

Amendment No. 1

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WITHDRAWN	_____	(Y/N)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 & Natural
 2 Resources Appropriations Subcommittee
 3 Representative Caldwell offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Subsections (4) and (5) are added to section 125.35, Florida Statutes, to read:

125.35 County authorized to sell real and personal property and to lease real property.-

(4) Proceeds from the sale of surplus conservation lands purchased with Florida Forever funds before July 1, 2015, shall be deposited into the Florida Forever Trust Fund if the county does not use the proceeds for another purpose identified in the Florida Forever Act within three years. If the county purchased the conservation land with multiple revenue sources, the county

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17 shall deposit an amount based on the percentage of Florida
18 Forever funds used for the original purchase.

19 (5) Proceeds from the sale of surplus conservation lands
20 purchased with state funds on or after July 1, 2015, shall be
21 deposited into the Land Acquisition Trust Fund if the county
22 does not use the proceeds for another purpose identified in s.
23 28, Art. X of the State Constitution within three years. If the
24 county purchased the conservation land with funds other than
25 those from the Land Acquisition Trust Fund or a land acquisition
26 trust fund created to implement s. 28, Art. X of the State
27 Constitution, the proceeds shall be deposited into the fund from
28 which the land was purchased. If the county purchased the
29 conservation land with multiple revenue sources, the county
30 shall deposit an amount based on the percentage of state funds
31 used for the original purchase.

32 Section 2. Subsection (14) of section 161.101, Florida
33 Statutes, is amended to read:

34 161.101 State and local participation in authorized
35 projects and studies relating to beach management and erosion
36 control.—

37 (14) The intent of the Legislature in preserving and
38 protecting Florida's sandy beaches pursuant to this act is to
39 direct beach erosion control appropriations to the state's most
40 severely eroded beaches, and to prevent further adverse impact
41 caused by improved, modified, or altered inlets, coastal

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42 | armoring, or existing upland development. In establishing annual
43 | project funding priorities, the department shall seek formal
44 | input from local coastal governments, beach and general
45 | government interest groups, and university experts. Criteria to
46 | be considered by the department in determining annual funding
47 | priorities shall include:

48 | (a) The severity of erosion conditions, the threat to
49 | existing upland development, and recreational ~~and/or economic~~
50 | benefits.

51 | (k) The economic benefit of the project as measured by the
52 | ratio of the tourist development tax revenue collected pursuant
53 | to s. 125.0104 for the most recent year to state sales tax and
54 | the tourist development tax revenues for the most recent year.
55 | The department must calculate this ratio using state sales tax
56 | and the tourist development tax data of the county having
57 | jurisdiction over the project area. If multiple counties have
58 | jurisdiction over the project area, the department must assess
59 | each county individually using these ratios. The department
60 | shall calculate the mean average of these ratios to determine
61 | the final overall economic benefit of the project for the
62 | multicounty project.

63 |

64 | In the event that more than one project qualifies equally under
65 | the provisions of this subsection, the department shall assign
66 | funding priority to those projects that are ready to proceed.

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67 Section 3. Subsection (1) and present subsection (2) of
68 section 161.161, Florida Statutes, are amended, a new subsection
69 (2) is added to that section, and present subsections (2)
70 through (7) are redesignated as subsections (3) through (8),
71 respectively, to read:

72 161.161 Procedure for approval of projects.—

73 (1) The department shall develop and maintain a
74 comprehensive long-term beach management plan for the
75 restoration and maintenance of the state's critically eroded
76 beaches fronting the Atlantic Ocean, Gulf of Mexico, and Straits
77 of Florida. In developing and maintaining this ~~the beach~~
78 ~~management~~ plan, the department shall:

79 (a) Address long-term solutions to the problem of
80 critically eroded beaches in this state.

81 (b) Evaluate each improved, modified, or altered inlet and
82 determine whether the inlet is a significant cause of beach
83 erosion. With respect to each inlet determined to be a
84 significant cause of beach erosion, the plan shall include:

85 ~~1.~~ the extent to which such inlet causes beach erosion and
86 recommendations to mitigate the erosive impact of the inlet,
87 including, but not limited to, ~~recommendations regarding~~ inlet
88 sediment bypassing; improvement of infrastructure to facilitate
89 sand bypassing; modifications to channel dredging, jetty design,
90 and disposal of spoil material; establishment of feeder beaches;
91 and beach restoration and beach nourishment; ~~and~~

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92 ~~2. Cost estimates necessary to take inlet corrective~~
93 ~~measures and recommendations regarding cost sharing among the~~
94 ~~beneficiaries of such inlet.~~

95 (c) Evaluate ~~Design~~ criteria for beach restoration and
96 beach nourishment projects, including, but not limited to, ~~+~~

97 ~~1. dune elevation and width and revegetation and~~
98 ~~stabilization requirements,~~ ~~+~~ and

99 ~~2. beach profiles~~ profile.

100 (d) Consider ~~Evaluate~~ the establishment of regional
101 sediment management alternatives for one or more individual
102 beach and inlet sand bypassing projects ~~feeder beaches~~ as an
103 alternative to ~~direct~~ beach restoration when appropriate and
104 cost-effective, and recommend the location of such regional
105 sediment management alternatives ~~feeder beaches~~ and the source
106 of beach-compatible sand.

107 (e) Identify causes of shoreline erosion and change,
108 determine ~~calculate~~ erosion rates, and maintain an updated list
109 of critically eroded sandy beaches based on data, analyses, and
110 investigations of shoreline conditions ~~and project long-term~~
111 ~~erosion for all major beach and dune systems by surveys and~~
112 ~~profiles.~~

113 (f) ~~Identify shoreline development and degree of density~~
114 ~~and~~ Assess impacts of development and coastal protection
115 ~~shoreline protective~~ structures on shoreline change and erosion.

116 (g) Identify short-term and long-term economic costs and

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117 benefits of beaches to the state of Florida and individual beach
118 communities, ~~including recreational value to user groups, tax~~
119 ~~base, revenues generated, and beach acquisition and maintenance~~
120 ~~costs.~~

121 (h) Study dune and vegetation conditions, identify
122 existing beach projects without dune features or with dunes
123 without adequate elevations, and encourage dune restoration and
124 revegetation to be incorporated as part of storm damage recovery
125 projects or future dune maintenance events.

126 (i) Identify beach areas used by marine turtles and
127 develop strategies for protection of the turtles and their nests
128 and nesting locations.

129 (j) Identify alternative management responses to preserve
130 undeveloped beach and dune systems and, to restore damaged beach
131 and dune systems. In identifying such management responses, the
132 department shall consider, at a minimum, and to prevent
133 ~~inappropriate development and redevelopment on migrating~~
134 ~~beaches, and consider beach restoration and nourishment,~~
135 ~~armoring, relocation and abandonment,~~ dune and vegetation
136 restoration, and acquisition.

137 (k) Document procedures and policies for preparing post-
138 storm damage assessments and corresponding recovery plans,
139 including repair cost estimates ~~Establish criteria, including~~
140 ~~costs and specific implementation actions, for alternative~~
141 ~~management techniques.~~

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142 (1) Identify and assess ~~Select and recommend~~ appropriate
143 management measures for all of the state's critically eroded
144 sandy beaches ~~in a beach management program~~.

145 ~~(m) Establish a list of beach restoration and beach~~
146 ~~nourishment projects, arranged in order of priority, and the~~
147 ~~funding levels needed for such projects.~~

148 (2) The comprehensive long-term beach management plan
149 developed and maintained by the department pursuant to
150 subsection (1) must include, at a minimum, a strategic beach
151 management plan, a critically eroded beaches report, and a
152 statewide long-range budget plan.

153 (a) The strategic beach management plan must identify and
154 recommend appropriate measures for all of the state's critically
155 eroded sandy beaches and may incorporate plans ~~be prepared at~~
156 ~~the regional level, taking into account~~ ~~based upon~~ areas of
157 greatest need and probable federal and local funding. Upon
158 approval in accordance with this section, such regional plans
159 ~~shall be components of the statewide beach management plan and~~
160 ~~shall~~ serve as the basis for state funding decisions ~~upon~~
161 ~~approval in accordance with chapter 86-138, Laws of Florida. In~~
162 ~~accordance with a schedule established for the submission of~~
163 ~~regional plans by the department, any completed plan must be~~
164 ~~submitted to the secretary of the department for approval no~~
165 ~~later than March 1 of each year. These regional plans shall~~
166 ~~include, but shall not be limited to, recommendations of~~

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167 ~~appropriate funding mechanisms for implementing projects in the~~
168 ~~beach management plan, giving consideration to the use of~~
169 ~~single-county and multicounty taxing districts or other revenue~~
170 ~~generation measures by state and local governments and the~~
171 ~~private sector. Prior to finalizing the strategic beach~~
172 ~~management presenting the plan to the secretary of the~~
173 ~~department, the department shall hold a public meeting in the~~
174 ~~region areas for which the plan is prepared or through a~~
175 ~~publicly noticed webinar. The plan submission schedule shall be~~
176 ~~submitted to the secretary for approval. Any revisions to such~~
177 ~~schedule must be approved in like manner.~~

178 (b) The critically eroded beaches report must be
179 developed, in part, based on the requirements specified in
180 paragraph (1) (e), and must be maintained by the department.

181 (c) The statewide long-range budget plan must include at
182 least 5 years of planned beach restoration, beach nourishment,
183 and inlet management project funding needs as identified, and
184 subsequently refined, by local government sponsors. The plan
185 must identify the proposed schedule of the feasibility, design,
186 construction, and monitoring phases of the projects anticipated
187 in the next 5 years and the projected costs of those phases. The
188 projects may be presented by region and do not need to be
189 presented in priority order. However, the department should
190 identify issues that may prevent successful completion of such
191 projects and recommend solutions that would allow the projects

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192 to progress.

193 (3)(2) Annually, The secretary shall annually present the
194 statewide long-range budget plan to the Legislature as part of
195 the department's annual budget request. The work plan must be
196 accompanied by a 5-year financial forecast for the availability
197 of funding for the projects ~~recommendations for funding beach~~
198 ~~erosion control projects prioritized according to the criteria~~
199 ~~established in s. 161.101(14).~~

200 Section 4. Paragraph (c) of subsection (6) of section
201 163.3177, Florida Statutes, is amended to read:

202 163.3177 Required and optional elements of comprehensive
203 plan; studies and surveys.—

204 (6) In addition to the requirements of subsections (1)-
205 (5), the comprehensive plan shall include the following
206 elements:

207 (c) A general sanitary sewer, solid waste, drainage,
208 potable water, and natural groundwater aquifer recharge element
209 correlated to principles and guidelines for future land use,
210 indicating ways to provide for future potable water, drainage,
211 sanitary sewer, solid waste, and aquifer recharge protection
212 requirements for the area. The element may be a detailed
213 engineering plan including a topographic map depicting areas of
214 prime groundwater recharge.

215 1. Each local government shall address in the data and
216 analyses required by this section those facilities that provide

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217 service within the local government's jurisdiction. Local
218 governments that provide facilities to serve areas within other
219 local government jurisdictions shall also address those
220 facilities in the data and analyses required by this section,
221 using data from the comprehensive plan for those areas for the
222 purpose of projecting facility needs as required in this
223 subsection. For shared facilities, each local government shall
224 indicate the proportional capacity of the systems allocated to
225 serve its jurisdiction.

226 2. The element shall describe the problems and needs and
227 the general facilities that will be required for solution of the
228 problems and needs, including correcting existing facility
229 deficiencies. The element shall address coordinating the
230 extension of, or increase in the capacity of, facilities to meet
231 future needs while maximizing the use of existing facilities and
232 discouraging urban sprawl; conserving potable water resources;
233 and protecting the functions of natural groundwater recharge
234 areas and natural drainage features.

235 3. Within 18 months after the governing board approves an
236 updated regional water supply plan, the element must incorporate
237 the alternative water supply project or projects selected by the
238 local government from those identified in the regional water
239 supply plan pursuant to s. 373.709(2)(a) or proposed by the
240 local government under s. 373.709(8)(b). If a local government
241 is located within two water management districts, the local

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242 government shall adopt its comprehensive plan amendment within
243 18 months after the later updated regional water supply plan.
244 The element must identify such alternative water supply projects
245 and traditional water supply projects and conservation and reuse
246 necessary to meet the water needs identified in s. 373.709(2)(a)
247 within the local government's jurisdiction and include a work
248 plan, covering at least a 10-year planning period, for building
249 public, private, and regional water supply facilities, including
250 development of alternative water supplies, which are identified
251 in the element as necessary to serve existing and new
252 development. The work plan shall be updated, at a minimum, every
253 5 years within 18 months after the governing board of a water
254 management district approves an updated regional water supply
255 plan. A local government designated as a rural area of
256 opportunity pursuant to s. 288.0656 which does not own, operate,
257 or maintain its own water supply facilities, including, but not
258 limited to, wells, treatment facilities, and distribution
259 infrastructure, is not required to develop or maintain the work
260 plan required under this subparagraph. Local governments, public
261 and private utilities, regional water supply authorities,
262 special districts, and water management districts are encouraged
263 to cooperatively plan for the development of multijurisdictional
264 water supply facilities that are sufficient to meet projected
265 demands for established planning periods, including the
266 development of alternative water sources to supplement

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267 traditional sources of groundwater and surface water supplies.

268 4. A local government that does not own, operate, or
269 maintain its own water supply facilities, including, but not
270 limited to, wells, treatment facilities, and distribution
271 infrastructure, and is served by a public water utility with a
272 permitted allocation of greater than 300 million gallons per day
273 is not required to amend its comprehensive plan in response to
274 an updated regional water supply plan or to maintain a work plan
275 if any such local government's usage of water constitutes less
276 than 1 percent of the public water utility's total permitted
277 allocation. However, any such local government is required to
278 cooperate with, and provide relevant data to, any local
279 government or utility provider that provides service within its
280 jurisdiction, and to keep its general sanitary sewer, solid
281 waste, potable water, and natural groundwater aquifer recharge
282 element updated in accordance with s. 163.3191.

283 Section 5. Section 166.0452, Florida Statutes, is created
284 to read:

285 166.0452 Disposition of municipal conservation land
286 purchased with state funds.-

287 (1) Proceeds from the sale of surplus conservation lands
288 purchased with Florida Forever funds before July 1, 2015, shall
289 be deposited into the Florida Forever Trust Fund if the
290 municipality does not use the proceeds for another purpose
291 identified in the Florida Forever Act within three years. If the

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292 municipality purchased the conservation land with multiple
293 revenue sources, the municipality shall deposit an amount based
294 on the percentage of Florida Forever funds used for the original
295 purchase.

296 (2) Proceeds from the sale of surplus conservation lands
297 purchased with state funds on or after July 1, 2015, shall be
298 deposited into the Land Acquisition Trust Fund if the
299 municipality does not use the proceeds for another purpose
300 identified in s. 28, Art. X of the State Constitution within
301 three years. If the municipality purchased the conservation land
302 with funds other than those from the Land Acquisition Trust Fund
303 or a land acquisition trust fund created to implement s. 28,
304 Art. X of the State Constitution, the proceeds shall be
305 deposited into the fund from which the land was purchased. If
306 the municipality purchased the conservation land with multiple
307 revenue sources, the municipality shall deposit an amount based
308 on the percentage of state funds used for the original purchase.

