



1 A bill to be entitled
2 An act relating to state lands; amending s. 253.034,
3 F.S.; providing legislative findings; defining the
4 term "low-impact agriculture"; revising measurable
5 objectives for management goals to include the
6 preservation of low-impact agriculture; requiring
7 updated land management plans to identify conservation
8 lands that could support low-impact agriculture and
9 conservation lands that are no longer needed and could
10 be disposed of; requiring the Division of State Lands
11 to review state-owned conservation lands and determine
12 if such lands could support low-impact agriculture or
13 be disposed of; requiring the division to submit a
14 list of such lands to the Acquisition and Restoration
15 Council; requiring the council to provide
16 recommendations to the division and the Board of
17 Trustees of the Internal Improvement Trust Fund;
18 requiring that the division direct managing agencies
19 to offer agreements for low-impact agriculture on such
20 lands under certain conditions; providing
21 applicability of such agreements; directing the board
22 to dispose of such lands under certain conditions;
23 requiring the division to review certain
24 nonconservation lands and make recommendations to the
25 board as to whether such lands should be retained in
26 public ownership or disposed of; amending s. 253.42,



27 | F.S.; providing for private lands contiguous to state-
28 | owned lands to be exchanged for a permanent
29 | conservation easement over all or a portion of the
30 | privately owned lands; authorizing the use of such
31 | lands for low-impact agricultural purposes; providing
32 | conditions for approval of such exchanges; requiring
33 | that special consideration be given to exchanges that
34 | maintain public access for recreational purposes;
35 | providing limited liability for persons maintaining
36 | such public access; providing that permanent
37 | conservation easements over privately owned lands are
38 | subject to certain inspection; creating s. 253.87,
39 | F.S.; directing the Department of Environmental
40 | Protection to include certain county, municipal,
41 | state, and federal lands in the Florida State-Owned
42 | Lands and Records Information System (FL-SOLARIS)
43 | database and to update the database at specified
44 | intervals; requiring counties, municipalities, and
45 | financially disadvantaged small communities to submit
46 | a list of certain lands to the department by a
47 | specified date and at specified intervals; directing
48 | the department to conduct a study and submit a report
49 | to the Governor and Legislature on the technical and
50 | economic feasibility of including certain lands in the
51 | database or a similar public lands inventory; amending
52 | s. 259.03, F.S.; defining the term "low-impact



53 agriculture"; amending s. 259.105, F.S.; deleting
 54 obsolete provisions; requiring the council to give
 55 weight and increased priority to certain projects when
 56 developing proposed rules relating to Florida Forever
 57 funding and additions to the Conservation and
 58 Recreation Lands list; authorizing the board to direct
 59 the council to include certain lands on such list
 60 under certain conditions; amending ss. 259.035 and
 61 373.199, F.S.; conforming cross-references; directing
 62 the department to consolidate specified parcels of
 63 conservation lands under a single, unified title and
 64 legal description by a specified date; providing
 65 appropriations and authorizing positions; providing an
 66 effective date.

67
 68 Be It Enacted by the Legislature of the State of Florida:

69
 70 Section 1. Subsection (1), paragraphs (b) and (e) of
 71 subsection (5), and subsection (6) of section 253.034, Florida
 72 Statutes, are amended, and paragraph (e) is added to subsection
 73 (2) of that section, to read:

74 253.034 State-owned lands; uses.—

75 (1) (a) The Legislature finds that the total land area of
 76 the state is approximately 34.7 million acres and, as of January
 77 1, 2014, approximately 3.2 million acres of conservation lands
 78 are titled in the name of the Board of Trustees of the Internal



79 Improvement Trust Fund. Approximately 1.2 million acres of these
80 conservation lands, which equal approximately 3.4 percent of the
81 total land area of the state, are uplands located above the
82 boundary of jurisdictional wetlands.

