

1 A bill to be entitled
2 An act relating to state lands; amending s. 253.025,
3 F.S.; authorizing the Board of Trustees of the
4 Internal Improvement Trust Fund to waive certain
5 requirements and rules and substitute procedures
6 relating to the acquisition of state lands under
7 certain conditions; providing that title to certain
8 acquired lands are vested in the board; providing for
9 the administration of such lands; authorizing the
10 board to adopt specified rules; revising requirements
11 for the appraisal of lands proposed for acquisition;
12 requiring an agency proposing an acquisition to pay
13 the associated costs; deleting provisions directing
14 the board to approve qualified fee appraisal
15 organizations; requiring fee appraisers to submit
16 certain affidavits to an agency before contracting
17 with a participant in a multiparty agreement;
18 prohibiting fee appraisers from negotiating with
19 property owners; providing for the Minimum Technical
20 Standards for Land Surveying in Florida to be
21 published by the Department of Agriculture and
22 Consumer Services rather than the Department of
23 Business and Professional Regulation; authorizing the
24 disclosure of confidential appraisal reports under
25 certain conditions; providing for public agencies and
26 nonprofit organizations to enter into written

27 | agreements with the Department of Environmental
28 | Protection rather than the Division of State Lands to
29 | purchase and hold property for subsequent resale to
30 | the board rather than the division; revising the
31 | definition of the term "nonprofit organization";
32 | directing the board to adopt by rule the method for
33 | determining the value of parcels sought to be acquired
34 | by state agencies; providing requirements for such
35 | acquisitions; expanding the scope of real estate
36 | acquisition services for which the board and state
37 | agencies may contract; authorizing the Department of
38 | Environmental Protection to use outside counsel to
39 | review any agreements or documents or to perform
40 | acquisition closings under certain conditions;
41 | requiring state agencies to furnish the Department of
42 | Environmental Protection rather than the Division of
43 | State Lands with specified acquisition documents;
44 | providing that the purchase price of certain parcels
45 | is not subject to an increase or decrease as a result
46 | of certain circumstances; authorizing the board of
47 | trustees to direct the Department of Environmental
48 | Protection to exercise eminent domain for the
49 | acquisition of certain conservation parcels under
50 | certain circumstances; authorizing the Department of
51 | Environmental Protection to exercise condemnation
52 | authority directly or by contracting with the

53 Department of Transportation or a water management
54 district to provide such service; authorizing the
55 board to direct the Department of Environmental
56 Protection to purchase lands on an immediate basis
57 using specified funds; authorizing the board of
58 trustees to waive or modify all procedures required
59 for such land acquisition; providing that title to
60 certain lands held jointly by the board and a water
61 management district meet the standards necessary for
62 ownership by the board; defining the term "projects"
63 for purposes of land acquisition; creating s.
64 253.0251, F.S.; providing for the use of alternatives
65 to fee simple acquisition by public land acquisition
66 agencies; amending s. 253.03, F.S.; deleting
67 provisions directing the board to adopt by rule an
68 annual administrative fee for certain leases and
69 similar instruments; revising the criteria by which
70 specified structures have the right to continue
71 submerged land leases; directing the board to adopt by
72 rule an annual administrative fee for certain leases
73 and instruments; authorizing nonwater-dependent uses
74 for submerged lands; amending s. 253.031, F.S.;
75 providing for the Department of Environmental
76 Protection to maintain documents concerning all state
77 lands; deleting an obsolete provision; amending s.
78 253.034, F.S.; authorizing the department to submit

79 | certain state-owned lands to the board for
80 | consideration; requiring that all nonconservation land
81 | use plans are managed to provide the greatest benefit
82 | to the state; deleting provisions requiring an
83 | analysis of natural or cultural resources as part of a
84 | nonconservation land use plan; specifying that certain
85 | management and short-term and long-term goals for the
86 | conservation of plant and animal species apply to
87 | conservation lands; providing conditions under which
88 | the Secretary of Environmental Protection,
89 | Commissioner of Agriculture, or executive director of
90 | the Fish and Wildlife Conservation Commission or their
91 | designees are required to submit land management plans
92 | to the board; requiring that updated land management
93 | plans identify conservation lands that are no longer
94 | needed for conservation purposes; deleting provisions
95 | directing the board to make certain determinations
96 | regarding the surplus and disposition of state lands;
97 | deleting provisions requiring that buildings and
98 | parcels of land be offered for lease to state
99 | agencies, state universities, and Florida College
100 | System institutions before being offered for lease or
101 | sale to a local or federal unit of government or a
102 | private party; amending s. 253.0341, F.S.; deleting
103 | provisions requiring that county or local government
104 | requests for the state to surplus conservation or

105 nonconservation lands be expedited; directing the
106 board to make certain determinations regarding the
107 surplus and disposition of state lands; providing that
108 lands acquired before a certain date using specified
109 proceeds are deemed to have been acquired for
110 conservation purposes; providing that certain lands
111 used by the Department of Corrections, the Department
112 of Management Services, and the Department of
113 Transportation may not be designated as lands acquired
114 for conservation purposes; requiring updated land
115 management plans to identify conservation lands that
116 are no longer needed and could be disposed of;
117 requiring the Division of State Lands to review state-
118 owned conservation lands and determine if such lands
119 are no longer needed and could be disposed of and to
120 submit a list of such lands to the Acquisition and
121 Restoration Council; requiring the council to provide
122 certain recommendations to the board regarding
123 conservation lands; requiring the division to review
124 certain nonconservation lands and make recommendations
125 to the board as to whether such lands should be
126 retained in public ownership or disposed of; deleting
127 an obsolete provision; requiring that buildings and
128 parcels of land be offered for lease to state
129 agencies, state universities, and Florida College
130 System institutions before being offered for lease or

131 sale to a local or federal unit of government or a
132 private party; providing for the valuation and
133 disposition of surplus lands; providing for the
134 deposit of proceeds from the sale of such lands;
135 authorizing the board to adopt rules; amending s.
136 253.111, F.S.; revising provisions requiring the board
137 to afford an opportunity to local governments to
138 purchase certain lands; amending s. 253.42, F.S.;
139 authorizing individuals or entities to submit requests
140 to the Division of State Lands to exchange state-owned
141 land for privately held land; requiring the state to
142 retain permanent conservation easements over the
143 state-owned land and all or a portion of the privately
144 held land; requiring the division to review requests
145 and provide recommendations to the Acquisition and
146 Restoration Council; providing applicability;
147 directing the board to consider a request if certain
148 conditions are met; providing special consideration
149 for certain requests; providing that such lands are
150 subject to inspection; amending s. 253.782, F.S.;
151 deleting a provision directing the Department of
152 Environmental Protection to retain ownership of and
153 maintain lands or interests in land owned by the
154 board; amending s. 253.7821, F.S.; assigning the Cross
155 Florida Greenways State Recreation and Conservation
156 Area to the Department of Environmental Protection

157 rather than the Office of Greenways Management within
158 the Office of the Secretary; creating s. 253.87, F.S.;
159 directing the Department of Environmental Protection
160 to include certain county, municipal, state, and
161 federal lands in the Florida State-Owned Lands and
162 Records Information System (SOLARIS) database and to
163 update the database at specified intervals; requiring
164 counties, municipalities, and financially
165 disadvantaged small communities to submit a list of
166 certain lands to the department by a specified date
167 and at specified intervals; directing the department
168 to conduct a study and submit a report to the Governor
169 and the Legislature on the technical and economic
170 feasibility of including certain lands in the database
171 or a similar public lands inventory; amending s.
172 259.01, F.S.; renaming the "Land Conservation Act of
173 1972" as the "Land Conservation Program"; repealing s.
174 259.02, F.S., relating to issuance of state bonds for
175 certain land projects; amending s. 259.03, F.S.;
176 revising the definition of the term "water resource
177 development project" to include construction of
178 treatment, transmission, and distribution facilities;
179 amending s. 259.032, F.S.; conforming cross-
180 references; revising provisions relating to the
181 management of conservation and recreation lands to
182 conform with changes made by the act; revising duties

183 of the Acquisition and Restoration Council; amending
184 s. 259.035, F.S.; requiring recipients of funds from
185 the Land Acquisition Trust Fund to annually report
186 certain performance measures to the Department of
187 Environmental Protection rather than the Division of
188 State Lands; amending s. 259.036, F.S.; revising the
189 composition of the regional land management review
190 team; providing for the Department of Environmental
191 Protection rather than the Division of State Lands to
192 act as the review team coordinator; revising
193 requirements for conservation and recreation land
194 management reviews and plans; amending s. 259.037,
195 F.S.; removing the director of the Office of Greenways
196 and Trails from the Land Management Uniform Accounting
197 Council; repealing s. 259.041, F.S., relating to the
198 acquisition of state-owned lands for preservation,
199 conservation, and recreation purposes; amending s.
200 259.047, F.S.; revising provisions relating to the
201 acquisition of land on which an agricultural lease
202 exists to conform with changes made by the act;
203 amending s. 259.101, F.S.; conforming cross-
204 references; revising provisions relating to alternate
205 use of lands acquired under the Florida Preservation
206 2000 Act to conform with changes made by the act;
207 deleting provisions for alternatives to fee simple
208 acquisition of such lands to conform with changes made

209 by the act; amending s. 259.105, F.S.; deleting
 210 provisions requiring the advancement of certain goals
 211 and objectives of imperiled species management on
 212 state lands to conform with changes made by the act;
 213 conforming cross-references; revising provisions
 214 directing the Acquisition and Restoration Council to
 215 give increased priority to certain projects when
 216 developing proposed rules relating to Florida Forever
 217 funding and additions to the Conservation and
 218 Recreation Lands list; deleting provisions requiring
 219 that such rules be submitted to the Legislature for
 220 review; amending s. 259.1052, F.S.; deleting
 221 provisions authorizing the Department of Environmental
 222 Protection to distribute revenues from the Florida
 223 Forever Trust Fund for the acquisition of a portion of
 224 Babcock Crescent B Ranch; amending ss. 73.015,
 225 125.355, 166.045, 215.82, 215.965, 253.027, 253.7824,
 226 260.015, 260.016, 369.317, 373.139, 375.031, 375.041,
 227 380.05, 380.055, 380.508, 589.07, 944.10, 957.04,
 228 985.682, and 1013.14, F.S.; conforming cross-
 229 references; providing an appropriation and authorizing
 230 positions; providing an effective date.

