

1 A bill to be entitled
 2 An act relating to Everglades restoration bonds; amending
 3 s. 215.619, F.S.; authorizing the issuance of additional
 4 Everglades restoration bonds to implement the Florida Keys
 5 Area of Critical State Concern protection program;
 6 extending the period during which Everglades Restoration
 7 bonds may be issued; authorizing the issuance of an
 8 additional amount of bonds for a specified time period
 9 specifically to fund the Florida Keys Area of Critical
 10 State Concern protection program; amending s. 373.470,
 11 F.S.; defining the term "Keys Wastewater Plan";
 12 authorizing funds deposited into the Save Our Everglades
 13 Trust Fund to be used to implement the Keys Wastewater
 14 Plan; amending s. 373.472, F.S.; authorizing the
 15 Department of Environmental Protection, subject to
 16 specific appropriation, to use moneys from the Save Our
 17 Everglades Trust Fund to fund projects identified in the
 18 Keys Wastewater Plan; deleting an obsolete provision
 19 terminating the Save Our Everglades Trust Fund; providing
 20 an effective date.

21
 22 Be It Enacted by the Legislature of the State of Florida:

23
 24 Section 1. Subsection (1) of section 215.619, Florida
 25 Statutes, is amended to read:

26 215.619 Bonds for Everglades restoration.--

27 (1) The issuance of Everglades restoration bonds to
 28 finance or refinance the cost of acquisition and improvement of

29 land, water areas, and related property interests and resources
 30 for the purpose of implementing the Comprehensive Everglades
 31 Restoration Plan under s. 373.470, the Lake Okeechobee Watershed
 32 Protection Plan under s. 373.4595, the Caloosahatchee River
 33 Watershed Protection Plan under s. 373.4595, ~~and~~ the St. Lucie
 34 River Watershed Protection Plan under s. 373.4595, and the
 35 Florida Keys Area of Critical State Concern protection program
 36 under ss. 380.05 and 380.0552 to restore and conserve natural
 37 systems through the implementation of water management projects,
 38 including wastewater management projects identified in the "Keys
 39 Wastewater Plan" dated November 2007 and submitted to the
 40 Florida House of Representatives on December 4, 2007, is
 41 authorized in accordance with s. 11(e), Art. VII of the State
 42 Constitution. Everglades restoration bonds, except refunding
 43 bonds, may be issued only in fiscal years 2002-2003 through
 44 2019-2020 ~~2009-2010~~ and may not be issued in an amount exceeding
 45 \$100 million per fiscal year unless:

46 (a) The Department of Environmental Protection has
 47 requested additional amounts in order to achieve cost savings or
 48 accelerate the purchase of land; or

49 (b) The Legislature authorizes an additional amount of
 50 bonds not to exceed \$50 million per fiscal year, for no more
 51 than 4 fiscal years, specifically for the purpose of funding the
 52 Florida Keys Area of Critical State Concern protection program.

53
 54 The duration of Everglades restoration bonds may not exceed 20
 55 annual maturities, and those bonds must mature by December 31,
 56 2040 ~~2030~~. Except for refunding bonds, a series of bonds may not

57 | be issued unless an amount equal to the debt service coming due
 58 | in the year of issuance has been appropriated by the
 59 | Legislature.

60 | Section 2. Subsections (2), (4), and (6) of section
 61 | 373.470, Florida Statutes, are amended to read:

62 | 373.470 Everglades restoration.--

63 | (2) DEFINITIONS.--As used in this section, the term:

64 | (a) "Caloosahatchee River Watershed Protection Plan" means
 65 | the plan developed pursuant to s. 373.4595.

66 | (b) "Comprehensive plan" means the recommended
 67 | comprehensive plan contained within the "Final Integrated
 68 | Feasibility Report and Programmatic Environmental Impact
 69 | Statement, April 1999" and submitted to Congress on July 1,
 70 | 1999.