83 (b) All lands acquired pursuant to chapter 259 shall be
84 managed to serve the public interest by protecting and
85 conserving land, air, water, and the state's natural resources,
86 which contribute to the public health, welfare, and economy of
87 the state. These lands shall be managed to provide for areas of
88 natural resource based recreation, and to ensure the survival of
89 plant and animal species and the conservation of finite and
90 renewable natural resources. The state's lands and natural
91 resources shall be managed using a stewardship ethic that
92 assures these resources will be available for the benefit and
93 enjoyment of all people of the state, both present and future.
94 It is the intent of the Legislature that, where feasible and
95 consistent with the goals of protection and conservation of
96 natural resources associated with lands held in the public trust
97 by the Board of Trustees of the Internal Improvement Trust Fund,
98 public land not designated for single-use purposes pursuant to
99 paragraph (2) (b) be managed for multiple-use purposes. All
100 multiple-use land management strategies shall address public
101 access and enjoyment, resource conservation and protection,
102 ecosystem maintenance and protection, and protection of
103 threatened and endangered species, and the degree to which
104 public-private partnerships or endowments may allow the entity



CS/HB 7135, Engrossed 1

2015

105 with management responsibility to enhance its ability to manage
106 these lands. The Acquisition and Restoration Council created in
107 s. 259.035 shall recommend rules to the board of trustees, and
108 the board shall adopt rules necessary to carry out the purposes
109 of this section.

110 (2) As used in this section, the following phrases have
111 the following meanings:

112 (e) "Low-impact agriculture," as used in this chapter,
113 means any agricultural activity that, when occurring on
114 conservation land or on land under a conservation easement, is
115 consistent with an adopted land management plan and does not
116 adversely impact the land's conservation purposes.

117
118 Lands acquired by the state as a gift, through donation, or by
119 any other conveyance for which no consideration was paid, and
120 which are not managed for conservation, outdoor resource-based
121 recreation, or archaeological or historic preservation under a
122 land management plan approved by the board of trustees are not
123 conservation lands.

124 (5) Each manager of conservation lands shall submit to the
125 Division of State Lands a land management plan at least every 10
126 years in a form and manner prescribed by rule by the board and
127 in accordance with the provisions of s. 259.032. Each manager of
128 conservation lands shall also update a land management plan
129 whenever the manager proposes to add new facilities or make
130 substantive land use or management changes that were not



131 addressed in the approved plan, or within 1 year of the addition
132 of significant new lands. Each manager of nonconservation lands
133 shall submit to the Division of State Lands a land use plan at
134 least every 10 years in a form and manner prescribed by rule by
135 the board. The division shall review each plan for compliance
136 with the requirements of this subsection and the requirements of
137 the rules established by the board pursuant to this section. All
138 land use plans, whether for single-use or multiple-use
139 properties, shall include an analysis of the property to
140 determine if any significant natural or cultural resources are
141 located on the property. Such resources include archaeological
142 and historic sites, state and federally listed plant and animal
143 species, and imperiled natural communities and unique natural
144 features. If such resources occur on the property, the manager
145 shall consult with the Division of State Lands and other
146 appropriate agencies to develop management strategies to protect
147 such resources. Land use plans shall also provide for the
148 control of invasive nonnative plants and conservation of soil
149 and water resources, including a description of how the manager
150 plans to control and prevent soil erosion and soil or water
151 contamination. Land use plans submitted by a manager shall
152 include reference to appropriate statutory authority for such
153 use or uses and shall conform to the appropriate policies and
154 guidelines of the state land management plan. Plans for managed
155 areas larger than 1,000 acres shall contain an analysis of the
156 multiple-use potential of the property, which analysis shall



CS/HB 7135, Engrossed 1

2015

157 include the potential of the property to generate revenues to
158 enhance the management of the property. Additionally, the plan
159 shall contain an analysis of the potential use of private land
160 managers to facilitate the restoration or management of these
161 lands. In those cases where a newly acquired property has a
162 valid conservation plan that was developed by a soil and
163 conservation district, such plan shall be used to guide
164 management of the property until a formal land use plan is
165 completed.

166 (b) Short-term and long-term management goals shall
167 include measurable objectives for the following, as appropriate:

- 168 1. Habitat restoration and improvement.
- 169 2. Public access and recreational opportunities.
- 170 3. Hydrological preservation and restoration.
- 171 4. Sustainable forest management.
- 172 5. Exotic and invasive species maintenance and control.
- 173 6. Capital facilities and infrastructure.
- 174 7. Cultural and historical resources.
- 175 8. Imperiled species habitat maintenance, enhancement,
176 restoration, or population restoration.

177 9. Preservation of low-impact agriculture.