231

232 Be It Enacted by the Legislature of the State of Florida:

233

234 Section 1. Section 253.025, Florida Statutes, is amended

235 to read:

236 253.025 Acquisition of state lands ~~for purposes other than~~
 237 ~~preservation, conservation, and recreation.~~-

238 (1) (a) ~~Neither~~ The Board of Trustees of the Internal
 239 Improvement Trust Fund or ~~nor~~ its duly authorized agent may not
 240 ~~shall~~ commit the state, through any instrument of negotiated
 241 contract or agreement for purchase, to the purchase of lands
 242 with or without appurtenances unless ~~the provisions of this~~
 243 section has ~~have~~ been fully complied with.

244 (b) Except for the requirements of subsections (4), (11),
 245 and (22), if the public's interest is reasonably protected, the
 246 board of trustees may:

247 1. Waive any requirements of this section.

248 2. Waive any rules adopted pursuant to this section,
 249 notwithstanding chapter 120.

250 3. Substitute other reasonably prudent procedures.

251 (c) ~~However,~~ The board of trustees may also substitute
 252 federally mandated acquisition procedures for the provisions of
 253 this section if ~~when~~ federal funds are available and will be
 254 used ~~utilized~~ for the purchase of lands, title to which will
 255 vest in the board of trustees, and qualification for such
 256 federal funds requires compliance with federally mandated
 257 acquisition procedures.

258 (d) Notwithstanding ~~any provisions in this section to the~~
 259 ~~contrary,~~ if lands are being acquired by the board of trustees
 260 for the anticipated sale, conveyance, or transfer to the Federal

261 Government pursuant to a joint state and federal acquisition
262 project, the board of trustees may use appraisals obtained by
263 the Federal Government in the acquisition of such lands. The
264 board of trustees may waive any provision of this section when
265 land is being conveyed from a state agency to the board.

266 (e) The title to lands acquired pursuant to this section
267 shall vest in the board of trustees pursuant to s. 253.03(1)
268 unless otherwise provided by law, and all such titled lands
269 shall be administered pursuant to s. 253.03.

270 (2) Before ~~Prior to~~ any state agency initiates ~~initiating~~
271 any land acquisition, except for ~~as pertains to~~ the purchase of
272 property for transportation facilities and transportation
273 corridors and property for borrow pits for road building
274 purposes, the agency shall coordinate with the Division of State
275 Lands to determine the availability of existing, suitable state-
276 owned lands in the area and the public purpose for which the
277 acquisition is being proposed. If the state agency determines
278 that no suitable state-owned lands exist, the state agency may
279 proceed to acquire such lands by employing all available
280 statutory authority for acquisition.

281 (3) The board of trustees is authorized to adopt rules to
282 implement this section, including rules governing the terms and
283 conditions of land purchases. The rules shall address, with
284 specificity, but need not be limited to:

285 (a) The procedures to be followed in the acquisition
286 process, including selection of appraisers, surveyors, title

287 agents, and closing agents, and the content of appraisal
 288 reports.

289 (b) The determination of the value of parcels which the
 290 state has an interest in acquiring.

291 (c) Special requirements when multiple landowners are
 292 involved in an acquisition.

293 (d) Requirements for obtaining written option agreements
 294 so that the interests of the state are fully protected.

295 (4) An agreement to acquire real property for the purposes
 296 described in this chapter, chapter 260, or chapter 375, title to
 297 which will vest in the board of trustees, may not bind the state
 298 before the agreement is reviewed and approved by the Department
 299 of Environmental Protection as complying with this section and
 300 any rules adopted pursuant to this section. If any of the
 301 following conditions exist, the agreement shall be submitted to
 302 and approved by the board of trustees:

303 (a) The purchase price agreed to by the seller exceeds the
 304 value as established pursuant to the rules of the board of
 305 trustees;

306 (b) The contract price agreed to by the seller and the
 307 acquiring agency exceeds \$1 million;

308 (c) The acquisition is the initial purchase in a Florida
 309 Forever project; or

310 (d) Other conditions that the board of trustees may adopt
 311 by rule. Such conditions may include, but are not limited to,
 312 Florida Forever projects when title to the property being

313 acquired is considered nonmarketable or is encumbered in such a
314 way as to significantly affect its management.

315
316 If approval of the board of trustees is required pursuant to
317 this subsection, the acquiring agency must provide a
318 justification as to why it is in the public's interest to
319 acquire the parcel or Florida Forever project. Approval of the
320 board of trustees is also required for Florida Forever projects
321 the department recommends acquiring pursuant to subsections (11)
322 and (22). Review and approval of agreements for acquisitions for
323 Florida Greenways and Trails Program properties pursuant to
324 chapter 260 may be waived by the department in any contract with
325 nonprofit corporations that have agreed to assist the department
326 with this program. If the contribution of the acquiring agency
327 exceeds \$100 million in any one fiscal year, the agreement shall
328 be submitted to and approved by the Legislative Budget
329 Commission.

330 (5)~~(3)~~ Land acquisition procedures provided for in this
331 section are for voluntary, negotiated acquisitions.

332 (6)~~(4)~~ For the purposes of this section, the term
333 "negotiations" does not include preliminary contacts with the
334 property owner to determine the availability of the property,
335 existing appraisal data, existing abstracts, and surveys.

336 (7)~~(5)~~ Evidence of marketable title shall be provided by
337 the landowner before ~~prior to~~ the conveyance of title, as
338 provided in the final agreement for purchase. Such evidence of

339 marketability shall be in the form of title insurance or an
340 abstract of title with a title opinion. The board of trustees
341 may waive the requirement that the landowner provide evidence of
342 marketable title, and, in such case, the acquiring agency shall
343 provide evidence of marketable title. The board of trustees or
344 its designee may waive the requirement of evidence of
345 marketability for acquisitions of property assessed by the
346 county property appraiser at \$10,000 or less, if ~~where~~ the
347 Division of State Lands finds, based upon such review of the
348 title records as is reasonable under the circumstances, that
349 there is no apparent impediment to marketability, or to
350 management of the property by the state.

351 (8)-(6) Before approval by the board of trustees, or, when
352 applicable, the Department of Environmental Protection, of any
353 agreement to purchase land pursuant to this chapter, chapter
354 259, chapter 260, or chapter 375, and before ~~Prior to~~
355 negotiations with the parcel owner to purchase any other land
356 ~~pursuant to this section~~, title to which will vest in the board
357 of trustees, an appraisal of the parcel shall be required as
358 follows:

359 (a) The board of trustees shall adopt by rule the method
360 for determining the value of parcels sought to be acquired by
361 state agencies pursuant to this section.

362 (b)-(a) Each parcel to be acquired shall have at least one
363 appraisal. Two appraisals are required when the estimated value
364 of the parcel exceeds \$1 million. However, if both appraisals

365 exceed \$1 million and differ significantly, a third appraisal
366 may be obtained. If ~~When~~ a parcel is estimated to be worth
367 \$100,000 or less and the director of the Division of State Lands
368 finds that the cost of an outside appraisal is not justified, a
369 comparable sales analysis, an appraisal prepared by the
370 division, or other reasonably prudent procedures may be used by
371 the division to estimate the value of the parcel, provided the
372 public's interest is reasonably protected. The state is not
373 required to appraise the value of lands and appurtenances that
374 are being donated to the state.

375 (c) ~~(b)~~ Appraisal fees and associated costs shall be paid
376 by the agency proposing the acquisition. ~~The board of trustees~~
377 ~~shall approve qualified fee appraisal organizations.~~ All
378 appraisals used for the acquisition of lands pursuant to this
379 section shall be prepared by a ~~member of an approved appraisal~~
380 ~~organization or by a state-certified appraiser.~~ The board of
381 trustees shall adopt rules for selecting individuals to perform
382 appraisals pursuant to this section. Each fee appraiser selected
383 to appraise a particular parcel shall, before ~~prior to~~
384 contracting with the agency or a participant in a multiparty
385 agreement, submit to the ~~that~~ agency an affidavit substantiating
386 that he or she has no vested or fiduciary interest in such
387 parcel.

388 (d) The fee appraiser and the review appraiser for the
389 agency may not act in any manner that may be construed as
390 negotiating with the owner of a parcel proposed for acquisition.

391 (e)~~(e)~~ The board of trustees shall adopt by rule the
392 minimum criteria, techniques, and methods to be used in the
393 preparation of appraisal reports. Such rules shall incorporate,
394 to the extent practicable, generally accepted appraisal
395 standards. Any appraisal issued for acquisition of lands
396 pursuant to this section must comply with the rules adopted by
397 the board of trustees. A certified survey must be made which
398 meets the minimum requirements for upland parcels established in
399 the Minimum Technical Standards for Land Surveying in Florida
400 published by the Department of Agriculture and Consumer Services
401 ~~Business and Professional Regulation~~ and which accurately
402 portrays, to the greatest extent practicable, the condition of
403 the parcel as it currently exists. The requirement for a
404 certified survey may, in part or in whole, be waived by the
405 board of trustees any time before ~~prior to~~ submitting the
406 agreement for purchase to the Division of State Lands. When an
407 existing boundary map and description of a parcel are determined
408 by the division to be sufficient for appraisal purposes, the
409 division director may temporarily waive the requirement for a
410 survey until any time before ~~prior to~~ conveyance of title to the
411 parcel. ~~The fee appraiser and the review appraiser for the~~
412 ~~agency shall not act in any way that may be construed as~~
413 ~~negotiating with the property owner.~~

414 (f)~~(d)~~ Appraisal reports are confidential and exempt from
415 ~~the provisions of~~ s. 119.07(1), for use by the agency and the
416 board of trustees, until an option contract is executed or, if

417 no option contract is executed, until 2 weeks before a contract
 418 or agreement for purchase is considered for approval by the
 419 board of trustees. The Department of Environmental Protection
 420 may disclose appraisal reports to private landowners during
 421 negotiations for acquisitions using alternatives to fee simple
 422 techniques, if the department determines that disclosure of such
 423 reports will bring the proposed acquisition to closure. However,
 424 the private landowner must agree to maintain the confidentiality
 425 of the reports or information. However, The department ~~Division~~
 426 ~~of State Lands~~ may also disclose appraisal information to public
 427 agencies or nonprofit organizations that agree to maintain the
 428 confidentiality of the reports or information when joint
 429 acquisition of property is contemplated, or when a public agency
 430 or nonprofit organization enters into a written agreement with
 431 the department ~~division~~ to purchase and hold property for
 432 subsequent resale to the board of trustees ~~division~~. In
 433 addition, the department ~~division~~ may use, as its own,
 434 appraisals obtained by a public agency or nonprofit
 435 organization, if ~~provided~~ the appraiser is selected from the
 436 department's ~~division's~~ list of appraisers and the appraisal is
 437 reviewed and approved by the department ~~division~~. For ~~the~~
 438 purposes of this paragraph, the term "nonprofit organization"
 439 means an organization that ~~whose purpose is the preservation of~~
 440 ~~natural resources, and which~~ is exempt from federal income tax
 441 under s. 501(c)(3) of the Internal Revenue Code and, for
 442 purposes of the acquisition of conservation lands, an

443 organization whose purpose must include the preservation of
444 natural resources. The agency may release an appraisal report
445 when the passage of time has rendered the conclusions of value
446 in the report invalid or when the acquiring agency has
447 terminated negotiations.