309 Section 6. Paragraph (a) of subsection (1) and subsection
310 (6) of section 215.618, Florida Statutes, are amended to read:

311 215.618 Bonds for acquisition and improvement of land,
312 water areas, and related property interests and resources.—

313 (1) (a) The issuance of Florida Forever bonds, not to
314 exceed \$5.3 billion, to finance or refinance the cost of
315 acquisition ~~and improvement~~ of land, water areas, and related
316 property interests and resources, in urban and rural settings,

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317 for the purposes of restoration, conservation, recreation, water
318 resource development, or historical preservation, ~~and for~~
319 ~~capital improvements to lands and water areas that accomplish~~
320 ~~environmental restoration, enhance public access and~~
321 ~~recreational enjoyment, promote long-term management goals, and~~
322 ~~facilitate water resource development is hereby authorized,~~
323 subject to s. 259.105, and to finance or refinance any costs
324 related to the purposes identified in s. 373.4598, is
325 authorized. The issuance of Florida Forever bonds shall be and
326 pursuant to s. 11(e), Art. VII of the State Constitution and, on
327 or after July 1, 2015, to also finance or refinance the
328 acquisition ~~and improvement~~ of land, water areas, and related
329 property interests and the purposes identified in s. 373.4598 as
330 provided in s. 28, Art. X of the State Constitution. The \$5.3
331 billion limitation on the issuance of Florida Forever bonds does
332 not apply to refunding bonds. The duration of each series of
333 Florida Forever bonds issued may not exceed 20 annual
334 maturities. Not more than 58.25 percent of documentary stamp
335 taxes collected may be taken into account for the purpose of
336 satisfying an additional bonds test set forth in any authorizing
337 resolution for bonds issued on or after July 1, 2015.

338 (6) ~~There shall be~~ No sale, disposition, lease, easement,
339 license, or other use of any land, water areas, or related
340 property interests acquired ~~or improved~~ with proceeds of Florida
341 Forever bonds may be made if it ~~which~~ would cause all or any

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342 portion of the interest of such bonds to lose the exclusion from
343 gross income for federal income tax purposes.

344 Section 7. Subsection (8) is added to section 253.0251,
345 Florida Statutes, to read:

346 253.0251 Alternatives to fee simple acquisition.—

347 (8) The Department of Environmental Protection may provide
348 assistance to local governments administering rural-lands-
349 protection easement programs. The department may provide
350 technical support to review applications for inclusion in the
351 local government's program, serve as acquisition agents for the
352 local government using the procedures in s. 570.715, facilitate
353 real estate closings, and monitor compliance with the
354 conservation easements. The department may not use any state
355 funds to assist in the purchase of such easements or pay any
356 acquisition costs. The local government must compensate the
357 department for its services. The agreement for assistance must
358 be documented in a memorandum of agreement between the
359 department and the local government. The title to such
360 conservation easements shall be held in the name of the local
361 government.

362 Section 8. Paragraph (b) of subsection (5) of section
363 253.034, Florida Statutes, is amended to read:

364 253.034 State-owned lands; uses.—

365 (5) Each manager of conservation lands shall submit to the
366 Division of State Lands a land management plan at least every 10

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367 years in a form and manner adopted by rule of the board of
368 trustees and in accordance with s. 259.032. Each manager of
369 conservation lands shall also update a land management plan
370 whenever the manager proposes to add new facilities or make
371 substantive land use or management changes that were not
372 addressed in the approved plan, or within 1 year after the
373 addition of significant new lands. Each manager of
374 nonconservation lands shall submit to the Division of State
375 Lands a land use plan at least every 10 years in a form and
376 manner adopted by rule of the board of trustees. The division
377 shall review each plan for compliance with the requirements of
378 this subsection and the requirements of the rules adopted by the
379 board of trustees pursuant to this section. All nonconservation
380 land use plans, whether for single-use or multiple-use
381 properties, shall be managed to provide the greatest benefit to
382 the state. Plans for managed areas larger than 1,000 acres shall
383 contain an analysis of the multiple-use potential of the
384 property which includes the potential of the property to
385 generate revenues to enhance the management of the property. In
386 addition, the plan shall contain an analysis of the potential
387 use of private land managers to facilitate the restoration or
388 management of these lands. If a newly acquired property has a
389 valid conservation plan that was developed by a soil and
390 conservation district, such plan shall be used to guide
391 management of the property until a formal land use plan is

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392 completed.

393 (b) Short-term and long-term management goals for state
394 conservation lands shall include measurable objectives for the
395 following, as appropriate:

396 1. Habitat restoration and improvement.

397 2. Public access and recreational opportunities.

398 3. Hydrological preservation and restoration.

399 4. Sustainable forest management.

400 5. Exotic and invasive species maintenance and control,
401 including prioritizing the species that must be maintained or
402 controlled and the areas where the control and maintenance must
403 first be addressed.

404 6. Capital facilities and infrastructure.

405 7. Cultural and historical resources.

406 8. Imperiled species habitat maintenance, enhancement,
407 restoration, or population restoration.

408 Section 9. Subsection (3) is added to section 258.014,
409 Florida Statutes, to read:

410 258.014 Fees for use of state parks.—

411 (3) The division shall adopt rules to create a state park
412 annual entrance pass program for volunteer work related to
413 nonnative and invasive plant species removal. The division shall
414 issue an annual entrance pass to all state parks at no charge to
415 individuals who perform 50 hours of volunteer service at any
416 state park to remove nonnative and invasive plant species. The

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417 volunteer work performed by the individual must be consistent
418 with the park's adopted unit management plan and under the
419 supervision of the division. The rules must include, at a
420 minimum:

421 (a) Identification of what qualifies as volunteer hours
422 performed.

423 (b) A process to document and verify the individual
424 performed 50 hours of volunteer service for nonnative and
425 invasive species removal at state parks prior to receiving an
426 annual entrance pass at no charge.

427 (c) A process to identify appropriate nonnative and
428 invasive species removal activities and locations appropriate
429 for volunteers consistent with each park's unit management plan.

430 (d) A process for supervising volunteer activities to
431 ensure the safety of the volunteers and the service is conducted
432 in a manner consistent with the park's unit management plan.

433 Section 10. Subsections (3) and (6) of section 259.03,
434 Florida Statutes, are amended to read:

435 259.03 Definitions.—The following terms and phrases when
436 used in this chapter shall have the meanings ascribed to them in
437 this section, except where the context clearly indicates a
438 different meaning:

439 ~~(3) "Capital improvement" or "capital project expenditure"~~
440 ~~means those activities relating to the acquisition, restoration,~~
441 ~~public access, and recreational uses of such lands, water areas,~~

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442 ~~and related resources deemed necessary to accomplish the~~
443 ~~purposes of this chapter. Eligible activities include, but are~~
444 ~~not limited to: the initial removal of invasive plants; the~~
445 ~~construction, improvement, enlargement or extension of~~
446 ~~facilities' signs, firelanes, access roads, and trails; or any~~
447 ~~other activities that serve to restore, conserve, protect, or~~
448 ~~provide public access, recreational opportunities, or necessary~~
449 ~~services for land or water areas. Such activities shall be~~
450 ~~identified prior to the acquisition of a parcel or the approval~~
451 ~~of a project. The continued expenditures necessary for a capital~~
452 ~~improvement approved under this subsection shall not be eligible~~
453 ~~for funding provided in this chapter.~~

454 ~~(6) "Water resource development project" means a project~~
455 ~~eligible for funding pursuant to s. 259.105 that increases the~~
456 ~~amount of water available to meet the needs of natural systems~~
457 ~~and the citizens of the state by enhancing or restoring aquifer~~
458 ~~recharge, facilitating the capture and storage of excess flows~~
459 ~~in surface waters, or promoting reuse. The implementation of~~
460 ~~eligible projects under s. 259.105 includes land acquisition,~~
461 ~~land and water body restoration, aquifer storage and recovery~~
462 ~~facilities, surface water reservoirs, and other capital~~
463 ~~improvements. The term does not include construction of~~
464 ~~treatment, transmission, or distribution facilities.~~

465 Section 11. Paragraphs (b), (d), and (e) of subsection (9)
466 of section 259.032, Florida Statutes, are amended to read:

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467 259.032 Conservation and recreation lands.—
468 (9)
469 ~~(b) An amount of not less than 1.5 percent of the~~
470 ~~cumulative total of funds ever deposited into the former Florida~~
471 ~~Preservation 2000 Trust Fund and the Florida Forever Trust Fund~~
472 ~~shall be made available for the purposes of management,~~
473 ~~maintenance, and capital improvements, and for associated~~
474 ~~contractual services, for conservation and recreation lands~~
475 ~~acquired with funds deposited into the Land Acquisition Trust~~
476 ~~Fund pursuant to s. 28(a), Art. X of the State Constitution or~~
477 ~~pursuant to former s. 259.032, Florida Statutes 2014, former s.~~
478 ~~259.101, Florida Statutes 2014, s. 259.105, s. 259.1052, or~~
479 ~~previous programs for the acquisition of lands for conservation~~
480 ~~and recreation, including state forests, to which title is~~
481 ~~vested in the board of trustees and other conservation and~~
482 ~~recreation lands managed by a state agency. Each agency with~~
483 ~~management responsibilities shall annually request from the~~
484 ~~Legislature funds sufficient to fulfill such responsibilities to~~
485 ~~implement individual management plans. For the purposes of this~~
486 ~~paragraph, capital improvements shall include, but need not be~~
487 ~~limited to, perimeter fencing, signs, firelanes, access roads~~
488 ~~and trails, and minimal public accommodations, such as primitive~~
489 ~~campsites, garbage receptacles, and toilets. Any equipment~~
490 ~~purchased with funds provided pursuant to this paragraph may be~~
491 ~~used for the purposes described in this paragraph on any~~

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492 ~~conservation and recreation lands managed by a state agency. The~~
493 ~~funding requirement created in this paragraph is subject to an~~
494 ~~annual evaluation by the Legislature to ensure that such~~
495 ~~requirement does not impact the respective trust fund in a~~
496 ~~manner that would prevent the trust fund from meeting other~~
497 ~~minimum requirements.~~

498 ~~(d) Up to one fifth of the funds appropriated for the~~
499 ~~purposes identified in paragraph (b) shall be reserved by the~~
500 ~~board for interim management of acquisitions and for associated~~
501 ~~contractual services, to ensure the conservation and protection~~
502 ~~of natural resources on project sites and to allow limited~~
503 ~~public recreational use of lands. Interim management activities~~
504 ~~may include, but not be limited to, resource assessments,~~
505 ~~control of invasive, nonnative species, habitat restoration,~~
506 ~~fencing, law enforcement, controlled burning, and public access~~
507 ~~consistent with preliminary determinations made pursuant to~~
508 ~~paragraph (7)(f). The board shall make these interim funds~~
509 ~~available immediately upon purchase.~~

510 ~~(e) The department shall set long-range and annual goals~~
511 ~~for the control and removal of nonnative, invasive plant species~~
512 ~~on public lands. Such goals shall differentiate between aquatic~~
513 ~~plant species and upland plant species. In setting such goals,~~
514 ~~the department may rank, in order of adverse impact, species~~
515 ~~that impede or destroy the functioning of natural systems.~~
516 ~~Notwithstanding paragraph (a), up to one-fourth of the funds~~

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517 ~~provided for in paragraph (b) may be used by the agencies~~
518 ~~receiving those funds for control and removal of nonnative,~~
519 ~~invasive species on public lands.~~

520 Section 12. Section 259.105, Florida Statutes, is amended
521 to read:

522 259.105 The Florida Forever Act.—

523 (1) This section may be cited as the "Florida Forever
524 Act."

525 (2) (a) The Legislature finds and declares that:

526 1. Land acquisition programs have provided tremendous
527 financial resources for purchasing environmentally significant
528 lands to protect those lands from imminent development or
529 alteration, thereby ensuring present and future generations'
530 access to important waterways, open spaces, and recreation and
531 conservation lands.

532 2. The continued alteration and development of the state's
533 natural and rural areas to accommodate the state's growing
534 population have contributed to the degradation of water
535 resources, the fragmentation and destruction of wildlife
536 habitats, the loss of outdoor recreation space, and the
537 diminishment of wetlands, forests, working landscapes, and
538 coastal open space.

539 3. The potential development of the state's remaining
540 natural areas and escalation of land values require government
541 efforts to restore, bring under public protection, or acquire

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542 lands and water areas to preserve the state's essential
543 ecological functions and invaluable quality of life.

544 4. It is essential to protect the state's ecosystems by
545 promoting a more efficient use of land, to ensure opportunities
546 for viable agricultural activities on working lands, and to
547 promote vital rural and urban communities that support and
548 produce development patterns consistent with natural resource
549 protection.

550 5. The state's groundwater, surface waters, and springs
551 are under tremendous pressure due to population growth and
552 economic expansion and require special protection and
553 restoration efforts, including the protection of uplands and
554 springsheds that provide vital recharge to aquifer systems and
555 are critical to the protection of water quality and water
556 quantity of the aquifers and springs. To ensure that sufficient
557 quantities of water are available to meet the current and future
558 needs of the natural systems and citizens of the state, and
559 assist in achieving the planning goals of the department and the
560 water management districts, water resource development projects
561 on public lands, if compatible with the resource values of and
562 management objectives for the lands, are appropriate.

563 6. The needs of urban, suburban, and small communities in
564 the state for high-quality outdoor recreational opportunities,
565 greenways, trails, and open space have not been fully met by
566 previous acquisition programs. Through such programs as the

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567 Florida Communities Trust and the Florida Recreation Development
568 Assistance Program, the state shall place additional emphasis on
569 acquiring, protecting, preserving, and restoring open space,
570 ecological greenways, and recreation properties within urban,
571 suburban, and rural areas where pristine natural communities or
572 water bodies no longer exist because of the proximity of
573 developed property.

574 7. Many of the state's unique ecosystems, such as the
575 Florida Everglades, are facing ecological collapse due to the
576 state's burgeoning population growth and other economic
577 activities. To preserve these valuable ecosystems for future
578 generations, essential parcels of land must be acquired to
579 facilitate ecosystem restoration.

580 8. Access to public lands to support a broad range of
581 outdoor recreational opportunities and the development of
582 necessary infrastructure, if compatible with the resource values
583 of and management objectives for such lands, promotes an
584 appreciation for the state's natural assets and improves the
585 quality of life.

586 9. Acquisition of lands, in fee simple, less than fee
587 interest, or other techniques shall be based on a comprehensive
588 science-based assessment of the state's natural resources which
589 targets essential conservation lands by prioritizing all current
590 and future acquisitions based on a uniform set of data and
591 planned so as to protect the integrity and function of

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592 ecological systems and working landscapes, and provide multiple
593 benefits, including preservation of fish and wildlife habitat,
594 connection of wildlife habitat with a wildlife crossing,
595 recreation space for urban and rural areas, and the restoration
596 of natural water storage, flow, and recharge.