178 (e) Land management plans are to be updated every 10 years
179 on a rotating basis. Each updated land management plan must
180 identify conservation lands under the plan, in part or in whole:

- 181 1. That could support low-impact agricultural uses while
182 maintaining the land's conservation purposes.



183 2. That are no longer needed for conservation purposes and
 184 could be disposed of in fee simple or with the state retaining a
 185 permanent conservation easement.

186 (6) The board ~~of Trustees of the Internal Improvement~~
 187 ~~Trust Fund~~ shall determine which lands titled to, ~~the title to~~
 188 ~~which is vested in the board,~~ may be surplused. For conservation
 189 lands, the board shall determine whether the lands are no longer
 190 needed for conservation purposes and may dispose of them by an
 191 affirmative vote of at least three members. In the case of a
 192 land exchange involving the disposition of conservation lands,
 193 the board must determine by an affirmative vote of at least
 194 three members that the exchange will result in a net positive
 195 conservation benefit. For all other lands, the board shall
 196 determine whether the lands are no longer needed and may dispose
 197 of them by an affirmative vote of at least three members.

198 (a) For the purposes of this subsection, all lands
 199 acquired by the state before July 1, 1999, using proceeds from
 200 Preservation 2000 bonds, the Conservation and Recreation Lands
 201 Trust Fund, the Water Management Lands Trust Fund,
 202 Environmentally Endangered Lands Program, and the Save Our Coast
 203 Program and titled to the board which are identified as core
 204 parcels or within original project boundaries are deemed to have
 205 been acquired for conservation purposes.

206 (b) For any lands purchased by the state on or after July
 207 1, 1999, before acquisition, the board must determine which
 208 parcels must be designated as having been acquired for



209 conservation purposes. Lands acquired for use by the Department
210 of Corrections, the Department of Management Services for use as
211 state offices, the Department of Transportation, except those
212 specifically managed for conservation or recreation purposes, or
213 the State University System or the Florida College System may
214 not be designated as having been purchased for conservation
215 purposes.

216 (c)1. At least every 10 years, the division shall review
217 all state-owned conservation lands titled to the board to
218 determine whether any such lands could support low-impact
219 agricultural uses while maintaining the land's conservation
220 purposes. After such review, the division shall submit a list of
221 such lands, including any additional lands identified in any
222 updated land management plan pursuant to subparagraph (5)(e)1.,
223 to the council. Within 9 months after receiving the list, the
224 council shall provide recommendations to the division as to
225 whether any such lands could support low-impact agricultural
226 uses while maintaining the land's conservation purposes. After
227 considering such recommendations, the division shall direct
228 managing agencies to offer agreements for low-impact agriculture
229 on lands that it determines could support such agriculture while
230 maintaining the land's conservation purposes. This section does
231 not prohibit a managing agency from entering into agreements as
232 otherwise provided by law. However, an agreement entered into
233 after July 1, 2015, to use such lands for private agricultural
234 uses may not be for rates or charges that are substantially



235 below market rates or charges for similar uses on private lands.
236 An agreement entered into pursuant to this paragraph may not
237 exceed a term of 10 years. However, an agreement may be renewed
238 with the consent of the division ~~as a component of each land~~
239 ~~management plan or land use plan and in a form and manner~~
240 ~~prescribed by rule by the board, each manager shall evaluate and~~
241 ~~indicate to the board those lands that are not being used for~~
242 ~~the purpose for which they were originally leased. For~~
243 ~~conservation lands, the council shall review and recommend to~~
244 ~~the board whether such lands should be retained in public~~
245 ~~ownership or disposed of by the board. For nonconservation~~
246 ~~lands, the division shall review such lands and recommend to the~~
247 ~~board whether such lands should be retained in public ownership~~
248 ~~or disposed of by the board.~~

249 2. At least every 10 years, the division shall review all
250 state-owned conservation lands titled to the board to determine
251 whether any such lands are no longer needed for conservation
252 purposes and could be disposed of in fee simple or with the
253 state retaining a permanent conservation easement. After such
254 review, the division shall submit a list of such lands,
255 including additional conservation lands identified in an updated
256 land management plan pursuant to subparagraph (5)(e)2., to the
257 council. Within 9 months after receiving the list, the council
258 shall provide recommendations to the board as to whether any
259 such lands are no longer needed for conservation purposes and
260 could be disposed of in fee simple or with the state retaining a



261 permanent conservation easement. After reviewing such list and
262 considering such recommendations, if the board determines by an
263 affirmative vote of at least three members of the board that any
264 such lands are no longer needed for conservation purposes, the
265 board shall dispose of the lands in fee simple or with the state
266 retaining a permanent conservation easement.