448 (g)(e) Before ~~Prior to~~ acceptance of an appraisal, the
449 agency shall submit a copy of such report to the division ~~of~~
450 ~~State Lands~~. The division shall review such report for
451 compliance with the rules of the board ~~of trustees~~. Any
452 questions of applicability of laws affecting an appraisal shall
453 be addressed by the legal office of the agency.

454 (h)(f) The appraisal report shall be accompanied by the
455 sales history of the parcel for at least the previous ~~prior~~ 5
456 years. Such sales history shall include all parties and
457 considerations with the amount of consideration verified, if
458 possible. If a sales history would not be useful, or it is its
459 cost prohibitive compared to the value of a parcel, the sales
460 history may be waived by the board of trustees. The board of
461 trustees shall adopt a rule specifying guidelines for waiver of
462 a sales history.

463 (i)(g) The board of trustees may consider an appraisal
464 acquired by a seller, or any part thereof, in negotiating to
465 purchase a parcel, but such appraisal may not be used in lieu of
466 an appraisal required by this subsection or to determine the
467 maximum offer allowed by law.

468 (j)1. The board of trustees shall adopt by rule the method

469 for determining the value of parcels sought to be acquired by
470 state agencies pursuant to this section. An offer by a state
471 agency may not exceed the value for that parcel as determined
472 pursuant to the highest approved appraisal or the value
473 determined pursuant to the rules of the board of trustees,
474 whichever value is less.

475 2. For a joint acquisition by a state agency and a local
476 government or other entity apart from the state, the joint
477 purchase price may not exceed 150 percent of the value for a
478 parcel as determined in accordance with the limits in
479 subparagraph 1. The state agency share of a joint purchase offer
480 may not exceed what the agency may offer singly pursuant to
481 subparagraph 1.

482 3. This paragraph does not apply to the acquisition of
483 historically unique or significant property as determined by the
484 Division of Historical Resources of the Department of State.

485
486 Notwithstanding this subsection, on behalf of the board of
487 trustees and before the appraisal of parcels approved for
488 purchase under this chapter or chapter 259, the Secretary of
489 Environmental Protection or the director of the Division of
490 State Lands may enter into option contracts to buy such parcels.
491 Any such option contract shall state that the final purchase
492 price is subject to approval by the board of trustees or, if
493 applicable, the Secretary of Environmental Protection, and that
494 the final purchase price may not exceed the maximum offer

495 allowed by law. Any such option contract presented to the board
496 of trustees for final purchase price approval shall explicitly
497 state that payment of the final purchase price is subject to an
498 appropriation from the Legislature. The consideration for such
499 an option may not exceed \$1,000 or 0.01 percent of the estimate
500 by the department of the value of the parcel, whichever amount
501 is greater.

502 (9)~~(7)~~(a) When the owner is represented by an agent or
503 broker, negotiations may not be initiated or continued until a
504 written statement verifying such agent's or broker's legal or
505 fiduciary relationship with the owner is on file with the
506 agency.

507 (b) The board of trustees or any state agency may contract
508 for real estate acquisition services, including, but not limited
509 to, contracts for real estate commission fees, surveying,
510 mapping, environmental audits, title work, and legal and other
511 professional assistance to review acquisition agreements and
512 other documents and to perform acquisition closings. However,
513 the Department of Environmental Protection may use outside
514 counsel to review any agreements or documents or to perform
515 acquisition closings unless department staff can conduct the
516 same activity in 15 days or less.

517 (c) Upon the initiation of negotiations, the state agency
518 shall inform the owner in writing that all agreements for
519 purchase are subject to approval by the board of trustees.

520 (d) All offers or counteroffers shall be documented in

521 writing and shall be confidential and exempt from the provisions
522 of s. 119.07(1) until an option contract is executed, or if no
523 option contract is executed, until 2 weeks before a contract or
524 agreement for purchase is considered for approval by the board
525 of trustees. The agency shall maintain complete and accurate
526 records of all offers and counteroffers for all projects.

527 ~~(c)1. The board of trustees shall adopt by rule the method~~
528 ~~for determining the value of parcels sought to be acquired by~~
529 ~~state agencies pursuant to this section. No offer by a state~~
530 ~~agency, except an offer by an agency acquiring lands pursuant to~~
531 ~~s. 259.041, may exceed the value for that parcel as determined~~
532 ~~pursuant to the highest approved appraisal or the value~~
533 ~~determined pursuant to the rules of the board of trustees,~~
534 ~~whichever value is less.~~

535 ~~2. In the case of a joint acquisition by a state agency~~
536 ~~and a local government or other entity apart from the state, the~~
537 ~~joint purchase price may not exceed 150 percent of the value for~~
538 ~~a parcel as determined in accordance with the limits prescribed~~
539 ~~in subparagraph 1. The state agency share of a joint purchase~~
540 ~~offer may not exceed what the agency may offer singly as~~
541 ~~prescribed by subparagraph 1.~~

542 ~~3. The provisions of this paragraph do not apply to the~~
543 ~~acquisition of historically unique or significant property as~~
544 ~~determined by the Division of Historical Resources of the~~
545 ~~Department of State.~~

546 (e)(f) When making an offer to a landowner, a state agency

547 shall consider the desirability of a single cash payment in
548 relation to the maximum offer allowed by law.

549 ~~(f)-(g)~~ The state shall have the authority to reimburse the
550 owner for the cost of the survey when deemed appropriate. The
551 reimbursement is ~~shall~~ not be considered a part of the purchase
552 price.

553 ~~(g)-(h)~~ A final offer shall be in the form of an option
554 contract or agreement for purchase and shall be signed and
555 attested to by the owner and the representative of the agency.
556 Before the agency executes the option contract or agreement for
557 purchase, the contract or agreement shall be reviewed for form
558 and legality by legal staff of the agency. Before the agency
559 signs the agreement for purchase or exercises the option
560 contract, the provisions of s. 286.23 shall be complied with.
561 Within 10 days after the signing of the agreement for purchase,
562 the state agency shall furnish the Department of Environmental
563 Protection ~~Division of State Lands~~ with the original of the
564 agreement for purchase along with copies of the disclosure
565 notice, evidence of marketability, the accepted appraisal
566 report, the fee appraiser's affidavit, a statement that the
567 inventory of existing state-owned lands was examined and
568 contained no available suitable land in the area, and a
569 statement outlining the public purpose for which the acquisition
570 is being made and the statutory authority therefor.

571 ~~(h)-(i)~~ Within 45 days after ~~of~~ receipt by the Department
572 of Environmental Protection ~~Division of State Lands~~ of the

573 agreement for purchase and the required documentation, the board
574 of trustees or, if ~~when~~ the purchase price does not exceed
575 \$100,000, its designee shall ~~either~~ reject or approve the
576 agreement. An approved agreement for purchase is binding on both
577 parties. Any agreement which has been disapproved shall be
578 returned to the agency, along with a statement as to the
579 deficiencies of the agreement or the supporting documentation.
580 An agreement for purchase which has been disapproved by the
581 board of trustees may be resubmitted when such deficiencies have
582 been corrected.

583 (10)~~(8)~~ (a) A ~~No~~ dedication, gift, grant, or bequest of
584 lands and appurtenances may not be accepted by the board of
585 trustees until the receiving state agency supplies sufficient
586 evidence of marketability of title. The board of trustees may
587 not accept by dedication, gift, grant, or bequest any lands and
588 appurtenances that are determined as being owned by the state
589 ~~either~~ in fee or by virtue of the state's sovereignty or which
590 are so encumbered so as to preclude the use of such lands and
591 appurtenances for any reasonable public purpose. The board of
592 trustees may accept a dedication, gift, grant, or bequest of
593 lands and appurtenances without formal evidence of
594 marketability, or when the title is nonmarketable, if the board
595 or its designee determines that such lands and appurtenances
596 have value and are reasonably manageable by the state, and that
597 their acceptance would serve the public interest. The state is
598 not required to appraise the value of such donated lands and

599 appurtenances as a condition of receipt.

600 (b) A ~~No~~ deed filed in the public records to donate lands
 601 to the board of trustees does not ~~of the Internal Improvement~~
 602 ~~Trust Fund shall be construed to~~ transfer title to or vest title
 603 in the board of trustees unless ~~there shall also be filed in the~~
 604 ~~public records,~~ a document indicating that the board of trustees
 605 has agreed to accept the transfer of title to such donated lands
 606 is also filed in the public records.

607 (c) Notwithstanding any other provision of law, the
 608 maximum value of a parcel to be purchased by the board of
 609 trustees as determined by the highest approved appraisal or as
 610 determined pursuant to the rules of the board of trustees may
 611 not be increased or decreased as a result of a change in zoning
 612 or permitted land uses, or changes in market forces or prices
 613 that occur within 1 year after the date the Department of
 614 Environmental Protection or the board of trustees approves a
 615 contract to purchase the parcel.

616 (11) Notwithstanding this section, the board of trustees,
 617 by an affirmative vote of at least three members, voting at a
 618 regularly scheduled and advertised meeting, may direct the
 619 Department of Environmental Protection to exercise the power of
 620 eminent domain pursuant to chapters 73 and 74 to acquire any
 621 conservation parcel identified on the acquisition list
 622 established by the Acquisition and Restoration Council and
 623 approved by the board of trustees pursuant to chapter 259.
 624 However, the board of trustees may only make such a vote under

625 the following circumstances:

626 (a) The state has made at least two bona fide offers to
 627 purchase the land through negotiation and, notwithstanding those
 628 offers, an impasse between the state and the landowner was
 629 reached.

