

1 A bill to be entitled  
2 An act relating to relating to state lands; amending  
3 s. 253.42, F.S.; authorizing individuals and  
4 corporations to submit requests to the Board of  
5 Trustees of the Internal Improvement Trust Fund to  
6 exchange state-owned land for conservation easements  
7 over privately held land; providing criteria for  
8 consideration of such requests; authorizing certain  
9 operations on such lands; providing that such lands  
10 are subject to inspection; providing an effective  
11 date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15 Section 1. Subsection (4) is added to section 253.42,  
16 Florida Statutes, to read:

17 253.42 Board of trustees may exchange lands.—The  
18 provisions of this section apply to all lands owned by, vested  
19 in, or titled in the name of the board whether the lands were  
20 acquired by the state as a purchase, or through gift, donation,  
21 or any other conveyance for which no consideration was paid.

22 (4) (a) A private individual or a private or public  
23 corporation with privately held land contiguous to state-owned  
24 land may submit a request directly to the board to exchange  
25 state-owned land for permanent conservation easements over the  
26 privately held land. This subsection does not apply to state-  
27 owned sovereign submerged land.

28 |       (b) The exchange may be in an amount of state-owned land  
 29 | equal in size to the monetary equivalent of privately held land  
 30 | that the private individual or private or public corporation is  
 31 | willing to put into a permanent conservation easement, not to  
 32 | exceed 1,280 acres per exchange.

33 |       (c) The board shall maintain a permanent conservation  
 34 | easement over the state-owned land being exchanged under this  
 35 | subsection that is similar to the permanent conservation  
 36 | easement that is being established over the privately held land.

37 |       (d) The board shall consider such request within 180 days  
 38 | after receipt and may approve the request only if:

39 |           1. The privately held land is surrounded by state-owned  
 40 | land on at least 30 percent of its perimeter, and the exchange  
 41 | does not create an inholding.

42 |           2. The board makes an affirmative determination that the  
 43 | property is no longer needed for conservation purposes pursuant  
 44 | to s. 18, Art. X of the State Constitution.

45 |           3. The approval does not result in the board, the  
 46 | department, the Department of Agriculture and Consumer Services,  
 47 | the Fish and Wildlife Conservation Commission, or a water  
 48 | management district violating the terms of a preexisting lease  
 49 | agreement.

50 |           4. The exchange of privately held land and state-owned  
 51 | land pursuant to paragraph (a) will not result in a net loss of  
 52 | conservation value.

53 |           5. Such request is approved by a two-thirds vote of the  
 54 | board.

55        (e) Low-impact operations such as grazing, forest  
56 management, prescribed burning, and wildlife management  
57 practices shall be allowed on such land. Special consideration  
58 shall be given to a request submitted pursuant to this  
59 subsection that maintains public access for any recreational  
60 purposes allowed on the state-owned land at the time the request  
61 is submitted to the board.

62        (f) If any land uses or activities occur on the state-  
63 owned land being transferred to a private individual or public  
64 or private corporation that are not authorized under the  
65 permanent conservation easement, then the land rights of the  
66 state and the private individual or private or public  
67 corporation shall revert back to the condition before the  
68 initial exchange, unless the private individual or public or  
69 private corporation ends the unauthorized use or activity and  
70 corrects any adverse impacts to the property resulting from such  
71 use or activity to the satisfaction of the department within 60  
72 days.

73        (g) Lands that are exchanged pursuant to this subsection  
74 are subject to inspection by the department to ensure compliance  
75 with the terms of all permanent conservation easements  
76 constituting the exchange.

77        Section 2. This act shall take effect July 1, 2013.