

By the Committee on Environmental Preservation and Conservation;
and Senator Constantine

592-02164-10

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1 A bill to be entitled
2 An act relating to the Wekiva River Protection Act;
3 amending s. 369.317, F.S.; clarifying mitigation
4 offsets in the Wekiva Study Area; providing an
5 effective date.

6
7 Be It Enacted by the Legislature of the State of Florida:

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9 Section 1. Subsection (6) of section 369.317, Florida
10 Statutes, is amended to read:

11 369.317 Wekiva Parkway.—

12 (6) The Orlando-Orange County Expressway Authority is
13 hereby granted the authority to act as a third-party acquisition
14 agent, pursuant to s. 259.041 on behalf of the Board of Trustees
15 or chapter 373 on behalf of the governing board of the St. Johns
16 River Water Management District, for the acquisition of all
17 necessary lands, property and all interests in property
18 identified herein, including fee simple or less-than-fee simple
19 interests. The lands subject to this authority are identified in
20 paragraph 10.a., State of Florida, Office of the Governor,
21 Executive Order 03-112 of July 1, 2003, and in Recommendation 16
22 of the Wekiva Basin Area Task Force created by Executive Order
23 2002-259, such lands otherwise known as Neighborhood Lakes, a
24 1,587+/- acre parcel located in Orange and Lake Counties within
25 Sections 27, 28, 33, and 34 of Township 19 South, Range 28 East,
26 and Sections 3, 4, 5, and 9 of Township 20 South, Range 28 East;
27 Seminole Woods/Swamp, a 5,353+/- acre parcel located in Lake
28 County within Section 37, Township 19 South, Range 28 East; New
29 Garden Coal; a 1,605+/- acre parcel in Lake County within

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30 Sections 23, 25, 26, 35, and 36, Township 19 South, Range 28
31 East; Pine Plantation, a 617+/- acre tract consisting of eight
32 individual parcels within the Apopka City limits. The Department
33 of Transportation, the Department of Environmental Protection,
34 the St. Johns River Water Management District, and other land
35 acquisition entities shall participate and cooperate in
36 providing information and support to the third-party acquisition
37 agent. The land acquisition process authorized by this paragraph
38 shall begin no later than December 31, 2004. Acquisition of the
39 properties identified as Neighborhood Lakes, Pine Plantation,
40 and New Garden Coal, or approval as a mitigation bank shall be
41 concluded no later than December 31, 2010. Department of
42 Transportation and Orlando-Orange County Expressway Authority
43 funds expended to purchase an interest in those lands identified
44 in this subsection shall be eligible as environmental mitigation
45 for road construction related impacts in the Wekiva Study Area.
46 If any of the lands identified in this subsection are used as
47 environmental mitigation for road construction related impacts
48 incurred by the Department of Transportation or Orlando-Orange
49 County Expressway Authority, or for other impacts incurred by
50 other entities, within the Wekiva Study Area or within the
51 Wekiva parkway alignment corridor, and if the mitigation offsets
52 these impacts, the St. Johns River Water Management District and
53 the Department of Environmental Protection shall consider the
54 activity regulated under part IV of chapter 373 to meet the
55 cumulative impact requirements of s. 373.414(8) (a).

56 Section 2. This act shall take effect July 1, 2010.