630 (b) The land is of special importance to the state because
 631 of one or more of the following reasons:

632 1. It involves an endangered or natural resource and is in
 633 imminent danger of development.

634 2. It is of unique value to the state and the failure to
 635 acquire it will result in irreparable loss to the state.

636 3. The failure of the state to acquire it will seriously
 637 impair the state's ability to manage or protect other state-
 638 owned lands.

639
 640 Pursuant to this subsection, the department may exercise
 641 condemnation authority directly or by contracting with the
 642 Department of Transportation or a water management district to
 643 provide that service. If the Department of Transportation or a
 644 water management district enters into such a contract with the
 645 department, the Department of Transportation or a water
 646 management district may use statutorily approved methods and
 647 procedures ordinarily used by the agency for condemnation
 648 purposes.

649 (12) ~~(9)~~ Any conveyance to the board of trustees of fee
 650 title shall be made by no less than a special warranty deed,

651 unless the conveyance is from the Federal Government, the county
652 government, or another state agency or, in the event of a gift
653 or donation by quitclaim deed, if the board of trustees, or its
654 designee, determines that the acceptance of such quitclaim deed
655 is in the best interest of the public. A quitclaim deed may also
656 be accepted to aid in clearing title or boundary questions. ~~The~~
657 ~~title to lands acquired pursuant to this section shall vest in~~
658 ~~the board of trustees as provided in s. 253.03(1). All such~~
659 ~~lands, title to which is vested in the board pursuant to this~~
660 ~~section, shall be administered pursuant to the provisions of s.~~
661 ~~253.03.~~

662 (13)~~(10)~~ The board of trustees may purchase tax
663 certificates or tax deeds issued in accordance with chapter 197
664 relating to property eligible for purchase under this section.

665 (14)~~(11)~~ The Auditor General shall conduct audits of
666 acquisitions and divestitures which, according to his or her
667 preliminary assessments of board-approved acquisitions and
668 divestitures, he or she deems necessary. These preliminary
669 assessments shall be initiated not later than 60 days after
670 ~~following~~ the board of trustees' final approval ~~by the board~~ of
671 land acquisitions under this section. If an audit is conducted,
672 the Auditor General shall submit an audit report to the board of
673 trustees, the President of the Senate, the Speaker of the House
674 of Representatives, and their designees.

675 (15)~~(12)~~ The board of trustees and all affected agencies
676 shall adopt and may modify or repeal such rules and regulations

677 as are necessary to carry out ~~the purposes of~~ this section,
678 including rules governing the terms and conditions of land
679 purchases. Such rules shall address the procedures to be
680 followed, when multiple landowners are involved in an
681 acquisition, in obtaining written option agreements so that the
682 interests of the state are fully protected.

683 (16)-(13)(a) The board of trustees ~~of the Internal~~
684 ~~Improvement Trust Fund~~ may deed property to the Department of
685 Agriculture and Consumer Services, so that the Department of
686 Agriculture and Consumer Services is department shall be able to
687 sell, convey, transfer, exchange, trade, or purchase land on
688 which a forestry facility resides for money or other more
689 suitable property on which to relocate the facility. Any sale or
690 purchase of property by the Department of Agriculture and
691 Consumer Services shall follow the requirements of subsections
692 (7)-(10) and (12) (5)-(9). Any sale shall be at fair market
693 value, and any trade shall ensure that the state is getting at
694 least an equal value for the property. Except as provided in
695 subsections (7)-(10) and (12) (5)-(9), the Department of
696 Agriculture and Consumer Services is excluded from following the
697 provisions of this chapter and chapters 259 and 375. This
698 exclusion does shall not apply to lands acquired for
699 conservation purposes in accordance with s. 253.0341(1) or (2)
700 253.034(6) (a) or (b).

701 (b) In the case of a sale by the Department of Agriculture
702 and Consumer Services of a forestry facility, the proceeds of

703 the sale shall be deposited ~~go~~ into the Department of
 704 Agriculture and Consumer Services Incidental Trust Fund. The
 705 Legislature may, at the request of the Department of Agriculture
 706 and Consumer Services ~~department~~, appropriate such money within
 707 the trust fund to the Department of Agriculture and Consumer
 708 Services ~~department~~ for purchase of land and construction of a
 709 facility to replace the disposed facility. All proceeds other
 710 than land from any sale, conveyance, exchange, trade, or
 711 transfer conducted pursuant to ~~as provided for in~~ this
 712 subsection shall be deposited into ~~placed within~~ the Department
 713 of Agriculture and Consumer Services ~~department's~~ Incidental
 714 Trust Fund.

715 (c) Additional funds may be added from time to time by the
 716 Legislature to further the relocation and construction of
 717 forestry facilities. If ~~In the instance where~~ an equal trade of
 718 land occurs, money from the trust fund may be appropriated for
 719 building construction even though no money was received from the
 720 trade.

721 ~~(17)-(14)~~ (17) Any agency that acquires land on behalf of the
 722 board of trustees is authorized to request disbursement of
 723 payments for real estate closings in accordance with a written
 724 authorization from an ultimate beneficiary to allow a third
 725 party authorized by law to receive such payment provided the
 726 Chief Financial Officer determines that such disbursement is
 727 consistent with good business practices and can be completed in
 728 a manner minimizing costs and risks to the state.

729 ~~(18)(15)~~ Pursuant to s. 944.10, the Department of
730 Corrections is responsible for obtaining appraisals and entering
731 into option agreements and agreements for the purchase of state
732 correctional facility sites. An option agreement or agreement
733 for purchase is not binding upon the state until it is approved
734 by the board of trustees ~~of the Internal Improvement Trust Fund~~.
735 The provisions of paragraphs (8) (c), (e), and (f) and (9) (b),
736 (c), and (d) ~~(6) (b), (c), and (d) and (7) (b), (c), and (d)~~ apply
737 to all appraisals, offers, and counteroffers of the Department
738 of Corrections for state correctional facility sites.

739 ~~(19)(16)~~ Many parcels of land acquired pursuant to this
740 section may contain cattle-dipping vats as defined in s.
741 376.301. The state is encouraged to continue with the
742 acquisition of such lands, including any the cattle-dipping vats
743 ~~vat~~.

744 ~~(20)(17)~~ Pursuant to s. 985.682, the Department of
745 Juvenile Justice is responsible for obtaining appraisals and
746 entering into option agreements and agreements for the purchase
747 of state juvenile justice facility sites. An option agreement or
748 agreement for purchase is not binding upon the state until it is
749 approved by the board of trustees ~~of the Internal Improvement~~
750 ~~Trust Fund~~. The provisions of paragraphs (8) (c), (e), and (f)
751 and (9) (b), (c), and (d) ~~(6) (b), (c), and (d) and (7) (b), (c),~~
752 ~~and (d)~~ apply to all appraisals, offers, and counteroffers of
753 the Department of Juvenile Justice for state juvenile justice
754 facility sites.

755 (21)~~(18)~~ The board of trustees may acquire, pursuant to s.
756 288.980(2)(b), nonconservation lands from the annual list
757 submitted by the Department of Economic Opportunity for the
758 purpose of buffering a military installation against
759 encroachment.

760 (22) The board of trustees, by an affirmative vote of at
761 least three members, may direct the department to purchase lands
762 on an immediate basis using up to 15 percent of the funds
763 allocated to the department pursuant to s. 259.105 for the
764 acquisition of lands that:

765 (a) Are listed or placed at auction by the Federal
766 Government as part of the Resolution Trust Corporation sale of
767 lands from failed savings and loan associations;

768 (b) Are listed or placed at auction by the Federal
769 Government as part of the Federal Deposit Insurance Corporation
770 sale of lands from failed banks; or

771 (c) Will be developed or otherwise lost to potential
772 public ownership, or for which federal matching funds will be
773 lost, by the time the land can be purchased under the program
774 within which the land is listed for acquisition.

775
776 For such acquisitions, the board of trustees may waive or modify
777 all procedures required for land acquisition pursuant to this
778 chapter and all competitive bid procedures required pursuant to
779 chapters 255 and 287. Lands acquired pursuant to this subsection
780 must, at the time of purchase, be on one of the acquisition

781 lists established pursuant to chapter 259, or be essential for
782 water resource development, protection, or restoration, or a
783 significant portion of the lands must contain natural
784 communities or plant or animal species that are listed by the
785 Florida Natural Areas Inventory as critically imperiled,
786 imperiled, or rare, or as excellent quality occurrences of
787 natural communities.

788 (23) Title to lands to be held jointly by the board of
789 trustees and a water management district and acquired pursuant
790 to s. 373.139 may be deemed to meet the standards necessary for
791 ownership by the board of trustees, notwithstanding this section
792 or related rules.

793 (24) For purposes of this section, the term "projects"
794 means those Florida Forever projects selected pursuant to
795 chapter 259.

796 Section 2. Section 253.0251, Florida Statutes, is created
797 to read:

798 253.0251 Alternatives to fee simple acquisition.—

799 (1) The Legislature finds that:

800 (a) With the increasing pressures on the natural areas of
801 this state and on open space suitable for recreational use, the
802 state must develop creative techniques to maximize the use of
803 acquisition and management funds.

804 (b) The state's conservation and recreational land
805 acquisition agencies should be encouraged to augment their
806 traditional, fee simple acquisition programs with the use of

807 alternatives to fee simple acquisition techniques. In addition,
808 the Legislature finds that generations of private landowners
809 have been good stewards of their land, protecting or restoring
810 native habitats and ecosystems to the benefit of the natural
811 resources of this state, its heritage, and its citizens. The
812 Legislature also finds that using alternatives to fee simple
813 acquisition by public land acquisition agencies will achieve the
814 following public policy goals:

815 1. Allow more lands to be brought under public protection
816 for preservation, conservation, and recreational purposes with
817 less expenditure of public funds.

818 2. Retain, on local government tax rolls, some portion of
819 or interest in lands which are under public protection.

820 3. Reduce long-term management costs by allowing private
821 property owners to continue acting as stewards of their land,
822 when appropriate.

823

824 Therefore, it is the intent of the Legislature that public land
825 acquisition agencies develop programs to pursue alternatives to
826 fee simple acquisition and to educate private landowners about
827 such alternatives and the benefits of such alternatives. It is
828 also the intent of the Legislature that a portion of the shares
829 of Florida Forever bond proceeds be used to purchase eligible
830 properties using alternatives to fee simple acquisition.

