Communities Trust transer to DEP (Section 17 & 18)

Ken Reecy - Opponent

Department of Community Affairs/FL Communities Trust

255 Shumard Oak Blvd

Tallahassee Florida 32399

Phone: 850-922-2207

FL Communities Trust transer to DEP (Section 17 & 18)

Charles Pattison (Lobbyist) - Opponent

1000 Friends of Florida

926 East Park Avenue

Tallahassee Florida 32301

Phone: 850-222-6277

FL Communities Trust transer to DEP (Section 17 & 18)

Jeanne Zokoitch (Lobbyist) - Opponent

League of Women Voters/FL and the Wildlaw

233 3rd Street, North

St. Petersburg Florida 33701

Phone: 727-388-4613

FL Communities Trust transer to DEP (Section 17 & 18)

Rebecca Ohara - Opponent

Florida League of Cities

Post Office Box 1757

Tallahassee Florida 32302

Phone: 850-222-9684

FL Communities Trust transer to DEP (Section 18)

Pepper Uchino (Lobbyist) - Opponent

The Trust for Public Land

306 North Monroe Street

Tallahassee Florida 32301

Phone: 850-222-7911

FL Communities Trust transer to DEP (Section 3)

Bob Ballard (Lobbyist) (State Employee) (At Request Of Chair) - Information Only

Department of Environmental Protection

3900 Commonwealth Blvd

Tallahassee Florida 32399

Phone: 850-245-2555

PCB ENRC 08-09 Florida Forever Successor

Steven Webster - Proponent

Citizens For Florida's Waterways/FL Marine Contractors Assc.

2569 Newfound Harbor

Merritt Island Florida 32952

Phone: 321-453-3051

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PCB ENRC 08-09 Florida Forever Successor
Charles Pattison (Lobbyist) - Information Only
1000 Friends of Florida
926 East Park Avenue
Tallahassee Florida 32301
Phone: 850-222-6277

PCB ENRC 08-09 Florida Forever Successor
Lane Stephens (Lobbyist) - Proponent
Allied Sportsmen's Associations of Florida
201 South Monroe Street
Tallahassee Florida 32301
Phone: 850-513-0004

PCB ENRC 08-09 Florida Forever Successor
Doug Mann (Lobbyist) - Proponent
Alternative Water Supply
310 West College Avenue
Tallahassee Florida 32302
Phone: 850-222-7535

PCB ENRC 08-09 Florida Forever Successor
Chuck Aller (Lobbyist) (State Employee) - Proponent
Department of Agriculture & Consumer Services
PL-10, the Capitol
Tallahassee Florida 32399-0810
Phone: 850-410-6732

PCB ENRC 08-09 Florida Forever Successor
Jeanne Zokoitch (Lobbyist) - Proponent
League of Women Voters/FL and the Wildlaw
233 3rd Street, North
St. Petersburg Florida 33701
Phone: 727-388-4613

PCB ENRC 08-09 Florida Forever Successor
Rebecca O'Hara (Lobbyist) - Information Only
Florida League of Cities
Post Office Box 1757
Tallahassee Florida 32302
Phone: 850-222-9684

PCB ENRC 08-09 Florida Forever Successor
Bonnie Basham (Lobbyist) - Proponent
Florida AirBoaters Associations & Boats US
133 Oak Street Unit 15
Tallahassee Florida 32301
Phone: 850-561-6116

PCB ENRC 08-09 Florida Forever Successor
Eric Drapper (Lobbyist) - Proponent
Audubon of Florida
2507 Callaway #103
Tallahassee Florida 32303
Phone: 850-224-7546

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PCB ENRC 08-09 Florida Forever Successor
Keith Hetrick (Lobbyist) - Proponent
Florida Home Builders Association
201 East Park Avenue
Tallahassee Florida 32311

PCB ENRC 08-09 Florida Forever Successor
Frank Matthews (Lobbyist) - Proponent
FL Marine Contractors Association/FL Marine Manufacturers
Post Office Box 6526
Tallahassee Florida 32301

PCB ENRC 08-09 Florida Forever Successor
Janet Bowman (Lobbyist) (At Request Of Chair) - Information Only
The Nature Conservancy
625 N. Adams Street
Tallahassee Florida 32301
Phone: 850-251-9406

PCB ENRC 08-09 Florida Forever Successor
Deborah Poppell (Lobbyist) (State Employee) - Information Only
DEP - Division of State Lands
3900 Commonwealth Blvd
Tallahassee Florida 32399
Phone: 850-245-2555

PCB ENRC 08-09 Florida Forever Successor
Greg Brock, Ph.D. (State Employee) - Information Only
Department of Environmental Protection
3900 Commonwealth Blvd
Tallahassee Florida 32399
Phone: 850-245-2784

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COMMITTEE MEETING REPORT

Committee on Conservation & State Lands

3/26/2008 5:15:00PM or 10 minutes after Session

Location: 216 Capitol

Summary:

Committee on Conservation & State Lands

Wednesday March 26, 2008 05:15 pm

HB 31 Favorable

Yeas: 10 Nays: 0

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