71 | (c) "Corps" means the United States Army Corps of
 72 | Engineers.

73 | (d) "District" means the South Florida Water Management
 74 | District.

75 | (e) "Keys Wastewater Plan" means the plan prepared by the
 76 | Monroe County Engineering Division dated November 2007 and
 77 | submitted to the Florida House of Representatives on December 4,
 78 | 2007.

79 | (f)-(e) "Lake Okeechobee Watershed Protection Plan" means
 80 | the plan developed pursuant to ss. 375.4595 and 373.451-373.459.

81 | (g)-(f) "Project" means the Central and Southern Florida
 82 | Project authorized under the heading "CENTRAL AND SOUTHERN
 83 | FLORIDA" in s. 203 of the Flood Control Act of 1948 (62 Stat.
 84 | 1176), and any modification to the project authorized by law.

85 (h)~~(g)~~ "Project component" means any structural or
 86 operational change, resulting from the comprehensive plan, to
 87 the project as it existed and was operated as of January 1,
 88 1999.

89 (i)~~(h)~~ "Project implementation report" means the project
 90 implementation report as described in the "Final Integrated
 91 Feasibility Report and Programmatic Environmental Impact
 92 Statement, April 1999" and submitted to Congress on July 1,
 93 1999.

94 (j)~~(i)~~ "River Watershed Protection Plans" means the
 95 Caloosahatchee River Watershed Protection Plan and the St. Lucie
 96 River Watershed Protection Plan as defined in this subsection.

97 (k)~~(j)~~ "St. Lucie River Watershed Protection Plan" means
 98 the plan developed pursuant to s. 373.4595.

99 (4) SAVE OUR EVERGLADES TRUST FUND; FUNDS AUTHORIZED FOR
 100 DEPOSIT.--The following funds may be deposited into the Save Our
 101 Everglades Trust Fund created by s. 373.472 to finance
 102 implementation of the comprehensive plan, the Lake Okeechobee
 103 Watershed Protection Plan, ~~and~~ the River Watershed Protection
 104 Plans, and the Keys Wastewater Plan:

105 (a) Funds described in subsection (5).

106 (b) Federal funds appropriated by Congress for
 107 implementation of the comprehensive plan, the Lake Okeechobee
 108 Watershed Protection Plan, or the River Watershed Protection
 109 Plans.

110 (c) Any additional funds appropriated by the Legislature
 111 for the purpose of implementing the comprehensive plan, the Lake

112 Okeechobee Watershed Protection Plan, ~~or~~ the River Watershed
 113 Protection Plans, or the Keys Wastewater Plan.

114 (d) Gifts designated for implementation of the
 115 comprehensive plan, the Lake Okeechobee Watershed Protection
 116 Plan, ~~or the River Watershed Protection Plans,~~ or the Keys
 117 Wastewater Plan from individuals, corporations, or other
 118 entities.

119 (e) Funds made available pursuant to s. 201.15 for debt
 120 service for Everglades restoration bonds.

121 (6) DISTRIBUTIONS FROM SAVE OUR EVERGLADES TRUST FUND.--

122 (a) Except as provided in paragraphs (d) and (e) and for
 123 funds appropriated for debt service, the department shall
 124 distribute funds in the Save Our Everglades Trust Fund to the
 125 district in accordance with a legislative appropriation and s.
 126 373.026(8)(b) and (c). Distribution of funds to the district
 127 from the Save Our Everglades Trust Fund shall be equally matched
 128 by the cumulative contributions from the district by fiscal year
 129 2019-2020 by providing funding or credits toward project
 130 components. The dollar value of in-kind project design and
 131 construction work by the district in furtherance of the
 132 comprehensive plan and existing interest in public lands needed
 133 for a project component are credits towards the district's
 134 contributions.

135 (b) The department shall distribute funds in the Save Our
 136 Everglades Trust Fund to the district in accordance with a
 137 legislative appropriation for debt service for Everglades
 138 restoration bonds.