831 (2) All applications for alternatives to fee simple
832 acquisition projects shall identify, within their acquisition

833 plans, projects that require a full fee simple interest to
834 achieve the public policy goals, together with the reasons full
835 title is determined to be necessary. The state agencies and the
836 water management districts may use alternatives to fee simple
837 acquisition to bring the remaining projects in their acquisition
838 plans under public protection. For purposes of this section, the
839 phrase "alternatives to fee simple acquisition" includes, but is
840 not limited to, purchase of development rights; obtaining
841 conservation easements; obtaining flowage easements; purchase of
842 timber rights, mineral rights, or hunting rights; purchase of
843 agricultural interests or silvicultural interests; fee simple
844 acquisitions with reservations; creating life estates; or any
845 other acquisition technique that achieves the public policy
846 goals listed in subsection (1). It is presumed that a private
847 landowner retains the full range of uses for all the rights or
848 interests in the landowner's land which are not specifically
849 acquired by the public agency. The lands upon which hunting
850 rights are specifically acquired pursuant to this section shall
851 be available for hunting in accordance with the management plan
852 or hunting regulations adopted by the Fish and Wildlife
853 Conservation Commission, unless the hunting rights are purchased
854 specifically to protect activities on adjacent lands.

855 (3) When developing the acquisition plan pursuant to s.
856 259.105, the Acquisition and Restoration Council may give
857 preference to those less than fee simple acquisitions that
858 provide any public access. However, the Legislature recognizes

859 that public access is not always appropriate for certain less
860 than fee simple acquisitions. Therefore, any proposed less than
861 fee simple acquisition may not be rejected simply because public
862 access would be limited.

863 (4) The Department of Environmental Protection and each
864 water management district shall implement initiatives to use
865 alternatives to fee simple acquisition and to educate private
866 landowners about such alternatives. The department and the water
867 management districts may enter into joint acquisition agreements
868 to jointly fund the purchase of lands using alternatives to fee
869 simple techniques.

870 (5) The Legislature finds that the lack of direct sales
871 comparison information has served as an impediment to successful
872 implementation of alternatives to fee simple acquisition. It is
873 the intent of the Legislature that, in the absence of direct
874 comparable sales information, appraisals of alternatives to fee
875 simple acquisitions be based on the difference between the full
876 fee simple valuation and the value of the interests remaining
877 with the seller after acquisition.

878 (6) The public agency that has been assigned management
879 responsibility shall inspect and monitor any less than fee
880 simple interest according to the terms of the purchase agreement
881 relating to such interest.

882 Section 3. Subsection (2), paragraph (c) of subsection
883 (7), and subsections (11) and (15) of section 253.03, Florida
884 Statutes, are amended to read:

885 253.03 Board of trustees to administer state lands; lands
886 enumerated.—

887 (2) It is the intent of the Legislature that the board of
888 trustees ~~of the Internal Improvement Trust Fund~~ continue to
889 receive proceeds from the sale or disposition of the products of
890 lands and the sale of lands of which the use and possession are
891 not subsequently transferred by appropriate lease or similar
892 instrument from the board of trustees to the proper using
893 agency. Such using agency shall be entitled to the proceeds from
894 the sale of products on, under, growing out of, or connected
895 with lands which such using agency holds under lease or similar
896 instrument from the board of trustees. The board of trustees ~~of~~
897 ~~the Internal Improvement Trust Fund~~ is directed and authorized
898 to enter into leases or similar instruments for the use,
899 benefit, and possession of public lands by agencies which may
900 properly use and possess them for the benefit of the state. ~~The~~
901 ~~board of trustees shall adopt by rule an annual administrative~~
902 ~~fee for all existing and future leases or similar instruments,~~
903 ~~to be charged agencies that are leasing land from it. This~~
904 ~~annual administrative fee assessed for all leases or similar~~
905 ~~instruments is to compensate the board for costs incurred in the~~
906 ~~administration and management of such leases or similar~~
907 ~~instruments.~~

908 (7)

909 (c) Structures which are listed in or are eligible for the
910 National Register of Historic Places or the State Inventory of

911 Historic Places which are over the waters of the state ~~of~~
 912 ~~Florida~~ and which have a submerged land lease, or have been
 913 grandfathered-in to use sovereignty submerged lands until
 914 January 1, 1998, pursuant to former rule 18-21.00405, Florida
 915 Administrative Code, as it existed in rule on March 15, 1990,
 916 shall have the right to continue such submerged land leases,
 917 regardless of the fact that the present landholder is not an
 918 adjacent riparian landowner, so long as the lessee maintains the
 919 structure in a good state of repair consistent with the
 920 guidelines for listing. If the structure is damaged or
 921 destroyed, the lessee may ~~shall be allowed to~~ reconstruct, so
 922 long as the reconstruction is consistent with the integrity of
 923 the listed structure and does not increase the footprint of the
 924 structure. If a listed structure ~~so-listed~~ falls into disrepair
 925 and the lessee is not willing to repair and maintain it
 926 consistent with its listing, the state may cancel the submerged
 927 lease and ~~either~~ repair and maintain the property or require
 928 that the structure be removed from sovereignty submerged lands.

929 (11) The board of trustees ~~of the Internal Improvement~~
 930 ~~Trust Fund~~ may adopt rules to provide for the assessment and
 931 collection of reasonable fees, commensurate with the actual cost
 932 to the board, for disclaimers, easements, exchanges, gifts,
 933 leases, releases, or sales of any interest in lands or any
 934 applications therefor and for reproduction of documents. All
 935 revenues received from the application fees charged by a water
 936 management district to process applications that include a

937 request to use state lands are to be retained by the water
938 management district. The board of trustees shall adopt by rule
939 an annual administrative fee for all existing and future leases
940 or similar instruments to be charged to agencies that are
941 leasing land from the board of trustees. This annual
942 administrative fee assessed for all leases or similar
943 instruments is to compensate the board of trustees for costs
944 incurred in the administration and management of such leases or
945 similar instruments.

946 (15) The board of trustees ~~of the Internal Improvement~~
947 ~~Trust Fund~~ shall encourage the use of sovereign submerged lands
948 for public access and water-dependent uses which may include
949 related minimal secondary nonwater-dependent uses and public
950 access.

951 Section 4. Subsections (8) and (9) of section 253.031,
952 Florida Statutes, are renumbered as subsections (7) and (8),
953 respectively, and present subsections (2) and (7) of that
954 section are amended, to read:

955 253.031 Land office; custody of documents concerning land;
956 moneys; plats.—

957 (2) The board ~~of trustees of the Internal Improvement~~
958 ~~Trust Fund~~ shall have custody of, and the department shall
959 maintain, all the records, surveys, plats, maps, field notes,
960 and patents and all other evidence touching the title and
961 description of the public domain.

962 ~~(7) The board shall receive all of the tract books, plats,~~

963 ~~and such records and papers heretofore kept in the United States~~
 964 ~~Land Office at Gainesville, Alachua County, as may be~~
 965 ~~surrendered by the Secretary of the Interior; and the board~~
 966 ~~shall carefully and safely keep and preserve all of said tract~~
 967 ~~books, plats, records, and papers as part of the public records~~
 968 ~~of its office, and at any time allow any duly accredited~~
 969 ~~authority of the United States, full and free access to any and~~
 970 ~~all of such tract books, plats, records, and papers, and shall~~
 971 ~~furnish any duly accredited authority of the United States with~~
 972 ~~copies of any such records without charge.~~

973 Section 5. Section 253.034, Florida Statutes, is amended
 974 to read:

975 253.034 State-owned lands; uses.—

976 (1) All lands acquired pursuant to chapter 259 shall be
 977 managed to serve the public interest by protecting and
 978 conserving land, air, water, and the state's natural resources,
 979 which contribute to the public health, welfare, and economy of
 980 the state. These lands shall be managed to provide for areas of
 981 natural resource based recreation, and to ensure the survival of
 982 plant and animal species and the conservation of finite and
 983 renewable natural resources. The state's lands and natural
 984 resources shall be managed using a stewardship ethic that
 985 assures these resources will be available for the benefit and
 986 enjoyment of all people of the state, both present and future.
 987 It is the intent of the Legislature that, where feasible and
 988 consistent with the goals of protection and conservation of

989 natural resources associated with lands held in the public trust
990 by the Board of Trustees of the Internal Improvement Trust Fund,
991 public land not designated for single-use purposes pursuant to
992 paragraph (2)(b) be managed for multiple-use purposes. All
993 multiple-use land management strategies shall address public
994 access and enjoyment, resource conservation and protection,
995 ecosystem maintenance and protection, and protection of
996 threatened and endangered species, and the degree to which
997 public-private partnerships or endowments may allow the entity
998 with management responsibility to enhance its ability to manage
999 these lands. The Acquisition and Restoration Council ~~created in~~
1000 ~~s. 259.035~~ shall recommend rules to the board of trustees, and
1001 the board of trustees shall adopt rules necessary to carry out
1002 the purposes of this section.

1003 (2) As used in this section, the term ~~following phrases~~
1004 ~~have the following meanings:~~

1005 (a) "Multiple use" means the harmonious and coordinated
1006 management of timber, recreation, conservation of fish and
1007 wildlife, forage, archaeological and historic sites, habitat and
1008 other biological resources, or water resources so that they are
1009 used ~~utilized~~ in the combination that will best serve the people
1010 of the state, making the most judicious use of the land for some
1011 or all of these resources and giving consideration to the
1012 relative values of the various resources. Where necessary and
1013 appropriate for all state-owned lands that are larger than 1,000
1014 acres in project size and are managed for multiple uses, buffers

1015 | may be formed around any areas that require special protection
1016 | or have special management needs. Such buffers may ~~shall~~ not
1017 | exceed more than one-half of the total acreage. Multiple uses
1018 | within a buffer area may be restricted to provide the necessary
1019 | buffering effect desired. Multiple use in this context includes
1020 | both uses of land or resources by more than one management
1021 | entity, which may include private sector land managers. In any
1022 | case, lands identified as multiple-use lands in the land
1023 | management plan shall be managed to enhance and conserve the
1024 | lands and resources for the enjoyment of the people of the
1025 | state.