267 3. At least every 10 years, the division shall review all
268 encumbered and unencumbered nonconservation lands titled to the
269 board and recommend to the board whether any such lands should
270 be retained in public ownership or disposed of by the board. The
271 board may dispose of nonconservation lands under this paragraph
272 by a majority vote of the board.

273 (d) Lands titled to ~~owned by~~ the board which are not
274 actively managed by any state agency or for which a land
275 management plan has not been completed pursuant to subsection
276 (5) must be reviewed by the council or its successor for its
277 recommendation as to whether such lands should be disposed of by
278 the board.

279 (e) Before any decision by the board to surplus lands, the
280 ~~Acquisition and Restoration~~ council shall review and make
281 recommendations to the board concerning the request for
282 surplus. The council shall determine whether the request for
283 surplus is compatible with the resource values of and
284 management objectives for such lands.

285 (f) In reviewing lands titled to ~~owned by~~ the board, the
286 council shall consider whether such lands would be more



287 | appropriately owned or managed by the county or other unit of
288 | local government in which the land is located. The council shall
289 | recommend to the board whether a sale, lease, or other
290 | conveyance to a local government would be in the best interests
291 | of the state and local government. ~~The provisions of This~~
292 | paragraph does not in no way limit the provisions of ss. 253.111
293 | and 253.115. Such lands shall be offered to the state, county,
294 | or local government for ~~a period of~~ 45 days. Permittable uses
295 | for such surplus lands may include public schools; public
296 | libraries; fire or law enforcement substations; governmental,
297 | judicial, or recreational centers; and affordable housing
298 | meeting the criteria of s. 420.0004(3). County or local
299 | government requests for surplus lands shall be expedited
300 | throughout the surplusing process. If the county or local
301 | government does not elect to purchase such lands in accordance
302 | with s. 253.111, any surplusing determination involving other
303 | governmental agencies shall be made when the board decides the
304 | best public use of the lands. Surplus lands ~~properties~~ in which
305 | governmental agencies have not expressed an ~~no~~ interest must
306 | ~~then~~ be available for sale on the private market.

307 | (g) The sale price of lands determined to be surplus
308 | pursuant to this subsection and s. 253.82 shall be determined by
309 | the division, which shall consider an appraisal of the property,
310 | or, if the estimated value of the land is \$500,000 or less, a
311 | comparable sales analysis or a broker's opinion of value. The
312 | division may require a second appraisal. The individual or



313 entity that requests to purchase the surplus parcel shall pay
 314 all costs associated with determining the property's value, if
 315 any.

316 1. A written valuation of land determined to be surplus
 317 pursuant to this subsection and s. 253.82, and related documents
 318 used to form the valuation or which pertain to the valuation,
 319 are confidential and exempt from s. 119.07(1) and s. 24(a), Art.
 320 I of the State Constitution.

321 a. The exemption expires 2 weeks before the contract or
 322 agreement regarding the purchase, exchange, or disposal of the
 323 surplus land is first considered for approval by the board.

324 b. Before expiration of the exemption, the division may
 325 disclose confidential and exempt appraisals, valuations, or
 326 valuation information regarding surplus land:

327 (I) During negotiations for the sale or exchange of the
 328 land.

329 (II) During the marketing effort or bidding process
 330 associated with the sale, disposal, or exchange of the land to
 331 facilitate closure of such effort or process.

332 (III) When the passage of time has made the conclusions of
 333 value invalid.

334 (IV) When negotiations or marketing efforts concerning the
 335 land are concluded.

336 2. A unit of government that acquires title to lands
 337 pursuant to this paragraph ~~hereunder~~ for less than appraised
 338 value may not sell or transfer title to all or any portion of



339 the lands to any private owner for 10 years. Any unit of
340 government seeking to transfer or sell lands pursuant to this
341 paragraph must first allow the board ~~of trustees~~ to reacquire
342 such lands for the price at which the board sold such lands.