139 (c) To the extent that funds are available, the department
140 may reserve a minimum of \$10 million annually from the Save Our
141 Everglades Trust Fund for the purpose of implementation of the
142 River Watershed Protection Plans within the Northern Everglades
143 as identified in s. 373.4595. Distribution of funds from the
144 Save Our Everglades Trust Fund for the implementation of the
145 River Watershed Protection Plans shall be in accordance with
146 paragraph (a) and shall be equally matched by the district and
147 Lee and Martin Counties by fiscal year 2019-2020 by providing
148 funding or credits toward project components. The dollar value
149 of in-kind project design and construction work by the district
150 or the counties in furtherance of the River Watershed Protection
151 Plans and existing interest in public lands needed for a project
152 component are credits towards the district's and counties'
153 contributions.

154 (d) Subject to a specific appropriation to the Department
155 of Agriculture and Consumer Services for the purpose of
156 implementing agricultural nonpoint source controls as identified
157 in s. 373.4595 or the legislatively ratified Lake Okeechobee
158 Watershed Protection Plan and the River Watershed Protection
159 Plans, and upon written request by the Department of Agriculture
160 and Consumer Services for the transfer, the department shall
161 transfer an amount equal to such specific appropriation from the
162 Save Our Everglades Trust Fund to the Department of Agriculture
163 and Consumer Services General Inspection Trust Fund. All
164 interest earned on the investment of funds transferred from the
165 Save Our Everglades Trust Fund to the General Inspection Trust

166 Fund shall be credited to the Save Our Everglades Trust Fund by
 167 June 30 of each year.

168 (e) Subject to specific appropriation, the department
 169 shall use moneys from the Save Our Everglades Trust Fund to fund
 170 projects identified in the Keys Wastewater Plan. The department
 171 may establish requirements, through grant agreements or other
 172 contractual arrangements, to ensure the timely construction of
 173 projects and expenditure of appropriated funds by the local
 174 governments in Monroe County, including, but not limited to,
 175 project implementation deadlines, local matching requirements,
 176 fair and competitive procurement requirements, and financial
 177 tracking requirements.

178 Section 3. Subsections (1) and (4) of section 373.472,
 179 Florida Statutes, are amended to read:

180 373.472 Save Our Everglades Trust Fund.--

181 (1) There is created within the Department of
 182 Environmental Protection the Save Our Everglades Trust Fund.
 183 Funds in the trust fund shall be expended to implement the
 184 comprehensive plan defined in s. 373.470(2)(b); ~~373.470(2)(a),~~
 185 the Lake Okeechobee Watershed Protection Plan defined in s.
 186 373.4595(2); ~~the Caloosahatchee River Watershed Protection Plan~~
 187 defined in s. 373.4595(2); ~~and the St. Lucie River Watershed~~
 188 Protection Plan defined in s. 373.4595(2); and the Florida Keys
 189 Area of Critical State Concern protection program under ss.
 190 380.05 and 380.0552 to restore and conserve natural systems
 191 through the implementation of water management projects,
 192 including wastewater management projects identified in the "Keys
 193 Wastewater Plan" dated November 2007 and submitted to the

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194 Florida House of Representatives on December 4, 2007; and to
195 pay debt service for Everglades restoration bonds issued
196 pursuant to s. 215.619. The trust fund shall serve as the
197 repository for state, local, and federal project contributions
198 in accordance with s. 373.470(4).

199 ~~(4) Pursuant to the provisions of s. 19(f)(2), Art. III of~~
200 ~~the State Constitution, the Save Our Everglades Trust Fund~~
201 ~~shall, unless terminated sooner, terminate on July 1, 2004.~~
202 ~~Prior to its scheduled termination, the trust fund shall be~~
203 ~~reviewed as provided in s. 215.3206(1) and (2).~~

204 Section 4. This act shall take effect July 1, 2008.