1026 | (b) "Single use" means management for one particular
1027 | purpose to the exclusion of all other purposes, except that the
1028 | using entity shall have the option of including in its
1029 | management program compatible secondary purposes which will not
1030 | detract from or interfere with the primary management purpose.
1031 | Such single uses may include, but are not necessarily restricted
1032 | to, the use of agricultural lands for production of food and
1033 | livestock, the use of improved sites and grounds for
1034 | institutional purposes, and the use of lands for parks,
1035 | preserves, wildlife management, archaeological or historic
1036 | sites, or wilderness areas where the maintenance of essentially
1037 | natural conditions is important. All submerged lands shall be
1038 | considered single-use lands and shall be managed primarily for
1039 | the maintenance of essentially natural conditions, the
1040 | propagation of fish and wildlife, and public recreation,

1041 including hunting and fishing where deemed appropriate by the
1042 managing entity.

1043 (c) "Conservation lands" means lands that are currently
1044 managed for conservation, outdoor resource-based recreation, or
1045 archaeological or historic preservation, except those lands that
1046 were acquired solely to facilitate the acquisition of other
1047 conservation lands. Lands acquired for uses other than
1048 conservation, outdoor resource-based recreation, or
1049 archaeological or historic preservation may ~~shall~~ not be
1050 designated conservation lands except as otherwise authorized
1051 under this section. These lands shall include, but not be
1052 limited to, the following: correction and detention facilities,
1053 military installations and facilities, state office buildings,
1054 maintenance yards, state university or Florida College System
1055 institution campuses, agricultural field stations or offices,
1056 tower sites, law enforcement and license facilities,
1057 laboratories, hospitals, clinics, and other sites that do not
1058 possess ~~ne~~ significant natural or historical resources. However,
1059 lands acquired solely to facilitate the acquisition of other
1060 conservation lands, and for which the land management plan has
1061 not yet been completed or updated, may be evaluated by the Board
1062 of Trustees of the Internal Improvement Trust Fund on a case-by-
1063 case basis to determine if they will be designated conservation
1064 lands.

1065 (d) "Public access," as used in this chapter and chapter
1066 259, means access by the general public to state lands and

1067 water, including vessel access made possible by boat ramps,
 1068 docks, and associated support facilities, where compatible with
 1069 conservation and recreation objectives.

1070
 1071 Lands acquired by the state as a gift, through donation, or by
 1072 any other conveyance for which no consideration was paid, and
 1073 which are not managed for conservation, outdoor resource-based
 1074 recreation, or archaeological or historic preservation under a
 1075 land management plan approved by the board of trustees are not
 1076 conservation lands.

1077 (3) Recognizing that recreational trails purchased with
 1078 rails-to-trails funds pursuant to former s. 259.101(3)(g),
 1079 Florida Statutes 2014, or s. 259.105(3)(h) have had historic
 1080 transportation uses and that their linear character may extend
 1081 many miles, the Legislature intends that if the necessity arises
 1082 to serve public needs, after balancing the need to protect trail
 1083 users from collisions with automobiles and a preference for the
 1084 use of overpasses and underpasses to the greatest extent
 1085 feasible and practical, transportation uses shall be allowed to
 1086 cross recreational trails purchased pursuant to former s.
 1087 259.101(3)(g), Florida Statutes 2014, or s. 259.105(3)(h). When
 1088 these crossings are needed, the location and design should
 1089 consider and mitigate the impact on humans and environmental
 1090 resources, and the value of the land shall be paid based on fair
 1091 market value.

1092 (4) A ~~No~~ management agreement, lease, or other instrument

1093 authorizing the use of lands owned by the board of trustees may
1094 not ~~of the Internal Improvement Trust Fund shall~~ be executed for
1095 a period greater than is necessary to provide for the reasonable
1096 use of the land for the existing or planned life cycle or
1097 amortization of the improvements, except that an easement in
1098 perpetuity may be granted by the board of trustees ~~of the~~
1099 ~~Internal Improvement Trust Fund~~ if the improvement is a
1100 transportation facility. If an entity managing or leasing state-
1101 owned lands from the board of trustees does not meet the short-
1102 term goals under paragraph (5) (b) for conservation lands or
1103 under paragraph (5) (i) for nonconservation lands, the Department
1104 of Environmental Protection may submit the lands to the board of
1105 trustees to consider whether to require the managing or leasing
1106 entity to release its interest in the lands and to consider
1107 whether to surplus the lands. If the state-owned land is
1108 determined to be surplus, the board of trustees may require an
1109 entity to release its interest in the lands. An entity managing
1110 or leasing state-owned lands from the board of trustees may not
1111 sublease such lands without prior review by the Division of
1112 State Lands and, for conservation lands, by the Acquisition and
1113 Restoration Council ~~created in s. 259.035~~. All management
1114 agreements, leases, or other instruments authorizing the use of
1115 lands owned by the board of trustees shall be reviewed for
1116 approval by the board of trustees or its designee. The council
1117 is not required to review subleases of parcels which are less
1118 than 160 acres in size.

1119 (5) Each manager of conservation lands shall submit to the
1120 Division of State Lands a land management plan at least every 10
1121 years in a form and manner adopted ~~prescribed~~ by rule of ~~by~~ the
1122 board of trustees and in accordance with ~~the provisions of~~ s.
1123 259.032. Each manager of conservation lands shall also update a
1124 land management plan whenever the manager proposes to add new
1125 facilities or make substantive land use or management changes
1126 that were not addressed in the approved plan, or within 1 year
1127 after ~~of~~ the addition of significant new lands. Each manager of
1128 nonconservation lands shall submit to the Division of State
1129 Lands a land use plan at least every 10 years in a form and
1130 manner adopted ~~prescribed~~ by rule of ~~by~~ the board of trustees.
1131 The division shall review each plan for compliance with the
1132 requirements of this subsection and the requirements of the
1133 rules adopted ~~established~~ by the board of trustees pursuant to
1134 this section. All nonconservation land use plans, whether for
1135 single-use or multiple-use properties, shall be managed to
1136 provide the greatest benefit to the state ~~include an analysis of~~
1137 ~~the property to determine if any significant natural or cultural~~
1138 ~~resources are located on the property. Such resources include~~
1139 ~~archaeological and historic sites, state and federally listed~~
1140 ~~plant and animal species, and imperiled natural communities and~~
1141 ~~unique natural features. If such resources occur on the~~
1142 ~~property, the manager shall consult with the Division of State~~
1143 ~~Lands and other appropriate agencies to develop management~~
1144 ~~strategies to protect such resources. Land use plans shall also~~

1145 ~~provide for the control of invasive nonnative plants and~~
1146 ~~conservation of soil and water resources, including a~~
1147 ~~description of how the manager plans to control and prevent soil~~
1148 ~~erosion and soil or water contamination. Land use plans~~
1149 ~~submitted by a manager shall include reference to appropriate~~
1150 ~~statutory authority for such use or uses and shall conform to~~
1151 ~~the appropriate policies and guidelines of the state land~~
1152 ~~management plan.~~ Plans for managed areas larger than 1,000 acres
1153 shall contain an analysis of the multiple-use potential of the
1154 property, ~~which includes analysis shall include~~ the potential of
1155 the property to generate revenues to enhance the management of
1156 the property. In addition ~~Additionally~~, the plan shall contain
1157 an analysis of the potential use of private land managers to
1158 facilitate the restoration or management of these lands. If ~~If~~
1159 ~~those cases where~~ a newly acquired property has a valid
1160 conservation plan that was developed by a soil and conservation
1161 district, such plan shall be used to guide management of the
1162 property until a formal land use plan is completed.

1163 (a) State conservation lands shall be managed to ensure
1164 the conservation of the state's plant and animal species and to
1165 ensure the accessibility of state lands for the benefit and
1166 enjoyment of all people of the state, both present and future.
1167 Each land management plan for state conservation lands shall
1168 provide a desired outcome, describe both short-term and long-
1169 term management goals, and include measurable objectives to
1170 achieve those goals. Short-term goals shall be achievable within

1171 a 2-year planning period, and long-term goals shall be
 1172 achievable within a 10-year planning period. These short-term
 1173 and long-term management goals shall be the basis for all
 1174 subsequent land management activities.

1175 (b) Short-term and long-term management goals for state
 1176 conservation lands shall include measurable objectives for the
 1177 following, as appropriate:

- 1178 1. Habitat restoration and improvement.
- 1179 2. Public access and recreational opportunities.
- 1180 3. Hydrological preservation and restoration.
- 1181 4. Sustainable forest management.
- 1182 5. Exotic and invasive species maintenance and control.
- 1183 6. Capital facilities and infrastructure.
- 1184 7. Cultural and historical resources.
- 1185 8. Imperiled species habitat maintenance, enhancement,
 1186 restoration, or population restoration.

1187 (c) The land management plan shall, at a minimum, contain
 1188 the following elements:

- 1189 1. A physical description of the land.
- 1190 2. A quantitative data description of the land which
 1191 includes an inventory of forest and other natural resources;
 1192 exotic and invasive plants; hydrological features;
 1193 infrastructure, including recreational facilities; and other
 1194 significant land, cultural, or historical features. The
 1195 inventory shall reflect the number of acres for each resource
 1196 and feature, when appropriate. The inventory shall be of such

1197 detail that objective measures and benchmarks can be established
1198 for each tract of land and monitored during the lifetime of the
1199 plan. All quantitative data collected shall be aggregated,
1200 standardized, collected, and presented in an electronic format
1201 to allow for uniform management reporting and analysis. The
1202 information collected by the Department of Environmental
1203 Protection pursuant to s. 253.0325(2) shall be available to the
1204 land manager and his or her assignee.

1205 3. A detailed description of each short-term and long-term
1206 land management goal, the associated measurable objectives, and
1207 the related activities that are to be performed to meet the land
1208 management objectives. Each land management objective must be
1209 addressed by the land management plan, and if ~~where~~ practicable,
1210 a ~~ne~~ land management objective may not ~~shall~~ be performed to the
1211 detriment of the other land management objectives.

1212 4. A schedule of land management activities which contains
1213 short-term and long-term land management goals and the related
1214 measurable objective and activities. The schedule shall include
1215 for each activity a timeline for completion, quantitative
1216 measures, and detailed expense and manpower budgets. The
1217 schedule shall provide a management tool that facilitates
1218 development of performance measures.