597 10. The state has embraced performance-based program
598 budgeting as a tool to evaluate the achievements of publicly
599 funded agencies, build in accountability, and reward those
600 agencies which are able to consistently achieve quantifiable
601 goals. While previous and existing state environmental programs
602 have achieved varying degrees of success, few of these programs
603 can be evaluated as to the extent of their achievements,
604 primarily because performance measures, standards, outcomes, and
605 goals were not established at the outset. Therefore, the Florida
606 Forever program shall be developed and implemented in the
607 context of measurable state goals and objectives.

608 11. The state must play a major role in the recovery and
609 management of its imperiled species through the acquisition,
610 restoration, enhancement, and management of ecosystems that can
611 support the major life functions of such species. It is the
612 intent of the Legislature to support local, state, and federal
613 programs that result in net benefit to imperiled species habitat
614 by providing public and private land owners meaningful
615 incentives for acquiring, restoring, managing, and repopulating
616 habitats for imperiled species. It is the further intent of the

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617 Legislature that public lands, both existing and to be acquired,
618 identified by the lead land managing agency, in consultation
619 with the Fish and Wildlife Conservation Commission for animals
620 or the Department of Agriculture and Consumer Services for
621 plants, as habitat or potentially restorable habitat for
622 imperiled species, be restored, enhanced, managed, and
623 repopulated as habitat for such species to advance the goals and
624 objectives of imperiled species management for conservation,
625 recreation, or both, consistent with the land management plan
626 without restricting other uses identified in the management
627 plan. It is also the intent of the Legislature that of the
628 proceeds distributed pursuant to subsection (3), additional
629 consideration be given to acquisitions that achieve a
630 combination of conservation goals, including the restoration,
631 enhancement, management, or repopulation of habitat for
632 imperiled species. The council, ~~in addition to the criteria in~~
633 ~~subsection (9),~~ shall give weight to projects that include
634 acquisition, restoration, management, or repopulation of habitat
635 for imperiled species. The term "imperiled species" as used in
636 this chapter and chapter 253, means plants and animals that are
637 federally listed under the Endangered Species Act, or state-
638 listed by the Fish and Wildlife Conservation Commission or the
639 Department of Agriculture and Consumer Services. As part of the
640 state's role, all state lands that have imperiled species
641 habitat shall include as a consideration in management plan

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642 development the restoration, enhancement, management, and
643 repopulation of such habitats. In addition, the lead land
644 managing agency of such state lands may use fees received from
645 public or private entities for projects to offset adverse
646 impacts to imperiled species or their habitat in order to
647 restore, enhance, manage, repopulate, or acquire land and to
648 implement land management plans developed under s. 253.034 or a
649 land management prospectus developed and implemented under this
650 chapter. Such fees shall be deposited into a foundation or fund
651 created by each land management agency under s. 379.223, s.
652 589.012, or s. 259.032 (9) (b) ~~s. 259.032 (9) (c)~~, to be used solely
653 to restore, manage, enhance, repopulate, or acquire imperiled
654 species habitat.

655 12. There is a need to change the focus and direction of
656 the state's major land acquisition programs and to extend
657 funding and bonding capabilities, so that future generations may
658 enjoy the natural resources of this state.

659 (b) The Legislature recognizes that acquisition of lands
660 in fee simple is only one way to achieve the aforementioned
661 goals and encourages the use of less-than-fee interests, other
662 techniques, and the development of creative partnerships between
663 governmental agencies and private landowners. Such partnerships
664 may include those that advance the restoration, enhancement,
665 management, or repopulation of imperiled species habitat on
666 state lands as provided for in subparagraph (a)11. Easements

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667 acquired pursuant to s. 570.71(2) (a) and (b), land protection
668 agreements, and nonstate funded tools such as rural land
669 stewardship areas, sector planning, and mitigation should be
670 used, where appropriate, to bring environmentally sensitive
671 tracts under an acceptable level of protection at a lower
672 financial cost to the public, and to provide private landowners
673 with the opportunity to enjoy and benefit from their property.

674 (c) Public agencies or other entities that receive funds
675 under this section shall coordinate their expenditures so that
676 project acquisitions, when combined with acquisitions under
677 Florida Forever, Preservation 2000, Save Our Rivers, the Florida
678 Communities Trust, other public land acquisition programs, and
679 the techniques, partnerships, and tools referenced in
680 subparagraph (a)11. and paragraph (b), are used to form more
681 complete patterns of protection for natural areas, ecological
682 greenways, and functioning ecosystems, to better accomplish the
683 intent of this section.

684 (d) A long-term financial commitment to restoring,
685 enhancing, and managing the state's ~~Florida's~~ public lands in
686 order to implement land management plans developed under s.
687 253.034 or a land management prospectus developed and
688 implemented under this chapter must accompany any land
689 acquisition program to ensure that the natural resource values
690 of such lands are restored, enhanced, managed, and protected;
691 that the public enjoys the lands to their fullest potential; and

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692 that the state achieves the full benefits of its investment of
693 public dollars. Innovative strategies such as public-private
694 partnerships and interagency planning and sharing of resources
695 shall be used to achieve the state's management goals.

696 (e) With limited dollars available for ~~restoration,~~
697 ~~enhancement, management, and~~ acquisition of land and water areas
698 ~~and for providing long-term management and capital improvements,~~
699 a competitive selection process shall select those projects best
700 able to meet the goals of the Florida Forever program and
701 maximize the efficient use of the program's funding.

702 (f) To ensure success and provide accountability to the
703 citizens of this state, it is the intent of the Legislature that
704 any cash or bond proceeds used pursuant to this section be used
705 to implement the goals and objectives recommended by a
706 comprehensive science-based assessment and approved by the board
707 ~~of Trustees of the Internal Improvement Trust Fund~~ and the
708 Legislature.

709 (g) As it has with previous land acquisition programs, the
710 Legislature recognizes the desires of the residents of this
711 state to prosper through economic development and to preserve,
712 restore, and manage the state's natural areas and recreational
713 open space. The Legislature further recognizes the urgency of
714 restoring the natural functions, including wildlife and
715 imperiled species habitat functions, of public lands or water
716 bodies before they are degraded to a point where recovery may

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717 never occur, yet acknowledges the difficulty of ensuring
718 adequate funding for restoration, enhancement, and management
719 efforts in light of other equally critical financial needs of
720 the state. It is the Legislature's desire and intent to fund the
721 implementation of this section and to do so in a fiscally
722 responsible manner, by issuing bonds to be repaid with
723 documentary stamp tax or other revenue sources, including those
724 identified in subparagraph (a)11.

725 (h) The Legislature further recognizes the important role
726 that many of our state and federal military installations
727 contribute to protecting and preserving the state's ~~Florida's~~
728 natural resources as well as our economic prosperity. Where the
729 state's land conservation plans overlap with the military's need
730 to protect lands, waters, and habitat to ensure the
731 sustainability of military missions, it is the Legislature's
732 intent that agencies receiving funds under this program
733 cooperate with our military partners to protect and buffer
734 military installations and military airspace, by:

735 1. Protecting habitat on nonmilitary land for any species
736 found on military land that is designated as threatened or
737 endangered, or is a candidate for such designation under the
738 Endangered Species Act or any Florida statute;

739 2. Protecting areas underlying low-level military air
740 corridors or operating areas;

741 3. Protecting areas identified as clear zones, accident

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742 potential zones, and air installation compatible use buffer
743 zones delineated by our military partners; and

744 4. Providing the military with technical assistance to
745 restore, enhance, and manage military land as habitat for
746 imperiled species or species designated as threatened or
747 endangered, or a candidate for such designation, and for the
748 recovery or reestablishment of such species.

749 (3) Less the costs of issuing and the costs of funding
750 reserve accounts and other costs associated with bonds, the
751 proceeds of cash payments or bonds issued pursuant to this
752 section shall be deposited into the Florida Forever Trust Fund
753 created by s. 259.1051. The proceeds shall be distributed by the
754 department of ~~Environmental Protection~~ in the following manner:

755 ~~(a) Thirty percent to the Department of Environmental~~
756 ~~Protection for the acquisition of lands and capital project~~
757 ~~expenditures necessary to implement the water management~~
758 ~~districts' priority lists developed pursuant to s. 373.199. The~~
759 ~~funds are to be distributed to the water management districts as~~
760 ~~provided in subsection (11). A minimum of 50 percent of the~~
761 ~~total funds provided over the life of the Florida Forever~~
762 ~~program pursuant to this paragraph shall be used for the~~
763 ~~acquisition of lands.~~

764 (a)(b) Thirty-three and one-third ~~Thirty-five~~ percent to
765 the department of ~~Environmental Protection~~ for the acquisition
766 of lands and ~~capital project expenditures~~ described in this

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767 section, lands necessary to implement the water management
768 districts' priority lists developed pursuant to s. 373.199, the
769 purchase of inholdings for lands managed by the department, the
770 Fish and Wildlife Conservation Commission, and the Florida
771 Forest Service within the Department of Agriculture and Consumer
772 Services, and to provide grants for land acquisition pursuant to
773 s. 375.075. Of the proceeds distributed pursuant to this
774 paragraph, it is the intent of the Legislature that an increased
775 priority be given to those acquisitions ~~that~~ ~~which~~ achieve a
776 combination of conservation goals, including protecting the
777 state's ~~Florida's~~ water resources and natural groundwater
778 recharge. ~~At a minimum, 3 percent, and no more than 10 percent,~~
779 ~~of the funds allocated pursuant to this paragraph shall be spent~~
780 ~~on capital project expenditures identified during the time of~~
781 ~~acquisition which meet land management planning activities~~
782 ~~necessary for public access.~~

783 1. In addition to utilizing funds for acquisitions on the
784 list adopted by the council, the department shall distribute
785 funds for lands necessary to implement the water management
786 districts' priority lists developed pursuant to s. 373.199, the
787 purchase of inholdings for lands managed by the department, the
788 Fish and Wildlife Conservation Commission, and the Florida
789 Forest Service within the Department of Agriculture and Consumer
790 Services, and to provide grants for land acquisition pursuant to
791 s. 375.075, if the acquisition proposed by an agency is

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792 identified as a current year priority, has demonstrated to be
793 the greatest need, and is consistent with annual legislative
794 appropriations.

795 2. The agencies that receive funds for the acquisition of
796 inholdings shall develop their individual acquisition or
797 restoration lists in accordance with specific criteria and
798 numeric performance measures developed pursuant to s.
799 259.035(4). Proposed additions may be acquired if the proposed
800 additions are identified within the original project boundary,
801 the management plan required pursuant to s. 253.034(5), or the
802 management prospectus required pursuant to s. 259.032(7)(c).
803 Proposed additions not meeting the requirements of this
804 subparagraph shall be submitted to the council for approval. The
805 council may only approve the proposed addition if it meets two
806 or more of the following criteria:

- 807 a. Serves as a link or corridor to other publicly owned
808 property.
- 809 b. Enhances the protection or management of the property.
- 810 c. Adds a desirable resource to the property.
- 811 d. Creates a more manageable boundary configuration.
- 812 e. Protects a high resource value that would otherwise not
813 be protected.
- 814 f. Can be acquired at less than fair market value.

815 3. Beginning in the 2017-2018 fiscal year and continuing
816 through the 2026-2027 fiscal year, at least \$5 million of the

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817 funds allocated pursuant to this paragraph shall be spent on
818 land acquisition within the Florida Keys Area of Critical State
819 Concern as authorized pursuant to s. 259.045.

820 ~~(b)(e)~~ Thirty-three and one-third ~~Twenty-one~~ percent to
821 the department ~~of Environmental Protection~~ for use by the
822 Florida Communities Trust for the purposes of part III of
823 chapter 380, including the Stan Mayfield Working Waterfronts
824 program pursuant to s. 380.5105, as described and limited by
825 this subsection, and grants to local governments or nonprofit
826 environmental organizations that are tax-exempt under s.
827 501(c)(3) of the United States Internal Revenue Code for the
828 acquisition of community-based projects, urban open spaces,
829 parks, and greenways to implement local government comprehensive
830 plans. From funds available to the trust and used for land
831 acquisition, 75 percent shall be matched by local governments on
832 a dollar-for-dollar basis. ~~The Legislature intends that the~~
833 ~~Florida Communities Trust emphasize funding projects in low-~~
834 ~~income or otherwise disadvantaged communities and projects that~~
835 ~~provide areas for direct water access and water-dependent~~
836 ~~facilities that are open to the public and offer public access~~
837 ~~by vessels to waters of the state, including boat ramps and~~
838 ~~associated parking and other support facilities. At least 30~~
839 ~~percent of the total allocation provided to the trust shall be~~
840 ~~used in Standard Metropolitan Statistical Areas, but one-half of~~
841 ~~that amount shall be used in localities in which the project~~

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842 ~~site is located in built-up commercial, industrial, or mixed-use~~
843 ~~areas and functions to intersperse open spaces within congested~~
844 ~~urban core areas. From funds allocated to the trust, no less~~
845 ~~than 5 percent shall be used to acquire lands for recreational~~
846 ~~trail systems, provided that in the event these funds are not~~
847 ~~needed for such projects, they will be available for other trust~~
848 ~~projects.~~ Local governments may use federal grants or loans,
849 private donations, or environmental mitigation funds for any
850 part or all of any local match required for acquisitions funded
851 through the Florida Communities Trust. Any lands purchased by
852 nonprofit organizations using funds allocated under this
853 paragraph must provide for such lands to remain permanently in
854 public use through a reversion of title to local or state
855 government, conservation easement, or other appropriate
856 mechanism. Projects funded with funds allocated to the trust
857 shall be selected in a competitive process measured against
858 criteria adopted in rule by the trust.

