

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Agriculture, Conservation
 2 & Resiliency Subcommittee

3 Representative Cross offered the following:

4

5 **Amendment**

6 Remove lines 46-83 and insert:

7 declared the minimum easement necessary for shore protection
 8 projects was the perpetual beach storm damage reduction easement
 9 but allowed local sponsors in Florida to acquire less-than-
 10 perpetual easements and to pay 100 percent of sand placement
 11 landward of the erosion control line for those areas not covered
 12 by an easement, and

13 WHEREAS, in addition to the United States Army Corps of
 14 Engineers requiring a perpetual easement for a 50-year project,
 15 other overly broad public access and use language in the
 16 easement not tailored to the needs of shore protection projects

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17 is causing coastal property owners to reject signing such
18 easements, and

19 WHEREAS, project cooperation agreements require local
20 sponsors to ensure public ownership and use of the shores upon
21 which the federal cost-share is based, and

22 WHEREAS, recent shifts in United States Army Corps of
23 Engineers' policy on easements, which are not based in law,
24 require the acquisition of perpetual public access, use, and
25 construction easements from 100 percent of property owners
26 within a project area in order to proceed even if construction
27 will not occur over the easement area, and

28 WHEREAS, the United States Army Corps of Engineers is
29 retroactively applying its inflexible interpretation of law
30 regarding perpetual easements which has resulted in widespread
31 project delays for both traditional and emergency repair
32 projects, contradicting Congressional intent and leaving
33 Floridians and critical coastal habitat vulnerable to
34 catastrophic flooding and erosion from the next coastal storm,
35 and

36 WHEREAS, the efforts of coastal stakeholders in Florida to
37 address these issues with the United States Army Corps of
38 Engineers have been unsuccessful, NOW, THEREFORE,

39
40 Be It Resolved by the Legislature of the State of Florida:

41

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HM 1411 (2024)

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42 That the Congress of the United States is urged to take
43 immediate action to direct the United States Army Corps of
44 Engineers to amend its current easement policy for shore