1219 5. A summary budget for the scheduled land management
1220 activities of the land management plan. For state lands
1221 containing or anticipated to contain imperiled species habitat,
1222 the summary budget shall include any fees anticipated from

1223 public or private entities for projects to offset adverse
1224 impacts to imperiled species or such habitat, which fees shall
1225 be used solely to restore, manage, enhance, repopulate, or
1226 acquire imperiled species habitat. The summary budget shall be
1227 prepared in such manner that it facilitates computing an
1228 aggregate of land management costs for all state-managed lands
1229 using the categories described in s. 259.037(3).

1230 (d) Upon completion, the land management plan must ~~will~~ be
1231 transmitted to the Acquisition and Restoration Council for
1232 review. The ~~Acquisition and Restoration~~ council shall have 90
1233 days after receipt of the plan to review the plan and submit its
1234 recommendations to the board of trustees. During the review
1235 period, the land management plan may be revised if agreed to by
1236 the primary land manager and the ~~Acquisition and Restoration~~
1237 council taking into consideration public input. ~~If the~~
1238 ~~Acquisition and Restoration Council fails to make a~~
1239 ~~recommendation for a land management plan, the secretary of the~~
1240 ~~Department of Environmental Protection, Commissioner of~~
1241 ~~Agriculture, or Executive Director of the Fish and Wildlife~~
1242 ~~Conservation Commission or their designees shall submit the land~~
1243 ~~management plan to the board of trustees.~~ The land management
1244 plan becomes effective upon approval by the board of trustees.

1245 (e) Land management plans are to be updated every 10 years
1246 on a rotating basis. Each updated land management plan must
1247 identify conservation lands under the plan, in part or in whole,
1248 that are no longer needed for conservation purposes and could be

1249 disposed of in fee simple or with the state retaining a
 1250 permanent conservation easement.

1251 (f) In developing land management plans, at least one
 1252 public hearing shall be held in any one affected county.

1253 (g) The Division of State Lands shall make available to
 1254 the public an electronic copy of each land management plan for
 1255 parcels that exceed 160 acres in size. The ~~division of State~~
 1256 ~~Lands~~ shall review each plan for compliance with the
 1257 requirements of this subsection, the requirements of chapter
 1258 259, and the requirements of the rules adopted ~~established~~ by
 1259 the board of trustees pursuant to this section. The Acquisition
 1260 and Restoration Council shall also consider the propriety of the
 1261 recommendations of the managing entity with regard to the future
 1262 use of the property, the protection of fragile or nonrenewable
 1263 resources, the potential for alternative or multiple uses not
 1264 recognized by the managing entity, and the possibility of
 1265 disposal of the property by the board of trustees. After its
 1266 review, the council shall submit the plan, along with its
 1267 recommendations and comments, to the board of trustees. The
 1268 council shall specifically recommend to the board of trustees
 1269 whether to approve the plan as submitted, approve the plan with
 1270 modifications, or reject the plan. If the ~~Acquisition and~~
 1271 ~~Restoration~~ council fails to make a recommendation for a land
 1272 management plan, the Secretary ~~of the Department of~~
 1273 Environmental Protection, Commissioner of Agriculture, or
 1274 executive director of the Fish and Wildlife Conservation

1275 Commission or their designees shall submit the land management
 1276 plan to the board of trustees.

1277 (h) The board of trustees ~~of the Internal Improvement~~
 1278 ~~Trust Fund~~ shall consider the land management plan submitted by
 1279 each entity and the recommendations of the Acquisition and
 1280 Restoration Council and the Division of State Lands and shall
 1281 approve the plan with or without modification or reject such
 1282 plan. The use or possession of any such lands that is not in
 1283 accordance with an approved land management plan is subject to
 1284 termination by the board of trustees.

1285 (i)1. State nonconservation lands shall be managed to
 1286 provide the greatest benefit to the state. Each land use plan
 1287 shall, at a minimum, contain the following elements:

1288 a. A physical description of the land to include any
 1289 significant natural or cultural resources as well as management
 1290 strategies developed by the land manager to protect such
 1291 resources.

1292 b. A desired development outcome.

1293 c. A schedule for achieving the desired development
 1294 outcome.

1295 d. A description of both short-term and long-term
 1296 development goals.

1297 e. A management and control plan for invasive nonnative
 1298 plants.

1299 f. A management and control plan for soil erosion and soil
 1300 and water contamination.

1301 g. Measureable objectives to achieve the goals identified
 1302 in the land use plan.

1303 2. Short-term goals shall be achievable within a 5-year
 1304 planning period and long-term goals shall be achievable within a
 1305 10-year planning period.

1306 3. The use or possession of any such lands that is not in
 1307 accordance with an approved land use plan is subject to
 1308 termination by the board of trustees.

1309 4. Land use plans submitted by a manager shall include
 1310 reference to appropriate statutory authority for such use or
 1311 uses and shall conform to the appropriate policies and
 1312 guidelines of the state land management plan.

1313 ~~(6) The Board of Trustees of the Internal Improvement~~
 1314 ~~Trust Fund shall determine which lands, the title to which is~~
 1315 ~~vested in the board, may be surplused. For conservation lands,~~
 1316 ~~the board shall determine whether the lands are no longer needed~~
 1317 ~~for conservation purposes and may dispose of them by an~~
 1318 ~~affirmative vote of at least three members. In the case of a~~
 1319 ~~land exchange involving the disposition of conservation lands,~~
 1320 ~~the board must determine by an affirmative vote of at least~~
 1321 ~~three members that the exchange will result in a net positive~~
 1322 ~~conservation benefit. For all other lands, the board shall~~
 1323 ~~determine whether the lands are no longer needed and may dispose~~
 1324 ~~of them by an affirmative vote of at least three members.~~

1325 ~~(a) For the purposes of this subsection, all lands~~
 1326 ~~acquired by the state before July 1, 1999, using proceeds from~~

1327 ~~Preservation 2000 bonds, the former Conservation and Recreation~~
1328 ~~Lands Trust Fund, the former Water Management Lands Trust Fund,~~
1329 ~~Environmentally Endangered Lands Program, and the Save Our Coast~~
1330 ~~Program and titled to the board which are identified as core~~
1331 ~~parcels or within original project boundaries are deemed to have~~
1332 ~~been acquired for conservation purposes.~~

1333 ~~(b) For any lands purchased by the state on or after July~~
1334 ~~1, 1999, before acquisition, the board must determine which~~
1335 ~~parcels must be designated as having been acquired for~~
1336 ~~conservation purposes. Lands acquired for use by the Department~~
1337 ~~of Corrections, the Department of Management Services for use as~~
1338 ~~state offices, the Department of Transportation, except those~~
1339 ~~specifically managed for conservation or recreation purposes, or~~
1340 ~~the State University System or the Florida College System may~~
1341 ~~not be designated as having been purchased for conservation~~
1342 ~~purposes.~~

1343 ~~(c) At least every 10 years, as a component of each land~~
1344 ~~management plan or land use plan and in a form and manner~~
1345 ~~prescribed by rule by the board, each manager shall evaluate and~~
1346 ~~indicate to the board those lands that are not being used for~~
1347 ~~the purpose for which they were originally leased. For~~
1348 ~~conservation lands, the council shall review and recommend to~~
1349 ~~the board whether such lands should be retained in public~~
1350 ~~ownership or disposed of by the board. For nonconservation~~
1351 ~~lands, the division shall review such lands and recommend to the~~
1352 ~~board whether such lands should be retained in public ownership~~

1353 ~~or disposed of by the board.~~

1354 ~~(d) Lands owned by the board which are not actively~~
1355 ~~managed by any state agency or for which a land management plan~~
1356 ~~has not been completed pursuant to subsection (5) must be~~
1357 ~~reviewed by the council or its successor for its recommendation~~
1358 ~~as to whether such lands should be disposed of by the board.~~

1359 ~~(e) Before any decision by the board to surplus lands, the~~
1360 ~~Acquisition and Restoration Council shall review and make~~
1361 ~~recommendations to the board concerning the request for~~
1362 ~~surplusing. The council shall determine whether the request for~~
1363 ~~surplusing is compatible with the resource values of and~~
1364 ~~management objectives for such lands.~~

1365 ~~(f) In reviewing lands owned by the board, the council~~
1366 ~~shall consider whether such lands would be more appropriately~~
1367 ~~owned or managed by the county or other unit of local government~~
1368 ~~in which the land is located. The council shall recommend to the~~
1369 ~~board whether a sale, lease, or other conveyance to a local~~
1370 ~~government would be in the best interests of the state and local~~
1371 ~~government. The provisions of this paragraph in no way limit the~~
1372 ~~provisions of ss. 253.111 and 253.115. Such lands shall be~~
1373 ~~offered to the state, county, or local government for a period~~
1374 ~~of 45 days. Permittable uses for such surplus lands may include~~
1375 ~~public schools; public libraries; fire or law enforcement~~
1376 ~~substations; governmental, judicial, or recreational centers;~~
1377 ~~and affordable housing meeting the criteria of s. 420.0004(3).~~
1378 ~~County or local government requests for surplus lands shall be~~

1379 ~~expedited throughout the surplus process. If the county or~~
 1380 ~~local government does not elect to purchase such lands in~~
 1381 ~~accordance with s. 253.111, any surplus determination~~
 1382 ~~involving other governmental agencies shall be made when the~~
 1383 ~~board decides the best public use of the lands. Surplus~~
 1384 ~~properties in which governmental agencies have expressed no~~
 1385 ~~interest must then be available for sale on the private market.~~

1386 ~~(g) The sale price of lands determined to be surplus~~
 1387 ~~pursuant to this subsection and s. 253.82 shall be determined by~~
 1388 ~~the division, which shall consider an appraisal of the property,~~
 1389 ~~or, if the estimated value of the land is \$500,000 or less, a~~
 1390 ~~comparable sales analysis or a broker's opinion of value. The~~
 1391 ~~division may require a second appraisal. The individual or~~
 1392 ~~entity that requests to purchase the surplus parcel shall pay~~
 1393 ~~all costs associated with determining the property's value, if~~
 1394 ~~any.~~

1395 ~~1. A written valuation of land determined to be surplus~~
 1396 ~~pursuant to this subsection and s. 253.82, and related documents~~
 1397 ~~used to form the valuation or which pertain to the valuation,~~
 1398 ~~are confidential and exempt from s. 119.07(1) and s. 24(a), Art.~~
 1399 ~~I of the State Constitution.~~

1400 ~~a. The exemption expires 2 weeks before the contract or~~
 1401 ~~agreement regarding the purchase, exchange, or disposal of the~~
 1402 ~~surplus land is first considered for approval by the board.~~