859 ~~(d) Two percent to the Department of Environmental~~
860 ~~Protection for grants pursuant to s. 375.075.~~

861 ~~(e) One and five-tenths percent to the Department of~~
862 ~~Environmental Protection for the purchase of inholdings and~~
863 ~~additions to state parks and for capital project expenditures as~~
864 ~~described in this section. At a minimum, 1 percent, and no more~~
865 ~~than 10 percent, of the funds allocated pursuant to this~~
866 ~~paragraph shall be spent on capital project expenditures~~

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867 ~~identified during the time of acquisition which meet land~~
868 ~~management planning activities necessary for public access. For~~
869 ~~the purposes of this paragraph, "state park" means any real~~
870 ~~property in the state which is under the jurisdiction of the~~
871 ~~Division of Recreation and Parks of the department, or which may~~
872 ~~come under its jurisdiction.~~

873 ~~(f) One and five-tenths percent to the Florida Forest~~
874 ~~Service of the Department of Agriculture and Consumer Services~~
875 ~~to fund the acquisition of state forest inholdings and additions~~
876 ~~pursuant to s. 589.07, the implementation of reforestation plans~~
877 ~~or sustainable forestry management practices, and for capital~~
878 ~~project expenditures as described in this section. At a minimum,~~
879 ~~1 percent, and no more than 10 percent, of the funds allocated~~
880 ~~for the acquisition of inholdings and additions pursuant to this~~
881 ~~paragraph shall be spent on capital project expenditures~~
882 ~~identified during the time of acquisition which meet land~~
883 ~~management planning activities necessary for public access.~~

884 ~~(g) One and five-tenths percent to the Fish and Wildlife~~
885 ~~Conservation Commission to fund the acquisition of inholdings~~
886 ~~and additions to lands managed by the commission which are~~
887 ~~important to the conservation of fish and wildlife and for~~
888 ~~capital project expenditures as described in this section. At a~~
889 ~~minimum, 1 percent, and no more than 10 percent, of the funds~~
890 ~~allocated pursuant to this paragraph shall be spent on capital~~
891 ~~project expenditures identified during the time of acquisition~~

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892 ~~which meet land management planning activities necessary for~~
893 ~~public access.~~

894 ~~(h) One and five-tenths percent to the Department of~~
895 ~~Environmental Protection for the Florida Greenways and Trails~~
896 ~~Program, to acquire greenways and trails or greenways and trail~~
897 ~~systems pursuant to chapter 260, including, but not limited to,~~
898 ~~abandoned railroad rights-of-way and the Florida National Scenic~~
899 ~~Trail and for capital project expenditures as described in this~~
900 ~~section. At a minimum, 1 percent, and no more than 10 percent,~~
901 ~~of the funds allocated pursuant to this paragraph shall be spent~~
902 ~~on capital project expenditures identified during the time of~~
903 ~~acquisition which meet land management planning activities~~
904 ~~necessary for public access.~~

905 ~~(c)(i)~~ Thirty-three and one-third ~~Three and five-tenths~~
906 percent to the Department of Agriculture and Consumer Services
907 for the acquisition of agricultural lands, through perpetual
908 conservation easements and other perpetual less than fee
909 techniques, which will achieve the objectives of the Florida
910 Forever program and s. 570.71. Rules concerning the application,
911 acquisition, and priority ranking process for such easements
912 shall be developed pursuant to s. 570.71(10) and as provided by
913 this paragraph. Increased priority shall be given to the
914 acquisition of rural-lands-protection easements for which local
915 governments are willing to provide cost-share funding for the
916 acquisition. The board shall ensure that such rules are

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917 consistent with the acquisition process provided for in s.
918 570.715. The rules developed pursuant to s. 570.71(10), shall
919 also provide for the following:

920 1. An annual priority list shall be developed pursuant to
921 s. 570.71(10), submitted to the council for review, and approved
922 by the board pursuant to s. 259.04.

923 2. Terms of easements and acquisitions proposed pursuant
924 to this paragraph shall be approved by the board and may not be
925 delegated by the board to any other entity receiving funds under
926 this section.

927 3. All acquisitions pursuant to this paragraph shall
928 contain a clear statement that they are subject to legislative
929 appropriation.

930

931 ~~Funds provided under this paragraph may not be expended until~~
932 ~~final adoption of rules by the board pursuant to s. 570.71.~~

933 ~~(j) Two and five-tenths percent to the Department of~~
934 ~~Environmental Protection for the acquisition of land and capital~~
935 ~~project expenditures necessary to implement the Stan Mayfield~~
936 ~~Working Waterfronts Program within the Florida Communities Trust~~
937 ~~pursuant to s. 380.5105.~~

938 (d) ~~(k)~~ It is the intent of the Legislature that cash
939 payments or proceeds of Florida Forever bonds distributed under
940 this section shall be expended in an efficient and fiscally
941 responsible manner. An agency that receives proceeds from

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942 Florida Forever bonds under this section may not maintain a
943 balance of unencumbered funds in its Florida Forever subaccount
944 beyond 3 fiscal years from the date of deposit of funds from
945 each bond issue. Any funds that have not been expended or
946 encumbered after 3 fiscal years from the date of deposit shall
947 be distributed by the Legislature at its next regular session
948 for use in the Florida Forever program.

949 ~~(l) For the purposes of paragraphs (e), (f), (g), and (h),~~
950 ~~the agencies that receive the funds shall develop their~~
951 ~~individual acquisition or restoration lists in accordance with~~
952 ~~specific criteria and numeric performance measures developed~~
953 ~~pursuant to s. 259.035(4). Proposed additions may be acquired if~~
954 ~~they are identified within the original project boundary, the~~
955 ~~management plan required pursuant to s. 253.034(5), or the~~
956 ~~management prospectus required pursuant to s. 259.032(7)(c).~~
957 ~~Proposed additions not meeting the requirements of this~~
958 ~~paragraph shall be submitted to the council for approval. The~~
959 ~~council may only approve the proposed addition if it meets two~~
960 ~~or more of the following criteria: serves as a link or corridor~~
961 ~~to other publicly owned property; enhances the protection or~~
962 ~~management of the property; would add a desirable resource to~~
963 ~~the property; would create a more manageable boundary~~
964 ~~configuration; has a high resource value that otherwise would be~~
965 ~~unprotected; or can be acquired at less than fair market value.~~

966 ~~(m) Notwithstanding paragraphs (a)-(j) and for the 2016-~~

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967 ~~2017 fiscal year only:~~

968 ~~1. The amount of \$15,156,206 to only the Division of State~~
969 ~~Lands within the Department of Environmental Protection for the~~
970 ~~Board of Trustees Florida Forever Priority List land acquisition~~
971 ~~projects.~~

972 ~~2. Thirty-five million dollars to the Department of~~
973 ~~Agriculture and Consumer Services for the acquisition of~~
974 ~~agricultural lands through perpetual conservation easements and~~
975 ~~other perpetual less-than-fee techniques, which will achieve the~~
976 ~~objectives of Florida Forever and s. 570.71.~~

977 ~~3.a. Notwithstanding any allocation required pursuant to~~
978 ~~paragraph (c), \$10 million shall be allocated to the Florida~~
979 ~~Communities Trust for projects acquiring conservation or~~
980 ~~recreation lands to enhance recreational opportunities for~~
981 ~~individuals with unique abilities.~~

982 ~~b. The Department of Environmental Protection may waive~~
983 ~~the local government matching fund requirement of paragraph (c)~~
984 ~~for projects acquiring conservation or recreation lands to~~
985 ~~enhance recreational opportunities for individuals with unique~~
986 ~~abilities.~~

987 ~~e. Notwithstanding sub-subparagraphs a. and b., any funds~~
988 ~~required to be used to acquire conservation or recreation lands~~
989 ~~to enhance recreational opportunities for individuals with~~
990 ~~unique abilities which have not been awarded for those purposes~~
991 ~~by May 1, 2017, may be awarded to redevelop or renew outdoor~~

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992 ~~recreational facilities on public lands, including recreational~~
993 ~~trails, parks, and urban open spaces, together with improvements~~
994 ~~required to enhance recreational enjoyment and public access to~~
995 ~~public lands, if such redevelopment and renewal is primarily~~
996 ~~geared toward enhancing recreational opportunities for~~
997 ~~individuals with unique abilities. The department may waive the~~
998 ~~local matching requirement of paragraph (c) for such~~
999 ~~redevelopment and renewal projects.~~

1000
1001 ~~This paragraph expires July 1, 2017.~~

1002 (4) It is the intent of the Legislature that projects or
1003 acquisitions funded pursuant to paragraph (3) (a) ~~paragraphs~~
1004 ~~(3) (a) and (b)~~ contribute to the achievement of the following
1005 goals, which shall be evaluated in accordance with specific
1006 criteria and numeric performance measures developed pursuant to
1007 s. 259.035(4):

1008 (a) Enhance the coordination and completion of the state's
1009 land acquisition projects, as measured by:

1010 1. The number of acres acquired through the state's land
1011 acquisition programs that contribute to the enhancement of
1012 essential natural resources, ecosystem service parcels, and
1013 connecting linkage corridors as identified and developed by the
1014 best available scientific analysis;

1015 2. The number of acres protected through the use of
1016 alternatives to fee simple acquisition; or

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1017 3. The number of shared acquisition projects among Florida
1018 Forever funding partners and partners with other funding
1019 sources, including local governments and the Federal Government.

1020 (b) Increase the protection of the state's ~~Florida's~~
1021 biodiversity at the species, natural community, and landscape
1022 levels, as measured by:

1023 1. The number of acres acquired of significant strategic
1024 habitat conservation areas;

1025 2. The number of acres acquired of highest priority
1026 conservation areas for the state's ~~Florida's~~ rarest species;

1027 3. The number of acres acquired of significant landscapes,
1028 landscape linkages, wildlife crossings, and conservation
1029 corridors, giving priority to completing linkages;

1030 4. The number of acres acquired of underrepresented native
1031 ecosystems;

1032 5. The number of landscape-sized protection areas of at
1033 least 50,000 acres that exhibit a mosaic of predominantly intact
1034 or restorable natural communities established through new
1035 acquisition projects or augmentations to previous projects; or

1036 6. The percentage increase in the number of occurrences of
1037 imperiled species on publicly managed conservation areas.

1038 (c) Protect, restore, and maintain the quality and natural
1039 functions of the state's land, water, and wetland systems of the
1040 state, as measured by:

1041 1. The number of acres of publicly owned land identified

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1042 as needing restoration, enhancement, and management, acres
1043 undergoing restoration or enhancement, acres with restoration
1044 activities completed, and acres managed to maintain such
1045 restored or enhanced conditions; the number of acres which
1046 represent actual or potential imperiled species habitat; the
1047 number of acres which are available pursuant to a management
1048 plan to restore, enhance, repopulate, and manage imperiled
1049 species habitat; and the number of acres of imperiled species
1050 habitat managed, restored, enhanced, repopulated, or acquired;

1051 2. The percentage of water segments that fully meet,
1052 partially meet, or do not meet their designated uses as reported
1053 in the department's ~~Department of Environmental Protection's~~
1054 State Water Quality Assessment 305(b) Report;

1055 ~~3. The percentage completion of targeted capital~~
1056 ~~improvements in surface water improvement and management plans~~
1057 ~~created under s. 373.453(2), regional or master stormwater~~
1058 ~~management system plans, or other adopted restoration plans;~~

1059 ~~3.4.~~ The number of acres acquired that protect natural
1060 floodplain functions;

1061 ~~4.5.~~ The number of acres acquired that protect surface
1062 waters ~~of the state;~~

1063 ~~5.6.~~ The number of acres identified for acquisition to
1064 minimize damage from flooding and the percentage of those acres
1065 acquired;

1066 ~~6.7.~~ The number of acres acquired that protect fragile

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1067 coastal resources;

1068 ~~7.8.~~ The number of acres of functional wetland systems
1069 protected;

1070 ~~8.9.~~ The percentage of miles of critically eroding beaches
1071 contiguous with public lands that are restored or protected from
1072 further erosion;

1073 ~~9.10.~~ The percentage of public lakes and rivers in which
1074 invasive, nonnative aquatic plants are under maintenance
1075 control; or

1076 ~~10.11.~~ The number of acres of public conservation lands in
1077 which upland invasive, exotic plants are under maintenance
1078 control.

1079 (d) Ensure that sufficient quantities of water are
1080 available to meet the current and future needs of the state's
1081 natural systems and ~~the citizens of the state~~, as measured by:

1082 1. The number of acres acquired which provide retention
1083 and storage of surface water in naturally occurring storage
1084 areas, such as lakes and wetlands, consistent with the
1085 maintenance of water resources or water supplies and consistent
1086 with district water supply plans; or

1087 ~~2. The quantity of water made available through the water
1088 resource development component of a district water supply plan
1089 for which a water management district is responsible; or~~

1090 ~~2.3.~~ The number of acres acquired of groundwater recharge
1091 areas critical to springs, sinks, aquifers, other natural

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1092 systems, or water supply.

1093 (e) Increase the state's natural resource-based public
1094 recreational and educational opportunities, as measured by:

1095 1. The number of acres acquired that are available for
1096 natural resource-based public recreation or education;

1097 2. The miles of trails that are available for public
1098 recreation, giving priority to those that provide significant
1099 connections including those that will assist in completing the
1100 Florida National Scenic Trail; or

1101 3. The number of new resource-based recreation facilities,
1102 by type, made available on public land.

1103 (f) Preserve the state's significant archaeological or
1104 historic sites, as measured by:

1105 1. The increase in the number of and percentage of
1106 historic and archaeological properties listed in the Florida
1107 Master Site File or National Register of Historic Places which
1108 are protected or preserved for public use; or

1109 2. The increase in the number and percentage of historic
1110 and archaeological properties that are in state ownership.

1111 (g) Increase the amount of forestland available for
1112 sustainable management of the state's natural resources, as
1113 measured by:

1114 1. The number of acres acquired that are available for
1115 sustainable forest management;

1116 2. The number of acres of state-owned forestland managed

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1117 for economic return in accordance with current best management
1118 practices;

1119 3. The number of acres of forestland acquired that will
1120 serve to maintain natural groundwater recharge functions; or

1121 4. The percentage and number of acres identified for
1122 restoration actually restored by reforestation.

1123 (h) Increase the amount of open space available in the
1124 state's urban areas, as measured by:

1125 1. The percentage of local governments that participate in
1126 land acquisition programs and acquire open space in urban cores;
1127 or

1128 2. The percentage and number of acres of purchases of open
1129 space within urban service areas.

1130

1131 Florida Forever projects and acquisitions funded pursuant to
1132 paragraph (3)(b) ~~(3)(c)~~ shall be measured by goals developed by
1133 rule by the Florida Communities Trust Governing Board created in
1134 s. 380.504.

1135 (5)(a) All lands acquired pursuant to this section shall
1136 be managed for multiple-use purposes, if ~~where~~ compatible with
1137 the resource values of and management objectives for such lands.
1138 As used in this section, "multiple-use" includes, but is not
1139 limited to, outdoor recreational activities as described in ss.
1140 253.034 and 259.032(7)(b), ~~water resource development projects,~~
1141 sustainable forestry management, carbon sequestration, carbon

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1142 mitigation, or carbon offsets.

1143 (b) Upon a decision by the entity in which title to lands
1144 acquired pursuant to this section has vested, such lands may be
1145 designated single use as defined in s. 253.034(2)(b).

1146 (c) For purposes of this section, the board ~~of Trustees of~~
1147 ~~the Internal Improvement Trust Fund~~ shall adopt rules that
1148 pertain to the use of state lands for carbon sequestration,
1149 carbon mitigation, or carbon offsets and that provide for
1150 climate-change-related benefits.

1151 ~~(6) As provided in this section, a water resource or water~~
1152 ~~supply development project may be allowed only if the following~~
1153 ~~conditions are met: minimum flows and levels have been~~
1154 ~~established for those waters, if any, which may reasonably be~~
1155 ~~expected to experience significant harm to water resources as a~~
1156 ~~result of the project; the project complies with all applicable~~
1157 ~~permitting requirements; and the project is consistent with the~~
1158 ~~regional water supply plan, if any, of the water management~~
1159 ~~district and with relevant recovery or prevention strategies if~~
1160 ~~required pursuant to s. 373.0421(2).~~

1161 (6)(7)(a) Beginning no later than July 1, 2001, and every
1162 year thereafter, the ~~Acquisition and Restoration~~ council shall
1163 accept applications from state agencies, local governments,
1164 nonprofit and for-profit organizations, private land trusts, and
1165 individuals for project proposals eligible for funding pursuant
1166 to paragraph (3)(a) ~~(3)(b)~~. The council shall evaluate the

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1167 proposals received pursuant to this subsection to ensure that
1168 they meet at least one of the criteria under subsection (8) ~~(9)~~.