343 (h) Parcels with a market value over \$500,000 must be
344 initially offered for sale by competitive bid. The division may
345 use agents, as authorized by s. 253.431, for this process. Any
346 parcels unsuccessfully offered for sale by competitive bid, and
347 parcels with a market value of \$500,000 or less, may be sold by
348 any reasonable means, including procuring real estate services,
349 open or exclusive listings, competitive bid, auction, negotiated
350 direct sales, or other appropriate services, to facilitate the
351 sale.

352 (i) After reviewing the recommendations of the council,
353 the board shall determine whether lands identified for surplus
354 are to be held for other public purposes or are no longer
355 needed. The board may require an agency to release its interest
356 in such lands. A state agency, county, or local government that
357 has requested the use of a property that was to be declared as
358 surplus must secure the property under lease within 90 days
359 after being notified that it may use such property.

360 (j) Requests for surplusizing may be made by any public or
361 private entity or person. All requests shall be submitted to the
362 lead managing agency for review and recommendation to the
363 council or its successor. Lead managing agencies have 90 days to
364 review such requests and make recommendations. Any surplusizing



365 requests that have not been acted upon within the 90-day ~~time~~
366 period shall be immediately scheduled for hearing at the next
367 regularly scheduled meeting of the council or its successor.
368 Requests for surplusizing pursuant to this paragraph are not
369 required to be offered to local or state governments as provided
370 in paragraph (f).

371 (k) Proceeds from any sale of surplus lands pursuant to
372 this subsection shall be deposited into the fund from which such
373 lands were acquired. However, if the fund from which the lands
374 were originally acquired no longer exists, such proceeds shall
375 be deposited into an appropriate account to be used for land
376 management by the lead managing agency assigned the lands before
377 the lands were declared surplus. Funds received from the sale of
378 surplus nonconservation lands, or lands that were acquired by
379 gift, by donation, or for no consideration, shall be deposited
380 into the Internal Improvement Trust Fund.

381 (l) Notwithstanding this subsection, such disposition of
382 land may not be made if it would have the effect of causing all
383 or any portion of the interest on any revenue bonds issued to
384 lose the exclusion from gross income for federal income tax
385 purposes.

386 (m) The sale of filled, formerly submerged land that does
387 not exceed 5 acres in area is not subject to review by the
388 council or its successor.

389 (n) The board may adopt rules to administer this section
390 which may include procedures for administering surplus land



391 requests and criteria for when the division may approve requests
392 to surplus nonconservation lands on behalf of the board.

393 Section 2. Subsection (4) is added to section 253.42,
394 Florida Statutes, to read:

395 253.42 Board of trustees may exchange lands.—The
396 provisions of this section apply to all lands owned by, vested
397 in, or titled in the name of the board whether the lands were
398 acquired by the state as a purchase, or through gift, donation,
399 or any other conveyance for which no consideration was paid.

400 (4) (a) A person who owns land contiguous to state-owned
401 land titled to the board may submit a request to the Division of
402 State Lands to exchange all or a portion of such state-owned
403 land with the state retaining a permanent conservation easement
404 for a permanent conservation easement over all or a portion of
405 the privately owned land. State-owned land exchanged pursuant to
406 this subsection shall be contiguous to the privately owned land
407 upon which the state retains a permanent conservation easement.
408 Such conservation easements shall allow the person to use the
409 land for low-impact agriculture. The division shall submit such
410 request to the Acquisition and Restoration Council for review.
411 Within 180 days after receiving such request, the council shall
412 provide recommendations to the division. Within 90 days after
413 receiving the council's recommendations, the division shall
414 review such request and recommendations and provide
415 recommendations to the board. This subsection does not apply to
416 state-owned sovereign submerged land.



417 (b) The number of acres of state-owned land being
418 exchanged must be equal to or less than the number of acres of
419 privately held land that the person is willing to put under a
420 permanent conservation easement.

421 (c) Within 180 days after receiving a request and the
422 division's recommendations, the board shall consider such
423 request and recommendations and may approve the request if:

424 1. At least 30 percent of the perimeter of the privately
425 held land is bordered by state-owned land and the exchange does
426 not create an inholding.

427 2. The approval does not result in a violation of the
428 terms of a preexisting lease or agreement by the board, the
429 department, the Department of Agriculture and Consumer Services,
430 or the Fish and Wildlife Conservation Commission.