1169 (b) Project applications shall contain, at a minimum, the
1170 following:

1171 1. A minimum of two numeric performance measures that
1172 directly relate to the overall goals adopted by the council.
1173 Each performance measure shall include a baseline measurement,
1174 which is the current situation; a performance standard which the
1175 project sponsor anticipates the project will achieve; and the
1176 performance measurement itself, which should reflect the
1177 incremental improvements the project accomplishes towards
1178 achieving the performance standard.

1179 2. Proof that property owners within any proposed
1180 acquisition have been notified of their inclusion in the
1181 proposed project. Any property owner may request the removal of
1182 such property from further consideration by submitting a request
1183 to the project sponsor or the Acquisition and Restoration
1184 Council by certified mail. Upon receiving this request, the
1185 council shall delete the property from the proposed project;
1186 however, the board ~~of trustees~~, at the time it votes to approve
1187 the proposed project lists pursuant to subsection (14) ~~(16)~~, may
1188 add the property back on to the project lists if it determines
1189 by a super majority of its members that such property is
1190 critical to achieve the purposes of the project.

1191 (c) The title to lands acquired under this section shall

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1192 vest in the board ~~of Trustees of the Internal Improvement Trust~~
1193 ~~Fund~~, except that title to lands acquired by a water management
1194 district shall vest in the name of that district and lands
1195 acquired by a local government shall vest in the name of the
1196 purchasing local government.

1197 (7) ~~(8)~~ The ~~Acquisition and Restoration~~ council shall
1198 develop a project list that shall represent those projects
1199 submitted pursuant to subsection (6) ~~(7)~~.

1200 (8) ~~(9)~~ The ~~Acquisition and Restoration~~ council shall
1201 recommend rules for adoption by the board of trustees to
1202 competitively evaluate, select, and rank projects eligible for
1203 Florida Forever funds pursuant to paragraph (3) (a) ~~(3) (b)~~. In
1204 developing these proposed rules, the ~~Acquisition and Restoration~~
1205 council shall give weight to the following criteria:

1206 (a) The project meets multiple goals described in
1207 subsection (4).

1208 (b) The project is part of an ongoing governmental effort
1209 to restore, protect, or develop land areas or water resources.

1210 (c) The project enhances or facilitates management of
1211 properties already under public ownership.

1212 (d) The project has significant archaeological or historic
1213 value.

1214 (e) The project has funding sources that are identified
1215 and assured through at least the first 2 years of the project.

1216 (f) The project contributes to the solution of water

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1217 resource problems on a regional basis.

1218 (g) The project has a significant portion of its land area
1219 in imminent danger of development, in imminent danger of losing
1220 its significant natural attributes or recreational open space,
1221 or in imminent danger of subdivision which would result in
1222 multiple ownership and make acquisition of the project costly or
1223 less likely to be accomplished.

1224 (h) The project implements an element from a plan
1225 developed by an ecosystem management team.

1226 (i) The project is one of the components of the Everglades
1227 restoration effort.

1228 (j) The project may be purchased at 80 percent of
1229 appraised value.

1230 (k) The project may be acquired, in whole or in part,
1231 using alternatives to fee simple, including but not limited to,
1232 tax incentives, mitigation funds, or other revenues; the
1233 purchase of development rights, hunting rights, agricultural or
1234 silvicultural rights, or mineral rights; or obtaining
1235 conservation easements or flowage easements.

1236 (l) The project is a joint acquisition, either among
1237 public agencies, nonprofit organizations, or private entities,
1238 or by a public-private partnership.

1239 (9)~~(10)~~ The council shall give increased priority to:

1240 (a) Projects for which matching funds are available.

1241 (b) Project elements previously identified on an

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1242 acquisition list pursuant to this section that can be acquired
1243 at 80 percent or less of appraised value.

1244 (c) Projects that can be acquired in less than fee
1245 ownership, such as a permanent conservation easement.

1246 (d) Projects that contribute to improving the quality and
1247 quantity of surface water and groundwater.

1248 (e) Projects that contribute to improving the water
1249 quality and flow of springs.

1250 (f) Projects for which the state's land conservation plans
1251 overlap with the military's need to protect lands, water, and
1252 habitat to ensure the sustainability of military missions
1253 including:

1254 1. Protecting habitat on nonmilitary land for any species
1255 found on military land that is designated as threatened or
1256 endangered, or is a candidate for such designation under the
1257 Endangered Species Act or any Florida statute;

1258 2. Protecting areas underlying low-level military air
1259 corridors or operating areas; and

1260 3. Protecting areas identified as clear zones, accident
1261 potential zones, and air installation compatible use buffer
1262 zones delineated by our military partners, and for which federal
1263 or other funding is available to assist with the project.

1264 ~~(11) For the purposes of funding projects pursuant to~~
1265 ~~paragraph (3) (a), the Secretary of Environmental Protection~~
1266 ~~shall ensure that each water management district receives the~~

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1267 ~~following percentage of funds annually:~~

1268 ~~(a) Thirty five percent to the South Florida Water~~
1269 ~~Management District, of which amount \$25 million for 2 years~~
1270 ~~beginning in fiscal year 2000-2001 shall be transferred by the~~
1271 ~~Department of Environmental Protection into the Save Our~~
1272 ~~Everglades Trust Fund and shall be used exclusively to implement~~
1273 ~~the comprehensive plan under s. 373.470.~~

1274 ~~(b) Twenty five percent to the Southwest Florida Water~~
1275 ~~Management District.~~

1276 ~~(c) Twenty five percent to the St. Johns River Water~~
1277 ~~Management District.~~

1278 ~~(d) Seven and one-half percent to the Suwannee River Water~~
1279 ~~Management District.~~

1280 ~~(e) Seven and one-half percent to the Northwest Florida~~
1281 ~~Water Management District.~~

1282 ~~(10)(12) Water management districts may not use funds~~
1283 ~~received from the Florida Forever Trust Fund It is the intent of~~
1284 ~~the Legislature that in developing the list of projects for~~
1285 ~~funding pursuant to paragraph (3)(a), that these funds not be~~
1286 ~~used to abrogate the financial responsibility of those point and~~
1287 ~~nonpoint sources that have contributed to the degradation of~~
1288 ~~water or land areas. Therefore, an increased priority shall be~~
1289 ~~given by~~ The water management district governing boards shall
1290 give increased priority to those projects that have secured a
1291 cost-sharing agreement allocating responsibility for the cleanup

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1292 of point and nonpoint sources.

1293 ~~(11)(13)~~ An affirmative vote of at least five members of
1294 the council shall be required in order to place a project
1295 submitted pursuant to subsection ~~(6)~~ (7) on the proposed project
1296 list developed pursuant to subsection ~~(7)~~ (8). Any member of the
1297 council who by family or a business relationship has a
1298 connection with any project proposed to be ranked shall declare
1299 such interest before voting for a project's inclusion on the
1300 list.

1301 ~~(12)(14)~~ Each year that cash disbursements or bonds are to
1302 be issued pursuant to this section, the ~~Acquisition and~~
1303 ~~Restoration~~ council shall review the most current approved
1304 project list and shall, by the first board meeting in May,
1305 present to the board ~~of Trustees of the Internal Improvement~~
1306 ~~Trust Fund~~ for approval a listing of projects developed pursuant
1307 to subsection ~~(7)~~ (8). The board ~~of trustees~~ may remove projects
1308 from the list developed pursuant to this subsection, but may not
1309 add projects or rearrange project rankings.

1310 ~~(13)(15)~~ The council shall submit to the board, with its
1311 list of projects, a report that includes, but need not be
1312 limited to, the following information for each project listed:

- 1313 (a) The stated purpose for inclusion.
1314 (b) Projected costs to achieve the project goals.
1315 (c) An interim management budget that includes all costs
1316 associated with immediate public access.

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- 1317 (d) Specific performance measures.
- 1318 (e) Plans for public access.
- 1319 (f) An identification of the essential parcel or parcels
1320 within the project without which the project cannot be properly
1321 managed.
- 1322 (g) Where applicable, an identification of those projects
1323 or parcels within projects which should be acquired in fee
1324 simple or in less than fee simple.
- 1325 (h) An identification of those lands being purchased for
1326 conservation purposes.
- 1327 (i) A management policy statement for the project and a
1328 management prospectus pursuant to s. 259.032(7)(c).
- 1329 (j) An estimate of land value based on county tax assessed
1330 values.
- 1331 (k) A map delineating project boundaries.
- 1332 (l) An assessment of the project's ecological value,
1333 outdoor recreational value, forest resources, wildlife
1334 resources, ownership pattern, utilization, and location.
- 1335 (m) A discussion of whether alternative uses are proposed
1336 for the property and what those uses are.
- 1337 (n) A designation of the management agency or agencies.
- 1338 ~~(14)-(16)~~ All proposals for projects pursuant to paragraph
1339 ~~(3)(a)-(3)(b)~~ shall be implemented only if adopted by the
1340 ~~Acquisition and Restoration~~ council and approved by the board of
1341 ~~trustees~~. The council shall consider and evaluate in writing the

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1342 merits and demerits of each project that is proposed for Florida
1343 Forever funding. The council shall ensure that each proposed
1344 project will meet a stated public purpose for the restoration,
1345 conservation, or preservation of environmentally sensitive lands
1346 and water areas or for providing outdoor recreational
1347 opportunities. The council also shall determine whether the
1348 project or addition conforms, where applicable, with the
1349 comprehensive plan developed pursuant to s. 259.04(1)(a), the
1350 comprehensive multipurpose outdoor recreation plan developed
1351 pursuant to s. 375.021, the state lands management plan adopted
1352 pursuant to s. 253.03(7), the water resources work plans
1353 developed pursuant to s. 373.199, and the provisions of this
1354 section. Grants provided pursuant to s. 375.075 which are funded
1355 under paragraph (3)(b) are not subject to review or approval by
1356 the council.

1357 ~~(15)(17)~~ On an annual basis, the Division of State Lands
1358 shall prepare an annual work plan that prioritizes projects on
1359 the Florida Forever list and sets forth the funding available in
1360 the fiscal year for land acquisition. The work plan shall
1361 consider the following categories of expenditure for land
1362 conservation projects already selected for the Florida Forever
1363 list pursuant to subsection (7) ~~(8)~~:

1364 (a) A critical natural lands category, including
1365 functional landscape-scale natural systems, intact large
1366 hydrological systems, lands that have significant imperiled

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1367 natural communities, and corridors linking large landscapes, as
1368 identified and developed by the best available scientific
1369 analysis.

1370 (b) A partnerships or regional incentive category,
1371 including:

1372 1. Projects where local and regional cost-share agreements
1373 provide a lower cost and greater conservation benefit to the
1374 people of the state. Additional consideration shall be provided
1375 under this category where parcels are identified as part of a
1376 local or regional visioning process and are supported by
1377 scientific analysis; and

1378 2. Bargain and shared projects where the state will
1379 receive a significant reduction in price for public ownership of
1380 land as a result of the removal of development rights or other
1381 interests in lands or receives alternative or matching funds.

1382 (c) A substantially complete category of projects where
1383 mainly inholdings, additions, and linkages between preserved
1384 areas will be acquired and where 85 percent of the project is
1385 complete.

1386 (d) A climate-change category list of lands where
1387 acquisition or other conservation measures will address the
1388 challenges of global climate change, such as through protection,
1389 restoration, mitigation, and strengthening of the state's
1390 ~~Florida's~~ land, water, and coastal resources. This category
1391 includes lands that provide opportunities to sequester carbon,

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1392 provide habitat, protect coastal lands or barrier islands, and
1393 otherwise mitigate and help adapt to the effects of sea-level
1394 rise and meet other objectives of the program.

1395 (e) A less-than-fee category for working agricultural
1396 lands that significantly contribute to resource protection
1397 through conservation easements and other less-than-fee
1398 techniques, tax incentives, life estates, landowner agreements,
1399 and other partnerships, including conservation easements
1400 acquired in partnership with federal conservation programs,
1401 which will achieve the objectives of the Florida Forever program
1402 while allowing the continuation of compatible agricultural uses
1403 on the land. Terms of easements proposed for acquisition under
1404 this category shall be developed by the Division of State Lands
1405 in coordination with the Department of Agriculture and Consumer
1406 Services.

1407
1408 Projects within each category shall be ranked by order of
1409 priority. The work plan shall be adopted by the ~~Acquisition and~~
1410 ~~Restoration~~ council after at least one public hearing. A copy of
1411 the work plan shall be provided to the board ~~of trustees of the~~
1412 ~~Internal Improvement Trust Fund~~ no later than October 1 of each
1413 year.

1414 (16)~~(18)~~ (a) The board ~~of Trustees of the Internal~~
1415 ~~Improvement Trust Fund~~, or, in the case of water management
1416 district lands, the owning water management district, may

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1417 authorize the granting of a lease, easement, or license for the
1418 use of certain lands acquired pursuant to this section, for
1419 certain uses that are determined by the appropriate board to be
1420 compatible with the resource values of and management objectives
1421 for such lands.

1422 (b) Any existing lease, easement, or license acquired for
1423 incidental public or private use on, under, or across any lands
1424 acquired pursuant to this section shall be presumed to be
1425 compatible with the purposes for which such lands were acquired.

1426 (c) Notwithstanding the provisions of paragraph (a), no
1427 such lease, easement, or license may ~~shall~~ be entered into by
1428 the department of ~~Environmental Protection~~ or other appropriate
1429 state agency if the granting of such lease, easement, or license
1430 would adversely affect the exclusion of the interest on any
1431 revenue bonds issued to fund the acquisition of the affected
1432 lands from gross income for federal income tax purposes,
1433 pursuant to Internal Revenue Service regulations.

1434 (17) ~~(19)~~ The council shall recommend adoption of rules by
1435 the board necessary to implement this section relating to
1436 solicitation, scoring, selecting, and ranking of Florida Forever
1437 project proposals; disposing of or leasing lands or water areas
1438 selected for funding through the Florida Forever program; and
1439 the process of reviewing and recommending for approval or
1440 rejection the land management plans associated with publicly
1441 owned properties.

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1442 ~~(18)(20)~~ Lands listed as projects for acquisition under
1443 the Florida Forever program may be managed for conservation
1444 pursuant to s. 259.032, on an interim basis by a private party
1445 in anticipation of a state purchase in accordance with a
1446 contractual arrangement between the acquiring agency and the
1447 private party that may include management service contracts,
1448 leases, cost-share arrangements, or resource conservation
1449 agreements. Lands designated as eligible under this subsection
1450 shall be managed to maintain or enhance the resources the state
1451 is seeking to protect by acquiring the land and to accelerate
1452 public access to the lands as soon as practicable. Funding for
1453 these contractual arrangements may originate from the
1454 documentary stamp tax revenue deposited into the Land
1455 Acquisition Trust Fund. No more than \$6.2 million may be
1456 expended from the Land Acquisition Trust Fund for this purpose.

1457 Section 13. Subsections (9), (10), and (11) are added to
1458 section 373.089, Florida Statutes, to read:

1459 373.089 Sale or exchange of lands, or interests or rights
1460 in lands.—The governing board of the district may sell lands, or
1461 interests or rights in lands, to which the district has acquired
1462 title or to which it may hereafter acquire title in the
1463 following manner:

1464 (9) No disposition of land may be made if it would cause
1465 all or any portion of the interest on any revenue bonds to fund
1466 acquisitions made by the district to lose the exclusion from

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1467 gross income for purposes of federal income taxation. Proceeds
1468 derived from such disposition may not be used for any purpose
1469 except the purchase of other lands meeting the criteria
1470 specified in s. 373.139 or payment of debt service on revenue
1471 bonds or notes issued under s. 373.584.

1472 (10) Proceeds from the sale of surplus conservation lands
1473 purchased with Florida Forever funds before July 1, 2015, shall
1474 be deposited into the Florida Forever Trust Fund if the district
1475 does not use the proceeds to purchase other lands meeting the
1476 criteria specified in s. 373.139 or payment of debt service on
1477 revenue bonds or notes issued under s. 373.584 within three
1478 years. If the district purchased the conservation land with
1479 multiple revenue sources, the district shall deposit an amount
1480 based on the percentage of Florida Forever funds used for the
1481 original purchase.

1482 (11) Proceeds from the sale of surplus conservation lands
1483 purchased with state funds on or after July 1, 2015, shall be
1484 deposited into the Land Acquisition Trust Fund if the district
1485 does not use the proceeds to purchase other lands meeting the
1486 criteria specified in s. 373.139 or payment of debt service on
1487 revenue bonds or notes issued under s. 373.584 within three
1488 years. If the district purchased the conservation land with
1489 funds other than those from the Land Acquisition Trust Fund or a
1490 land acquisition trust fund created to implement s. 28, Art. X
1491 of the State Constitution, the proceeds shall be deposited into

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1492 the fund from which the land was purchased. If the district
1493 purchased the conservation land with multiple revenue sources,
1494 the district shall deposit an amount based on the percentage of
1495 state funds used for the original purchase.

1496
1497 If the Board of Trustees of the Internal Improvement Trust Fund
1498 declines to accept title to the lands offered under this
1499 section, the land may be disposed of by the district under the
1500 provisions of this section.

1501 Section 14. Subsection (6) of section 373.139, Florida
1502 Statutes, is amended to read:

1503 373.139 Acquisition of real property.—

1504 ~~(6) A district may dispose of land acquired under this~~
1505 ~~section pursuant to s. 373.056 or s. 373.089. However, no such~~
1506 ~~disposition of land shall be made if it would have the effect of~~
1507 ~~causing all or any portion of the interest on any revenue bonds~~
1508 ~~issued pursuant to s. 259.101 or s. 259.105 to fund the~~
1509 ~~acquisition programs detailed in this section to lose the~~
1510 ~~exclusion from gross income for purposes of federal income~~
1511 ~~taxation. Revenue derived from such disposition may not be used~~
1512 ~~for any purpose except the purchase of other lands meeting the~~
1513 ~~criteria specified in this section or payment of debt service on~~
1514 ~~revenue bonds or notes issued under s. 373.584.~~

1515 Section 15. Subsection (7) is added to section 373.1391,
1516 Florida Statutes, to read:

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1517 373.1391 Management of real property.—

1518 (7) All revenues generated through multiple-use management
1519 or compatible secondary-use management of district conservation
1520 lands purchased with state funds shall be retained by the
1521 district responsible for such management and shall be used to
1522 pay for management activities on all conservation, preservation,
1523 and recreation lands under the district's jurisdiction. In
1524 addition, such revenues shall be segregated in a district trust
1525 fund or special revenue account and shall remain available to
1526 the district in subsequent fiscal years to fund land management
1527 activities.

1528 Section 16. Paragraph (h) of subsection (4) of section
1529 373.199, Florida Statutes, is amended to read:

1530 373.199 Florida Forever Water Management District Work
1531 Plan.—

1532 (4) The list submitted by the districts shall include,
1533 where applicable, the following information for each project:

1534 (h) A clear and concise estimate of the funding needed to
1535 carry out the restoration, protection, or improvement project,
1536 or the development of new water resources, where applicable, and
1537 a clear and concise identification of the projected sources and
1538 uses of Florida Forever funds. Only the land acquisition
1539 elements and associated land acquisition costs for projects
1540 identified on the list may receive Florida Forever funding. All
1541 other project elements must use other funding sources.

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1542 Section 17. Paragraph (d) of subsection (9) of section
1543 373.4598, Florida Statutes, is amended and paragraph (f) is
1544 added to that subsection to read:

1545 373.4598 Water storage reservoirs.—

1546 (9) C-51 RESERVOIR PROJECT.—

1547 (d) If state funds are appropriated for Phase I or Phase
1548 II of the C-51 reservoir project:

1549 1. The district, to the extent practicable, shall operate
1550 either Phase I or Phase II of the reservoir to maximize the
1551 reduction of high-volume Lake Okeechobee regulatory releases to
1552 the St. Lucie or Caloosahatchee estuaries, in addition to
1553 maximizing the reduction of harmful discharges ~~providing relief~~
1554 to the Lake Worth Lagoon. However, the operation of Phase I of
1555 the C-51 reservoir project must be in accordance with any
1556 operation and maintenance agreement adopted by the district;

1557 2. Water made available by Phase I or Phase II of the
1558 reservoir must ~~shall~~ be used for natural systems in addition to
1559 any permitted ~~allocated~~ amounts for water supply issued in
1560 accordance with executed capacity allocation agreements; and

1561 3. ~~Any~~ Water received from Lake Okeechobee may only ~~not~~ be
1562 available to support consumptive use permits if such use is in
1563 accordance with the South Florida Water Management District
1564 rules for the applicable restricted allocation area as defined
1565 in s. 373.037(1).

1566 (f) The South Florida Water Management District may enter

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1567 into a capacity allocation agreement with a water supply entity
1568 for a pro rata share of unreserved capacity in the water storage
1569 facility and may request the department to waive repayment of
1570 all or a portion of the loan issued pursuant to s. 373.475. The
1571 department may authorize such waiver if the department
1572 determines it has received reasonable value for such waiver.

1573 Section 18. Subsection (10) is added to section 373.713,
1574 Florida Statutes, to read:

1575 373.713 Regional water supply authorities.—

1576 (10) Each regional water supply authority shall annually
1577 coordinate with the appropriate water management district to
1578 submit a status report on water resource development projects
1579 receiving state funding for inclusion in the consolidated water
1580 management district annual report required by s. 373.036(7).

1581 Section 19. Paragraph (b) of subsection (3) of section
1582 375.041, Florida Statutes, is amended to read:

1583 375.041 Land Acquisition Trust Fund.—

1584 (3) Funds distributed into the Land Acquisition Trust Fund
1585 pursuant to s. 201.15 shall be applied:

1586 (b) Of the funds remaining after the payments required
1587 under paragraph (a), but before funds may be appropriated,
1588 pledged, or dedicated for other uses:

1589 1. A minimum of the lesser of 25 percent or \$200 million
1590 shall be appropriated annually for Everglades projects that
1591 implement the Comprehensive Everglades Restoration Plan as set

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1592 | forth in s. 373.470, including the Central Everglades Planning
1593 | Project subject to Congressional authorization; the Long-Term
1594 | Plan as defined in s. 373.4592(2); and the Northern Everglades
1595 | and Estuaries Protection Program as set forth in s. 373.4595.
1596 | From these funds, \$32 million shall be distributed each fiscal
1597 | year through the 2023-2024 fiscal year to the South Florida
1598 | Water Management District for the Long-Term Plan as defined in
1599 | s. 373.4592(2). After deducting the \$32 million distributed
1600 | under this subparagraph, from the funds remaining, a minimum of
1601 | the lesser of 76.5 percent or \$100 million shall be appropriated
1602 | each fiscal year through the 2025-2026 fiscal year for the
1603 | planning, design, engineering, and construction of the
1604 | Comprehensive Everglades Restoration Plan as set forth in s.
1605 | 373.470, including the Central Everglades Planning Project , the
1606 | Everglades Agricultural Area Storage Reservoir Project, the Lake
1607 | Okeechobee Watershed Project, the C-43 West Basin Storage
1608 | Reservoir Project, the Indian River Lagoon-South Project, the
1609 | Western Everglades Restoration Project, and the Picayune Strand
1610 | Restoration Project. The Department of Environmental Protection
1611 | and the South Florida Water Management District shall give
1612 | preference to those Everglades restoration projects that reduce
1613 | harmful discharges of water from Lake Okeechobee to the St.
1614 | Lucie or Caloosahatchee estuaries in a timely manner, with the
1615 | highest priority given to the C-43 West Basin Storage Reservoir
1616 | Project. For the purpose of performing the calculation provided

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1617 in this subparagraph, the amount of debt service paid pursuant
1618 to paragraph (a) for bonds issued after July 1, 2016, for the
1619 purposes set forth under paragraph (b) shall be added to the
1620 amount remaining after the payments required under paragraph
1621 (a). The amount of the distribution calculated shall then be
1622 reduced by an amount equal to the debt service paid pursuant to
1623 paragraph (a) on bonds issued after July 1, 2016, for the
1624 purposes set forth under this subparagraph.

1625 2. A minimum of the lesser of 7.6 percent or \$50 million
1626 shall be appropriated annually for spring restoration,
1627 protection, and management projects. For the purpose of
1628 performing the calculation provided in this subparagraph, the
1629 amount of debt service paid pursuant to paragraph (a) for bonds
1630 issued after July 1, 2016, for the purposes set forth under
1631 paragraph (b) shall be added to the amount remaining after the
1632 payments required under paragraph (a). The amount of the
1633 distribution calculated shall then be reduced by an amount equal
1634 to the debt service paid pursuant to paragraph (a) on bonds
1635 issued after July 1, 2016, for the purposes set forth under this
1636 subparagraph.

1637 3. The sum of \$5 million shall be appropriated annually
1638 each fiscal year through the 2025-2026 fiscal year to the St.
1639 Johns River Water Management District for projects dedicated to
1640 the restoration of Lake Apopka. This distribution shall be
1641 reduced by an amount equal to the debt service paid pursuant to

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1642 paragraph (a) on bonds issued after July 1, 2016, for the
1643 purposes set forth in this subparagraph.

1644 4. The sum of \$64 million is appropriated and shall be
1645 transferred to the Everglades Trust Fund for the 2018-2019
1646 fiscal year, and each fiscal year thereafter, for the EAA
1647 reservoir project pursuant to s. 373.4598. Any funds remaining
1648 in any fiscal year shall be made available only for Phase II of
1649 the C-51 reservoir project or projects identified in
1650 subparagraph 1. and must be used in accordance with laws
1651 relating to such projects. Any funds made available for such
1652 purposes in a fiscal year are in addition to the amount
1653 appropriated under subparagraph 1. This distribution shall be
1654 reduced by an amount equal to the debt service paid pursuant to
1655 paragraph (a) on bonds issued after July 1, 2017, for the
1656 purposes set forth in this subparagraph.

1657 5. The following sums shall be appropriated annually each
1658 fiscal year to the Florida Forever Trust Fund for distribution
1659 by the Department of Environmental Protection pursuant to s.
1660 259.105(3):

1661 a. For the 2019-2020 fiscal year and the 2020-2021 fiscal
1662 year, the sum of \$57 million.

1663 b. For the 2021-2022 fiscal year, the sum of \$78 million.

1664 c. For the 2022-2023 fiscal year, the sum of \$89 million.

1665 d. For the 2023-2024 fiscal year and the 2024-2025 fiscal
1666 year, the sum of \$110 million.

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1667 e. For the 2025-2026 fiscal year, the sum of \$127 million.

1668 f. For the 2026-2027 fiscal year, the sum of \$147 million.

1669 g. For the 2027-2028 fiscal year, the sum of \$157 million.

1670 h. For the 2028-2029 fiscal year, the sum of \$179 million.

1671 i. For the 2029-2030 fiscal year and each fiscal year
1672 through the 2035-2036 fiscal year, the sum of \$200 million.

1673
1674 The distribution shall be reduced by an amount equal to the debt
1675 service paid pursuant to paragraph (a) on bonds issued after
1676 July 1, 2018, for the purposes set forth in this subparagraph.

1677 ~~5. Notwithstanding subparagraph 3., for the 2017-2018~~
1678 ~~fiscal year, funds shall be appropriated as provided in the~~
1679 ~~General Appropriations Act. This subparagraph expires July 1,~~
1680 ~~2018.~~

1681 Section 20. Paragraph (c) is added to subsection (12) of
1682 section 403.067, Florida Statutes, to read:

1683 403.067 Establishment and implementation of total maximum
1684 daily loads.—

1685 (12) IMPLEMENTATION OF ADDITIONAL PROGRAMS.—

1686 (c) The department may consider and include innovative
1687 nutrient reduction pilot projects designed to reduce nutrient
1688 pollution as part of basin management action plans pursuant to
1689 subsection (7). The department may also provide cost-share
1690 funding for innovative nutrient reduction pilot projects.

1691 Section 21. Paragraphs (e) and (f) of subsection (3) of

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1692 section 403.087, Florida Statutes, are amended and paragraph (g)
1693 is added to that subsection to read:

1694 403.087 Permits; general issuance; denial; revocation;
1695 prohibition; penalty.—

1696 (3) A renewal of an operation permit for a domestic
1697 wastewater treatment facility other than a facility regulated
1698 under the National Pollutant Discharge Elimination System
1699 (NPDES) Program under s. 403.0885 must be issued upon request
1700 for a term of up to 10 years, for the same fee and under the
1701 same conditions as a 5-year permit, in order to provide the
1702 owner or operator with a financial incentive, if:

1703 (e) The treatment facility has generally met water quality
1704 standards in the preceding 2 years, except for violations
1705 attributable to events beyond the control of the treatment plant
1706 or its operator, such as destruction of equipment by fire, wind,
1707 or other abnormal events that could not reasonably be expected
1708 to occur; ~~and~~

1709 (f) The department, or a local program approved under s.
1710 403.182, has conducted, in the preceding 12 months, an
1711 inspection of the facility and has verified in writing to the
1712 operator of the facility that it is not exceeding the permitted
1713 capacity and is in substantial compliance; and

1714 (g) The department has reviewed the annual status reports
1715 required by s. 403.892 and is satisfied that the treatment
1716 facility is timely implementing its asset management plan.

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1717
1718 The department shall keep records of the number of 10-year
1719 permits applied for and the number and duration of permits
1720 issued for longer than 5 years.

1721 Section 22. Section 403.0891, Florida Statutes, is amended
1722 to read:

1723 403.0891 State, regional, and local stormwater management
1724 plans and programs.—The department, the water management
1725 districts, ~~and~~ local governments, and the Department of
1726 Transportation shall have the responsibility for the development
1727 of mutually compatible stormwater management programs.

1728 (1) The department shall include goals in the water
1729 resource implementation rule for the proper management of
1730 stormwater.

1731 (2) Each water management district to which the state's
1732 stormwater management program is delegated shall establish
1733 district and, where appropriate, watershed or drainage basin
1734 stormwater management goals which are consistent with the goals
1735 adopted by the state and with plans adopted pursuant to ss.
1736 373.451-373.4595, the Surface Water Improvement and Management
1737 Act.