431 3. For state-owned land purchased for conservation
432 purposes, the board makes a determination that the exchange of
433 land under this subsection will result in a positive
434 conservation benefit.

435 4. The approval does not conflict with any existing
436 flowage easement.

437 5. The request is approved by at least three members of
438 the board.

439 (d) Special consideration shall be given to a request that
440 maintains public access for any recreational purpose allowed on
441 the state-owned land at the time the request is submitted to the
442 board. A person who maintains public access pursuant to this



443 paragraph is entitled to the limitation on liability provided in
444 s. 375.251.

445 (e) Land subject to a permanent conservation easement
446 granted pursuant to this subsection is subject to inspection by
447 the department to ensure compliance with the terms of the
448 permanent conservation easement.

449 Section 3. Section 253.87, Florida Statutes, is created to
450 read:

451 253.87 Inventory of state, federal, and local government
452 conservation lands by the Department of Environmental
453 Protection.—

454 (1) By July 1, 2017, the Department of Environmental
455 Protection shall include in the Florida State-Owned Lands and
456 Records Information System (FL-SOLARIS) database all federally
457 owned conservation lands, all lands on which the federal
458 government retains a permanent conservation easement, and all
459 lands on which the state retains a permanent conservation
460 easement. The department shall update the database at least
461 every 5 years.

462 (2) (a) By July 1, 2017, for counties and municipalities,
463 and by July 1, 2018, for financially disadvantaged small
464 communities, as defined in s. 403.1838, and at least every 5
465 years thereafter, respectively, each county, municipality, and
466 financially disadvantaged small community shall identify all
467 conservation lands that it owns in fee simple and all lands on
468 which it retains a permanent conservation easement and submit,



469 in a manner determined by the department, a list of such lands
470 to the department. Within 6 months after receiving such list,
471 the department shall add such lands to the FL-SOLARIS database.

472 (3) By January 1, 2017, the department shall conduct a
473 study and submit a report to the Governor, the President of the
474 Senate, and the Speaker of the House of Representatives on the
475 technical and economic feasibility of including the following
476 lands in the FL-SOLARIS database or a similar public lands
477 inventory:

478 (a) All lands on which local comprehensive plans, land use
479 restrictions, zoning ordinances, or land development regulations
480 prohibit the land from being developed or limit the amount of
481 development to one unit per 40 or more acres.

482 (b) All publicly and privately owned lands for which
483 development rights have been transferred.

484 (c) All privately owned lands under a permanent
485 conservation easement.

486 (d) All lands owned by a nonprofit or nongovernmental
487 organization for conservation purposes.

488 (e) All lands that are part of a mitigation bank.

489 Section 4. Subsection (6) of section 259.03, Florida
490 Statutes, is renumbered as subsection (7), and a new subsection
491 (6) is added to that section to read:

492 259.03 Definitions.—The following terms and phrases when
493 used in this chapter shall have the meanings ascribed to them in
494 this section, except where the context clearly indicates a



495 different meaning:

496 (6) "Low-impact agriculture" means any agricultural
497 activity that, when occurring on conservation land or on land
498 under a conservation easement, is consistent with an adopted
499 land management plan and does not adversely impact the land's
500 conservation purposes.

501 Section 5. Subsections (5) through (21) of section
502 259.105, Florida Statutes, are renumbered as subsections (4)
503 through (20), respectively, present subsections (4), (11), and
504 (14) are amended, and paragraph (m) is added to present
505 subsection (10) of that section, to read:

506 259.105 The Florida Forever Act.—

507 ~~(4) Notwithstanding subsection (3) and for the 2014-2015~~
508 ~~fiscal year only, the funds appropriated in section 56 of the~~
509 ~~2014-2015 General Appropriations Act may be provided to water~~
510 ~~management districts for land acquisitions, including less than-~~
511 ~~fee interest, identified by water management districts as being~~
512 ~~needed for water resource protection or ecosystem restoration.~~
513 ~~This subsection expires July 1, 2015.~~

514 (9)~~(10)~~ The Acquisition and Restoration Council shall
515 recommend rules for adoption by the board of trustees to
516 competitively evaluate, select, and rank projects eligible for
517 Florida Forever funds pursuant to paragraph (3)(b) and for
518 additions to the Conservation and Recreation Lands list pursuant
519 to ss. 259.032 and 259.101(4). In developing these proposed
520 rules, the Acquisition and Restoration Council shall give weight



521 to the following criteria:

522 (m) The project allows the state to purchase a permanent
523 conservation easement that would authorize existing low-impact
524 agricultural uses to continue while achieving the intended
525 conservation purpose.