1738 (3) (a) Each local government required by chapter 163 to
1739 submit a comprehensive plan, whose plan is submitted after July
1740 1, 1992, and the others when updated after July 1, 1992, in the
1741 development of its stormwater management program described by

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1742 elements within its comprehensive plan shall consider the water
1743 resource implementation rule, district stormwater management
1744 goals, plans approved pursuant to the Surface Water Improvement
1745 and Management Act, ss. 373.451-373.4595, and technical
1746 assistance information provided by the water management
1747 districts pursuant to s. 373.711.

1748 (b) Local governments are encouraged to consult with the
1749 water management districts, the Department of Transportation,
1750 and the department before adopting or updating their local
1751 government comprehensive plan or public facilities report as
1752 required by s. 189.08, whichever is applicable.

1753 (4) The department, in coordination and cooperation with
1754 water management districts and local governments, shall conduct
1755 a continuing review of the costs of stormwater management
1756 systems and the effect on water quality and quantity, and fish
1757 and wildlife values. The department, the water management
1758 districts, and local governments shall use the review for
1759 planning purposes and to establish priorities for watersheds and
1760 stormwater management systems which require better management
1761 and treatment of stormwater with emphasis on the costs and
1762 benefits of needed improvements to stormwater management systems
1763 to better meet needs for flood protection and protection of
1764 water quality, and fish and wildlife values.

1765 (5) The results of the review shall be maintained by the
1766 department and the water management districts and shall be

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1767 provided to appropriate local governments or other parties on
1768 request. The results also shall be used in the development of
1769 the goals developed pursuant to subsections (1) and (2).

1770 (6) The department and the Department of Economic
1771 Opportunity, in cooperation with local governments in the
1772 coastal zone, shall develop a model stormwater management
1773 program that could be adopted by local governments. The model
1774 program shall contain dedicated funding options, including a
1775 stormwater utility fee system based upon an equitable unit cost
1776 approach. Funding options shall be designed to generate capital
1777 to retrofit existing stormwater management systems, build new
1778 treatment systems, operate facilities, and maintain and service
1779 debt.

1780 (7) The Department of Transportation shall coordinate with
1781 the department, water management districts, and local
1782 governments to determine whether it is economically feasible to
1783 use stormwater resulting from road construction projects for the
1784 beneficial use of providing alternative water supplies,
1785 including, but not limited to, directing stormwater to reclaimed
1786 water facilities or water storage reservoirs. If it is
1787 determined that beneficial use of such stormwater is
1788 economically feasible by the affected parties, such use shall be
1789 implemented by the part. The department, in consultation with
1790 the Department of Transportation, may adopt rules to implement
1791 this subsection.

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1792 Section 23. Subsection (5) of section 403.412, Florida
1793 Statutes, is amended to read:

1794 403.412 Environmental Protection Act.—

1795 (5) In any administrative, licensing, or other proceedings
1796 authorized by law for the protection of the air, water, or other
1797 natural resources of the state from pollution, impairment, or
1798 destruction, the Department of Legal Affairs, a political
1799 subdivision or municipality of the state, or a citizen of the
1800 state shall have standing to intervene as a party on the filing
1801 of a verified pleading asserting that the activity, conduct, or
1802 product to be licensed or permitted has or will have the effect
1803 of impairing, polluting, or otherwise injuring the air, water,
1804 or other natural resources of the state. As used in this section
1805 and as it relates to citizens, the term "intervene" means to
1806 join an ongoing s. 120.569 or s. 120.57 proceeding; this section
1807 does not authorize a citizen to institute, initiate, petition
1808 for, or request a proceeding under s. 120.569 or s. 120.57.
1809 Nothing herein limits or prohibits a citizen whose substantial
1810 interests will be determined or affected by a proposed agency
1811 action from initiating a formal administrative proceeding under
1812 s. 120.569 or s. 120.57. A citizen's substantial interests will
1813 be considered to be determined or affected if the party
1814 demonstrates it may suffer an injury in fact which is of
1815 sufficient immediacy and is of the type and nature intended to
1816 be protected by this chapter. No demonstration of special injury

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1817 different in kind from the general public at large is required.
1818 A sufficient demonstration of a substantial interest may be made
1819 by a petitioner who establishes that the proposed activity,
1820 conduct, or product to be licensed or permitted affects the
1821 petitioner's use or enjoyment of air, water, or natural
1822 resources protected by this chapter. The final order in a
1823 proceeding pursuant to s. 120.57(1) may award reasonable costs
1824 and reasonable attorney fees to the prevailing party from an
1825 intervener when an intervener is a nonprevailing adverse party,
1826 as defined in s. 120.595, as determined by the administrative
1827 law judge. The final order may only require the intervener to
1828 pay the portion of the reasonable costs and reasonable attorney
1829 fees related to the intervener's participation in the
1830 administrative proceeding.

1831 Section 24. Paragraph (f) of subsection (12) of section
1832 403.814, Florida Statutes, is amended to read:

1833 403.814 General permits; delegation.—

1834 (12) A general permit is granted for the construction,
1835 alteration, and maintenance of a stormwater management system
1836 serving a total project area of up to 10 acres meeting the
1837 criteria of this subsection. Such stormwater management systems
1838 must be designed, operated, and maintained in accordance with
1839 applicable rules adopted pursuant to part IV of chapter 373.
1840 There is a rebuttable presumption that the discharge from such
1841 systems complies with state water quality standards. The

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1842 construction of such a system may proceed without any further
1843 agency action by the department or water management district if,
1844 before construction begins, an electronic self-certification is
1845 submitted to the department or water management district which
1846 certifies that the proposed system was designed by a Florida
1847 registered professional and that the registered professional has
1848 certified that the proposed system meets the requirements of
1849 this section and will meet the following additional

1850 requirements:

1851 (f) The project does not:

- 1852 1. Cause or contribute to adverse water quantity or
1853 flooding impacts to receiving water and adjacent lands;
- 1854 2. Cause or contribute to adverse impacts to existing
1855 surface water storage and conveyance capabilities;
- 1856 3. Cause or contribute to a violation of state water
1857 quality standards; or
- 1858 4. Cause or contribute to an adverse impact to the
1859 maintenance of surface or ground water levels or surface water
1860 flows established pursuant to s. 373.042 or a work of the
1861 district established pursuant to s. 373.086.

1862 Section 25. Section 403.892, Florida Statutes, is created
1863 to read:

1864 403.892 Asset management plan and reserve fund.-

1865 (1) The Legislature finds that the systematic management
1866 of public water system and domestic wastewater treatment system

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1867 assets is essential to the protection of public health and
1868 natural resources. The development and implementation of an
1869 asset management plan focusing on the long-term life cycle and
1870 performance of system assets, including transmission,
1871 distribution, and collection lines, is necessary to ensure the
1872 timely planning, assessment, maintenance, repair, and
1873 replacement of these system components. The establishment and
1874 proper funding of a reserve fund is necessary to ensure the
1875 timely implementation of an asset management plan.

1876 (2) By August 1, 2022, each public water system, as
1877 defined in s. 403.852, and domestic wastewater treatment system
1878 shall develop an asset management plan and create a reserve fund
1879 to implement the asset management plan in a cost effective and
1880 timely manner. Each August 1 thereafter, each public water
1881 system and domestic wastewater treatment system shall post on
1882 its website the implementation status of its asset management
1883 plan and reserve fund and shall provide a report regarding such
1884 information to the department. As used in this subsection, the
1885 term "domestic wastewater treatment system" means any plant or
1886 other works used to treat, stabilize, or hold domestic wastes,
1887 including pipelines or conduits, pumping stations, and force
1888 mains and all other structures, devices, appurtenances, and
1889 facilities used for collecting or conducting wastes to an
1890 ultimate point for treatment or disposal. A domestic wastewater
1891 treatment system does not include an onsite sewage treatment and

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1892 disposal system as defined in s. 381.0065.

1893 (3) To be eligible for state funding, a public water
1894 system or domestic wastewater treatment system must demonstrate
1895 that it is adequately implementing its asset management plan and
1896 has reserves available in its reserve fund.

1897 (4) By July 1, 2019, the department shall adopt rules
1898 establishing the asset management plan requirements, including,
1899 but not limited to:

1900 (a) Identification of each asset;

1901 (b) Evaluation of the current age, condition, and useful
1902 life of each asset;

1903 (c) A risk-benefit analysis to determine the optimum
1904 repair or replacement time of each asset;

1905 (d) A list of repair and replacement projects with
1906 projected timeframes for completion and estimated costs;

1907 (e) Identification of funding options, including a
1908 separate reserve account or other comparable fund or account,
1909 for implementation of the repair or replacement projects; and

1910 (f) Identification of plans comparable to an asset
1911 management plan.

1912 Section 26. Section 403.893, Florida Statutes, is created
1913 to read:

1914 403.893 Public water system and domestic wastewater
1915 treatment system infrastructure floodplain resiliency.—It is the
1916 policy of the state to encourage public water systems and

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1917 domestic wastewater treatment systems to increase the resilience
1918 of its critical infrastructure against flooding. A public water
1919 system or domestic wastewater treatment system with
1920 infrastructure within an identified special flood hazard area,
1921 commonly referred to as a 100-year flood, or in a moderate flood
1922 hazard area, commonly referred to as a 500-year flood, in
1923 accordance with Federal Emergency Management Agency 100-year and
1924 500-year Flood Maps, must build any new infrastructure to
1925 withstand the respective flood conditions including, at a
1926 minimum, elevated control panels and appurtenant structures
1927 above the flood prone elevation, and have submersible
1928 components, including pumps and flow meters.

1929 Section 27. Subsection (9) is added to section 570.76,
1930 Florida Statutes, to read:

1931 570.76 Department of Agriculture and Consumer Services;
1932 powers and duties.—For the accomplishment of the purposes
1933 specified in this act, the department shall have all powers and
1934 duties necessary, including, but not limited to, the power and
1935 duty to:

1936 (9) Provide assistance to local governments in
1937 administering local rural-lands-protection easement programs.
1938 The department may provide technical support to review
1939 applications for inclusion in the local government's program and
1940 monitor compliance with the conservation easements. The
1941 department may not use any state funds to assist in the purchase

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1942 of such easements or pay any acquisition costs. The local
1943 government must compensate the department for its services. The
1944 agreement for assistance must be documented in a memorandum of
1945 agreement between the department and the local government. The
1946 title to such conservation easements shall be held in the name
1947 of the local government.

1948 Section 28. Section 1004.49, Florida Statutes, is amended
1949 to read:

1950 1004.49 Florida LAKEWATCH Program.—The Florida LAKEWATCH
1951 Program is hereby created within the School of Forest Resources
1952 and Conservation's Fisheries and Aquatic Sciences Program
1953 ~~Department of Fisheries and Aquaculture~~ of the Institute of Food
1954 and Agricultural Sciences at the University of Florida. The
1955 purpose of the program is to provide public education and
1956 training with respect to the water quality of Florida's lakes.
1957 The Fisheries and Aquatic Sciences Program ~~Department of~~
1958 ~~Fisheries and Aquaculture~~ may, in implementing the LAKEWATCH
1959 program:

1960 (1) Train, supervise, and coordinate volunteers to collect
1961 water quality data from Florida's lakes, streams, and estuaries.

1962 (2) Compile the data collected by volunteers.

1963 (3) Disseminate information to the public about the
1964 LAKEWATCH program.

1965 (4) Provide or loan equipment to volunteers in the
1966 program.

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1967 (5) Perform other functions as may be necessary or
1968 beneficial in coordinating the LAKEWATCH program.

1969
1970 Data collected and compiled shall be used to establish trends
1971 and provide general background information and may ~~shall in no~~
1972 ~~instance~~ be used by the Department of Environmental Protection
1973 if the data collection methods meet sufficient quality assurance
1974 and quality control requirements approved by the Department of
1975 Environmental Protection ~~in a regulatory proceeding.~~

1976 Section 29. Subsection (1) of section 20.3315, Florida
1977 Statutes, is amended to read:

1978 20.3315 Florida Forever Program Trust Fund of the Florida
1979 Fish and Wildlife Conservation Commission.—

1980 (1) There is created a Florida Forever Program Trust Fund
1981 within the Florida Fish and Wildlife Conservation Commission to
1982 carry out the duties of the commission under the Florida Forever
1983 Act as specified in s. 259.105 ~~s. 259.105(3)(g)~~. The trust fund
1984 shall receive funds pursuant to s. 259.105 ~~s. 259.105(3)(g)~~.

1985 Section 30. Subsection (4) and paragraph (b) of subsection
1986 (5) of section 253.027, Florida Statutes, are amended to read:

1987 253.027 Emergency archaeological property acquisition.—

1988 (4) EMERGENCY ARCHAEOLOGICAL ACQUISITION.—The sum of \$2
1989 million shall be reserved annually within the Florida Forever
1990 Trust Fund for the purpose of emergency archaeological
1991 acquisition. Any portion of that amount not spent or obligated

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1992 by the end of the third quarter of the fiscal year may be used
1993 for approved acquisitions pursuant to s. 259.105(3)(a) ~~s.~~
1994 ~~259.105(3)(b)~~.

1995 (5) ACCOUNT EXPENDITURES.—

1996 (b) Funds may not ~~No moneys shall~~ be spent from the
1997 account for excavation or restoration of the properties
1998 acquired. Funds may be spent for preliminary surveys to
1999 determine if the sites meet the criteria of this section. An
2000 amount not to exceed \$100,000 may also be spent from the account
2001 to inventory and evaluate archaeological and historic resources
2002 on properties purchased, or proposed for purchase, pursuant to
2003 s. 259.105(3)(a) ~~s. 259.105(3)(b)~~.

2004 Section 31. Subsections (3) and (9) of section 253.034,
2005 Florida Statutes, are amended to read:

2006 253.034 State-owned lands; uses.—

2007 (3) Recognizing that recreational trails purchased with
2008 rails-to-trails funds pursuant to former s. 259.101(3)(g),
2009 Florida Statutes 2014, or former s. 259.105(3)(h), Florida
2010 Statutes 2017, have had historic transportation uses and that
2011 their linear character may extend many miles, the Legislature
2012 intends that if the necessity arises to serve public needs,
2013 after balancing the need to protect trail users from collisions
2014 with automobiles and a preference for the use of overpasses and
2015 underpasses to the greatest extent feasible and practical,
2016 transportation uses shall be allowed to cross recreational

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2017 trails purchased pursuant to former s. 259.101(3)(g), Florida
2018 Statutes 2014, or former s. 259.105(3)(h), Florida Statutes
2019 2017. When these crossings are needed, the location and design
2020 should consider and mitigate the impact on humans and
2021 environmental resources, and the value of the land shall be paid
2022 based on fair market value.

2023 (9) The following additional uses of conservation lands
2024 acquired pursuant to the Florida Forever program and other
2025 state-funded conservation land purchase programs shall be
2026 authorized, upon a finding by the board of trustees, if they
2027 meet the criteria specified in paragraphs (a)-(e): water
2028 resource development projects, water supply development
2029 projects, stormwater management projects, linear facilities, and
2030 sustainable agriculture and forestry. Such additional uses are
2031 authorized if:

2032 (a) The use is not inconsistent with the management plan
2033 for such lands;

2034 (b) The use is compatible with the natural ecosystem and
2035 resource values of such lands;

2036 (c) The use is appropriately located on such lands and due
2037 consideration is given to the use of other available lands;

2038 (d) The using entity reasonably compensates the
2039 titleholder for such use based upon an appropriate measure of
2040 value; and

2041 (e) The use is consistent with the public interest.

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2042
2043 A decision by the board of trustees pursuant to this section
2044 shall be given a presumption of correctness. Moneys received
2045 from the use of state lands pursuant to this section shall be
2046 returned to the lead managing entity in accordance with s.
2047 259.032(9)(b) ~~s. 259.032(9)(c)~~.

2048 Section 32. Subsection (3), paragraph (b) of
2049 subsection(4), and subsection (6) of section 259.035, Florida
2050 Statutes, are amended to read:

2051 259.035 Acquisition and Restoration Council.—

2052 (3) The council shall provide assistance to the board in
2053 reviewing the recommendations and plans for state-owned
2054 conservation lands required under s. 253.034 and this chapter.
2055 The council shall, in reviewing such plans, consider the
2056 optimization of multiple-use and conservation strategies to
2057 accomplish the provisions funded pursuant to former s.
2058 259.101(3)(a), Florida Statutes 2014, and to s. 259.105(3)(a) ~~s.~~
2059 ~~259.105(3)(b)~~.

2060 (4)

2061 (b) In developing or amending rules, the council shall
2062 give weight to the criteria included in s. 259.105(8) ~~s.~~
2063 ~~259.105(9)~~. The board of trustees shall review the
2064 recommendations and shall adopt rules necessary to administer
2065 this section.

2066 (6) The proposal for a project pursuant to this section or

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2067 s. 259.105(3)(a) ~~s. 259.105(3)(b)~~ may be implemented only if
2068 adopted by the council and approved by the board of trustees.
2069 The council shall consider and evaluate in writing the merits
2070 and demerits of each project that is proposed for acquisition
2071 using funds available pursuant to s. 28, Art. X of the State
2072 Constitution or Florida Forever funding and shall ensure that
2073 each proposed project meets the requirements of s. 28, Art. X of
2074 the State Constitution. The council also shall determine whether
2075 the project conforms, where applicable, with the comprehensive
2076 plan developed pursuant to s. 259.04(1)(a), the comprehensive
2077 multipurpose outdoor recreation plan developed pursuant to s.
2078 375.021, the state lands management plan adopted pursuant to s.
2079 253.03(7), the water resources work plans developed pursuant to
2080 s. 373.199, and the provisions of s. 259.032, s. 259.101, or s.
2081 259.105, whichever is applicable.

2082 Section 33. Paragraph (b) of subsection (3) of section
2083 259.037, Florida Statutes, is amended to read:

2084 259.037 Land Management Uniform Accounting Council.-

2085 (3)

2086 (b) Each reporting agency shall also:

2087 1. Include a report of the available public use
2088 opportunities for each management unit of state land, the total
2089 management cost for public access and public use, and the cost
2090 associated with each use option.

2091 2. List the acres of land requiring minimal management

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2092 effort, moderate management effort, and significant management
2093 effort pursuant to s. 259.032(9)(b) ~~s. 259.032(9)(e)~~. For each
2094 category created in paragraph (a), the reporting agency shall
2095 include the amount of funds requested, the amount of funds
2096 received, and the amount of funds expended for land management.

2097 3. List acres managed and cost of management for each
2098 park, preserve, forest, reserve, or management area.

2099 4. List acres managed, cost of management, and lead
2100 manager for each state lands management unit for which secondary
2101 management activities were provided.

2102 5. Include a report of the estimated calculable financial
2103 benefits to the public for the ecosystem services provided by
2104 conservation lands, based on the best readily available
2105 information or science that provides a standard measurement
2106 methodology to be consistently applied by the land managing
2107 agencies. Such information may include, but need not be limited
2108 to, the value of natural lands for protecting the quality and
2109 quantity of drinking water through natural water filtration and
2110 recharge, contributions to protecting and improving air quality,
2111 benefits to agriculture through increased soil productivity and
2112 preservation of biodiversity, and savings to property and lives
2113 through flood control.

2114 Section 34. Subsection (7) of section 380.510, Florida
2115 Statutes, is amended to read:

2116 380.510 Conditions of grants and loans.—

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2117 (7) Any funds received by the trust pursuant to s.
2118 259.105(3)(b) ~~s. 259.105(3)(e)~~ or s. 375.041 shall be held
2119 separate and apart from any other funds held by the trust and
2120 used for the land acquisition purposes of this part.

2121 (a) The administration and use of Florida Forever funds
2122 are subject to such terms and conditions imposed thereon by the
2123 agency of the state responsible for the bonds, the proceeds of
2124 which are deposited into the Florida Forever Trust Fund,
2125 including restrictions imposed to ensure that the interest on
2126 any such bonds issued by the state as tax-exempt bonds is not
2127 included in the gross income of the holders of such bonds for
2128 federal income tax purposes.

2129 (b) All deeds or leases with respect to any real property
2130 acquired with funds received by the trust from the former
2131 Preservation 2000 Trust Fund, the Florida Forever Trust Fund, or
2132 the Land Acquisition Trust Fund must contain such covenants and
2133 restrictions as are sufficient to ensure that the use of such
2134 real property at all times complies with s. 375.051 and s. 9,
2135 Art. XII of the State Constitution. Each deed or lease with
2136 respect to any real property acquired with funds received by the
2137 trust from the Florida Forever Trust Fund before July 1, 2015,
2138 must contain covenants and restrictions sufficient to ensure
2139 that the use of such real property at all times complies with s.
2140 11(e), Art. VII of the State Constitution. Each deed or lease
2141 with respect to any real property acquired with funds received

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2142 by the trust from the Florida Forever Trust Fund after July 1,
2143 2015, must contain covenants and restrictions sufficient to
2144 ensure that the use of such real property at all times complies
2145 with s. 28, Art. X of the State Constitution. Each deed or lease
2146 must contain a reversion, conveyance, or termination clause that
2147 vests title in the Board of Trustees of the Internal Improvement
2148 Trust Fund if any of the covenants or restrictions are violated
2149 by the titleholder or leaseholder or by some third party with
2150 the knowledge of the titleholder or leaseholder.

2151 Section 35. Paragraph (d) of subsection (1) of section
2152 570.715, Florida Statutes, is amended to read:

2153 570.715 Conservation easement acquisition procedures.—

2154 (1) For less than fee simple acquisitions pursuant to s.
2155 570.71, the Department of Agriculture and Consumer Services
2156 shall comply with the following acquisition procedures:

2157 (d) On behalf of the board of trustees and before the
2158 appraisal of parcels approved for purchase under ss.
2159 259.105(3)(c) ~~ss. 259.105(3)(i)~~ and 570.71, the department may
2160 enter into option contracts to buy less than fee simple interest
2161 in such parcels. Any such option contract shall state that the
2162 final purchase price is subject to approval by the board of
2163 trustees and that the final purchase price may not exceed the
2164 maximum offer authorized by law. Any such option contract
2165 presented to the board of trustees for final purchase price
2166 approval shall explicitly state that payment of the final

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2167 purchase price is subject to an appropriation by the
2168 Legislature. The consideration for any such option contract may
2169 not exceed \$1,000 or 0.01 percent of the estimate by the
2170 department of the value of the parcel, whichever amount is
2171 greater.

2172 Section 36. Subsection (1) of section 589.065, Florida
2173 Statutes, is amended to read:

2174 589.065 Florida Forever Program Trust Fund of the
2175 Department of Agriculture and Consumer Services.—

2176 (1) There is created a Florida Forever Program Trust Fund
2177 within the Department of Agriculture and Consumer Services to
2178 carry out the duties of the department under the Florida Forever
2179 Act as specified in s. 259.105 ~~s. 259.105(3)(f)~~. The trust fund
2180 shall receive funds pursuant to s. 259.105 ~~s. 259.105(3)(f)~~.

2181 Section 37. The Legislature finds that the systematic
2182 management of public water system and domestic wastewater
2183 treatment system assets is essential to the protection of public
2184 health and natural resources. Therefore, the Legislature
2185 determines and declares that this act fulfills an important
2186 state interest.

2187 Section 38. This act shall take effect July 1, 2018.

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T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert:

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2192 An act relating to natural resources; amending s. 125.35, F.S.;
2193 requiring counties to return specified state conservation funds
2194 to the state when certain lands purchased with such funds are
2195 sold; amending s. 161.101, F.S.; revising the criteria to be
2196 considered by the Department of Environmental Protection in
2197 determining and assigning annual funding priorities for beach
2198 management and erosion control projects amending; s. 161.161,
2199 F.S.; revising requirements for the comprehensive long-term
2200 management plan; requiring the plan to include a strategic beach
2201 management plan, a critically eroded beaches report, and a
2202 statewide long-range budget plan; providing for the development
2203 and maintenance of such plans; deleting a requirement that the
2204 department submit a certain beach management plan on a certain
2205 date each year; requiring the department to hold a public
2206 meeting before finalization of the strategic beach management
2207 plan; requiring the department to submit a statewide long-range
2208 budget plan and a related forecast for the availability of
2209 funding to the Legislature; amending s. 163.3177, F.S.;
2210 exempting certain local governments from requirements to develop
2211 and maintain work plans for building public, private, and
2212 regional water supply facilities; creating s. 166.0452, F.S.;
2213 requiring municipalities to return specified state conservation
2214 funds to the state when certain lands purchased with such funds
2215 are sold; amending s. 215.618, F.S.; removing provisions
2216 authorizing the use of Florida Forever funds for capital

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2217 improvement and water resource development projects; amending s.
2218 253.0251, F.S.; authorizing the Department of Environmental
2219 Protection to assist local governments in administering local
2220 rural-lands-protection easement programs; providing requirements
2221 and restrictions for such assistance; amending s. 253.034, F.S.;
2222 requiring land management plans to prioritize exotic and
2223 invasive species management and control; amending s. 258.014;
2224 creating a state park volunteer annual entrance pass program;
2225 amending s. 259.03, F.S.; removing the definitions of "capital
2226 improvement," "capital project expenditure," and "water resource
2227 development project"; amending s. 259.032, F.S.; removing
2228 provisions authorizing the use of Florida Forever funds for
2229 capital improvement and water resource development projects;
2230 amending s. 259.105, F.S.; revising the distribution of proceeds
2231 from the Florida Forever Trust Fund; eliminating and
2232 consolidating funding for certain land acquisition and
2233 management programs; removing obsolete provisions; removing
2234 provisions authorizing the use of Florida Forever funds for
2235 water resource development projects, restoration, enhancement,
2236 and management of certain land and water areas, and certain
2237 capital improvements; including wildlife crossings and
2238 connections between such crossings and wildlife habitats as
2239 criteria for assessing certain projects and land acquisitions;
2240 amending s. 373.089, F.S.; prohibiting water management
2241 districts from disposing of lands acquired with state funds

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2242 | under certain conditions; requiring water management districts
2243 | to return specified state conservation funds to the state when
2244 | certain lands purchased with such funds are sold; amending s.
2245 | 373.139, F.S.; removing provisions prohibiting water management
2246 | districts from disposing of lands acquired with state funds
2247 | under certain conditions; amending s. 373.1391, F.S.; requiring
2248 | revenue generated from the management of certain conservation
2249 | lands to be retained by the jurisdictional water management
2250 | district and used for specified purposes; amending s. 373.199,
2251 | F.S.; limiting the use of Florida Forever funds for water
2252 | management district projects; amending s. 373.4598, F.S.;
2253 | revising requirements related to the operation of water storage
2254 | and use for Phase I and Phase II of the C-51 reservoir project
2255 | if state funds are appropriated for such phases; authorizing the
2256 | South Florida Water Management District to enter into certain
2257 | capacity allocation agreements and to request a waiver for
2258 | repayment of certain loans; authorizing the Department of
2259 | Environmental Protection to waive such loan repayment under
2260 | certain conditions; amending s. 373.713, F.S.; requiring
2261 | regional water supply authorities to annually coordinate with
2262 | water management districts on the status of certain water
2263 | resource development projects; amending s. 375.041, F.S.;
2264 | requiring the Department of Environmental Protection and the
2265 | South Florida Water Management District to give specified
2266 | funding priority to the C-43 West Basin Storage Reservoir

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2267 Project; requiring a specified amount of funds in the Land
2268 Acquisition Trust Fund within the Department of Environmental
2269 Protection to be appropriated annually each fiscal year to the
2270 Florida Forever Trust Fund; amending 403.067, F.S.; providing
2271 that the Department of Environmental Protection may consider and
2272 include innovative nutrient pilot projects in the development of
2273 basin management action plans; providing the department may
2274 provide funding for such projects; amending s. 403.087, F.S.;;
2275 revising requirements for the renewal of operation permits for
2276 domestic wastewater treatment facilities; amending s. 403.0891,
2277 F.S.; requiring the Department of Transportation to coordinate
2278 with the Department of Environmental Protection, water
2279 management districts, and local governments to make certain
2280 determinations regarding beneficial uses of stormwater from road
2281 construction projects and to implement such beneficial uses
2282 under certain conditions; authorizing the Department of
2283 Environmental Protection, in consultation with the Department of
2284 Transportation, to adopt rules; amending s. 403.412, F.S.;;
2285 authorizing prevailing parties to collect attorney's fees from
2286 interveners in administrative hearings; amending s. 403.814,
2287 F.S.; providing that a general permit for construction,
2288 alteration, and maintenance of a stormwater management system
2289 serving a total project area of up to 10 acres may be granted if
2290 the project does not cause or contribute to adverse impacts;
2291 creating s. 403.892, F.S.; providing legislative findings;

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2292 requiring public water systems and domestic wastewater treatment
2293 systems to develop asset management plans and create reserve
2294 funds by a specified date; defining the term "domestic
2295 wastewater treatment system"; providing requirements for such
2296 plans and funds; specifying eligibility criteria for state
2297 funding; directing the Department of Environmental Protection to
2298 adopt rules; creating s. 403.893, F.S.; requiring water and
2299 wastewater utilities in identified 100-year and 500-year flood
2300 areas to build new infrastructure to withstand respective flood
2301 conditions; including minimum criteria; amending s. 570.76,
2302 F.S.; authorizing the Department of Agriculture and Consumer
2303 Services to assist local governments in administering local
2304 rural-lands-protection easement programs; providing requirements
2305 and restrictions for such assistance; amending s. 1004.49, F.S.;

2306 renaming the Department of Fisheries and Aquaculture of the
2307 Institute of Food and Agricultural Sciences at the University of
2308 Florida to the School of Forest Resources and Conservation's
2309 Fisheries and Aquatic Science Program; providing that the
2310 LAKEWATCH Program may train, supervise, and coordinate
2311 volunteers to collect water quality data from Florida's lakes,
2312 streams, and estuaries; providing that the Department of
2313 Environmental Protection may use the data collected if the data
2314 collection methods meet sufficient quality assurance and quality
2315 control requirements; amending ss. 20.3315, 253.027, 253.034,
2316 259.035, 259.037, 380.510, 570.715, and 589.065, F.S.;

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2317 | conforming cross-references; providing a declaration of
2318 | important state interest; providing an effective date.