526 (10)-(11) The Acquisition and Restoration Council shall
527 give increased priority to:

528 (a) these Projects for which matching funds are available.

529 (b) and to Project elements previously identified on an
530 acquisition list pursuant to this section that can be acquired
531 at 80 percent or less of appraised value.

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

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

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

538 (f) The council shall also give increased priority to
539 those Projects where the state's land conservation plans overlap
540 with the military's need to protect lands, water, and habitat to
541 ensure the sustainability of military missions including:

542 1.(a) Protecting habitat on nonmilitary land for any
543 species found on military land that is designated as threatened
544 or endangered, or is a candidate for such designation under the
545 Endangered Species Act or any Florida statute;

546 2.(b) Protecting areas underlying low-level military air



CS/HB 7135, Engrossed 1

2015

547 corridors or operating areas; and

548 3.~~(e)~~ Protecting areas identified as clear zones, accident
549 potential zones, and air installation compatible use buffer
550 zones delineated by our military partners, and for which federal
551 or other funding is available to assist with the project.

552 ~~(13)~~~~(14)~~ An affirmative vote of at least five members of
553 the Acquisition and Restoration Council shall be required in
554 order to place a ~~proposed~~ project submitted pursuant to
555 subsection (6) on the proposed project list developed pursuant
556 to subsection (7) ~~(8)~~. Any member of the council who by family
557 or a business relationship has a connection with any project
558 proposed to be ranked shall declare such interest before ~~prior~~
559 ~~to~~ voting for a project's inclusion on the list.

560 Section 6. Paragraph (c) of subsection (4) of section
561 259.035, Florida Statutes, is amended to read:

562 259.035 Acquisition and Restoration Council.—

563 (4)

564 (c) In developing or amending rules, the council shall
565 give weight to the criteria included in s. 259.105(9)
566 ~~259.105(10)~~. The board of trustees shall review the
567 recommendations and shall adopt rules necessary to administer
568 this section.

569 Section 7. Paragraph (i) of subsection (4) of section
570 373.199, Florida Statutes, is amended to read:

571 373.199 Florida Forever Water Management District Work
572 Plan.—



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

575 (i) Numeric performance measures for each project. Each
576 performance measure shall include a baseline measurement, which
577 is the current situation; a performance standard, which water
578 management district staff anticipates the project will achieve;
579 and the performance measurement itself, which should reflect the
580 incremental improvements the project accomplishes towards
581 achieving the performance standard. These measures shall reflect
582 the relevant goals detailed in s. 259.105 ~~259.105(4)~~.

583 Section 8. Consolidating titles to state-owned
584 conservation lands.—As expeditiously as possible, but not later
585 than July 1, 2018, the Department of Environmental Protection
586 shall consolidate under a single, unified title and legal
587 description all individually titled parcels of conservation
588 lands solely owned by the Board of Trustees of the Internal
589 Improvement Trust Fund that are contiguous to other parcels of
590 conservation lands solely owned by the board.

591 Section 9. For the 2015-2016 fiscal year, the sum of
592 \$2,635,706 in recurring funds and \$1,520,528 in nonrecurring
593 funds are appropriated from the Internal Improvement Trust Fund
594 to the Department of Environmental Protection, and four full-
595 time equivalent positions with 182,792 in salary rate are
596 authorized, for staffing and all operating expenses associated
597 with the environmental assessment of low-impact agriculture and
598 surplus lands pursuant to s. 253.034, Florida Statutes; the



CS/HB 7135, Engrossed 1

2015

599 inventory of state, federal, and local government conservation
600 lands in the Florida State-Owned Lands and Records Information
601 System (FL-SOLARIS) database and the study to include additional
602 lands in the FL-SOLARIS database pursuant to s. 253.87, Florida
603 Statutes; and the consolidation of state-owned conservation land
604 titles pursuant to this act.

605 Section 10. This act shall take effect July 1, 2015.