1403 ~~b. Before expiration of the exemption, the division may~~
 1404 ~~disclose confidential and exempt appraisals, valuations, or~~

1405 ~~valuation information regarding surplus land:~~

1406 ~~(I) During negotiations for the sale or exchange of the~~

1407 ~~land.~~

1408 ~~(II) During the marketing effort or bidding process~~

1409 ~~associated with the sale, disposal, or exchange of the land to~~

1410 ~~facilitate closure of such effort or process.~~

1411 ~~(III) When the passage of time has made the conclusions of~~

1412 ~~value invalid.~~

1413 ~~(IV) When negotiations or marketing efforts concerning the~~

1414 ~~land are concluded.~~

1415 ~~2. A unit of government that acquires title to lands~~

1416 ~~hereunder for less than appraised value may not sell or transfer~~

1417 ~~title to all or any portion of the lands to any private owner~~

1418 ~~for 10 years. Any unit of government seeking to transfer or sell~~

1419 ~~lands pursuant to this paragraph must first allow the board of~~

1420 ~~trustees to reacquire such lands for the price at which the~~

1421 ~~board sold such lands.~~

1422 ~~(h) Parcels with a market value over \$500,000 must be~~

1423 ~~initially offered for sale by competitive bid. The division may~~

1424 ~~use agents, as authorized by s. 253.431, for this process. Any~~

1425 ~~parcels unsuccessfully offered for sale by competitive bid, and~~

1426 ~~parcels with a market value of \$500,000 or less, may be sold by~~

1427 ~~any reasonable means, including procuring real estate services,~~

1428 ~~open or exclusive listings, competitive bid, auction, negotiated~~

1429 ~~direct sales, or other appropriate services, to facilitate the~~

1430 ~~sale.~~

1431 ~~(i) After reviewing the recommendations of the council,~~
1432 ~~the board shall determine whether lands identified for surplus~~
1433 ~~are to be held for other public purposes or are no longer~~
1434 ~~needed. The board may require an agency to release its interest~~
1435 ~~in such lands. A state agency, county, or local government that~~
1436 ~~has requested the use of a property that was to be declared as~~
1437 ~~surplus must secure the property under lease within 90 days~~
1438 ~~after being notified that it may use such property.~~

1439 ~~(j) Requests for surplusizing may be made by any public or~~
1440 ~~private entity or person. All requests shall be submitted to the~~
1441 ~~lead managing agency for review and recommendation to the~~
1442 ~~council or its successor. Lead managing agencies have 90 days to~~
1443 ~~review such requests and make recommendations. Any surplusizing~~
1444 ~~requests that have not been acted upon within the 90-day time~~
1445 ~~period shall be immediately scheduled for hearing at the next~~
1446 ~~regularly scheduled meeting of the council or its successor.~~
1447 ~~Requests for surplusizing pursuant to this paragraph are not~~
1448 ~~required to be offered to local or state governments as provided~~
1449 ~~in paragraph (f).~~

1450 ~~(k) Proceeds from the sale of surplus conservation lands~~
1451 ~~purchased before July 1, 2015, shall be deposited into the~~
1452 ~~Florida Forever Trust Fund.~~

1453 ~~(l) Proceeds from the sale of surplus conservation lands~~
1454 ~~purchased on or after July 1, 2015, shall be deposited into the~~
1455 ~~Land Acquisition Trust Fund, except when such lands were~~
1456 ~~purchased with funds other than those from the Land Acquisition~~

1457 ~~Trust Fund or a land acquisition trust fund created to implement~~
1458 ~~s. 28, Art. X of the State Constitution, the proceeds shall be~~
1459 ~~deposited into the fund from which the lands were purchased.~~

1460 ~~(m) Funds received from the sale of surplus~~
1461 ~~nonconservation lands or lands that were acquired by gift, by~~
1462 ~~donation, or for no consideration shall be deposited into the~~
1463 ~~Internal Improvement Trust Fund.~~

1464 ~~(n) Notwithstanding this subsection, such disposition of~~
1465 ~~land may not be made if it would have the effect of causing all~~
1466 ~~or any portion of the interest on any revenue bonds issued to~~
1467 ~~lose the exclusion from gross income for federal income tax~~
1468 ~~purposes.~~

1469 ~~(o) The sale of filled, formerly submerged land that does~~
1470 ~~not exceed 5 acres in area is not subject to review by the~~
1471 ~~council or its successor.~~

1472 ~~(p) The board may adopt rules to administer this section~~
1473 ~~which may include procedures for administering surplus land~~
1474 ~~requests and criteria for when the division may approve requests~~
1475 ~~to surplus nonconservation lands on behalf of the board.~~

1476 ~~(6) (7) This section does shall not be construed so as to~~
1477 ~~affect:~~

1478 (a) Other provisions of this chapter relating to oil, gas,
1479 or mineral resources.

1480 (b) The exclusive use of state-owned land subject to a
1481 lease by the board of trustees ~~of the Internal Improvement Trust~~
1482 ~~Fund~~ of state-owned land for private uses and purposes.

1483 (c) Sovereignty lands not leased for private uses and
 1484 purposes.

1485 ~~(7)~~(8)(a) The Legislature recognizes the value of the
 1486 state's conservation lands as water recharge areas and air
 1487 filters.

1488 (b) If state-owned lands are subject to annexation
 1489 procedures, the Division of State Lands must notify the county
 1490 legislative delegation of the county in which the land is
 1491 located.

1492 ~~(8)~~(9) Land management plans required to be submitted by
 1493 the Department of Corrections, the Department of Juvenile
 1494 Justice, the Department of Children and Families, or the
 1495 Department of Education are not subject to ~~the provisions for~~
 1496 review by the Acquisition and Restoration Council ~~or its~~
 1497 ~~successor described in subsection (5)~~. Management plans filed by
 1498 these agencies shall be made available to the public for a
 1499 period of 90 days at the administrative offices of the parcel or
 1500 project affected by the management plan and at the Tallahassee
 1501 offices of each agency. Any plans not objected to during the
 1502 public comment period shall be deemed approved. Any plans for
 1503 which an objection is filed shall be submitted to the board of
 1504 trustees ~~of the Internal Improvement Trust Fund~~ for
 1505 consideration. The board of trustees ~~of the Internal Improvement~~
 1506 ~~Trust Fund~~ shall approve the plan with or without modification,
 1507 or reject the plan. The use or possession of any such lands
 1508 which is not in accordance with an approved land management plan

1509 is subject to termination by the board of trustees.

1510 ~~(9)-(10)~~ The following additional uses of conservation
1511 lands acquired pursuant to the Florida Forever program and other
1512 state-funded conservation land purchase programs shall be
1513 authorized, upon a finding by the board of trustees, if they
1514 meet the criteria specified in paragraphs (a)-(e): water
1515 resource development projects, water supply development
1516 projects, stormwater management projects, linear facilities, and
1517 sustainable agriculture and forestry. Such additional uses are
1518 authorized if ~~where~~:

1519 (a) The use is not inconsistent with the management plan
1520 for such lands;

1521 (b) The use is compatible with the natural ecosystem and
1522 resource values of such lands;

1523 (c) The ~~proposed~~ use is appropriately located on such
1524 lands and if ~~where~~ due consideration is given to the use of
1525 other available lands;

1526 (d) The using entity reasonably compensates the
1527 titleholder for such use based upon an appropriate measure of
1528 value; and

1529 (e) The use is consistent with the public interest.

1530

1531 A decision by the board of trustees pursuant to this section
1532 shall be given a presumption of correctness. Moneys received
1533 from the use of state lands pursuant to this section shall be
1534 returned to the lead managing entity in accordance with s.

1535 259.032 (9) (c) .

1536 (10)~~(11)~~ Lands listed as projects for acquisition may be
1537 managed for conservation pursuant to s. 259.032, on an interim
1538 basis by a private party in anticipation of a state purchase in
1539 accordance with a contractual arrangement between the acquiring
1540 agency and the private party that may include management service
1541 contracts, leases, cost-share arrangements or resource
1542 conservation agreements. Lands designated as eligible under this
1543 subsection shall be managed to maintain or enhance the resources
1544 the state is seeking to protect by acquiring the land. Funding
1545 for these contractual arrangements may originate from the
1546 documentary stamp tax revenue deposited into the Land
1547 Acquisition Trust Fund. No more than \$6.2 million may be
1548 expended from the Land Acquisition Trust Fund for this purpose.

1549 (11)~~(12)~~ Any lands available to governmental employees,
1550 including water management district employees, for hunting or
1551 other recreational purposes shall also be made available to the
1552 general public for such purposes.

1553 ~~(13) Before a building or parcel of land is offered for~~
1554 ~~lease or sale to a local or federal unit of government or a~~
1555 ~~private party, it shall first be offered for lease to state~~
1556 ~~agencies, state universities, and Florida College System~~
1557 ~~institutions, with priority consideration given to state~~
1558 ~~universities and Florida College System institutions. Within 60~~
1559 ~~days after the offer for lease of a surplus building or parcel,~~
1560 ~~a state university or Florida College System institution that~~

1561 ~~requests the lease must submit a plan for review and approval by~~
1562 ~~the Board of Trustees of the Internal Improvement Trust Fund~~
1563 ~~regarding the intended use, including future use, of the~~
1564 ~~building or parcel of land before approval of a lease. Within 60~~
1565 ~~days after the offer for lease of a surplus building or parcel,~~
1566 ~~a state agency that requests the lease of such facility or~~
1567 ~~parcel must submit a plan for review and approval by the board~~
1568 ~~of trustees regarding the intended use. The state agency plan~~
1569 ~~must, at a minimum, include the proposed use of the facility or~~
1570 ~~parcel, the estimated cost of renovation, a capital improvement~~
1571 ~~plan for the building, evidence that the building or parcel~~
1572 ~~meets an existing need that cannot otherwise be met, and other~~
1573 ~~criteria developed by rule by the board of trustees. The board~~
1574 ~~or its designee shall compare the estimated value of the~~
1575 ~~building or parcel to any submitted business plan to determine~~
1576 ~~if the lease or sale is in the best interest of the state. The~~
1577 ~~board of trustees shall adopt rules pursuant to chapter 120 for~~
1578 ~~the implementation of this section.~~

1579 Section 6. Section 253.0341, Florida Statutes, is amended
1580 to read:

1581 253.0341 Surplus of state-owned lands ~~to counties or local~~
1582 ~~governments. Counties and local governments may submit~~
1583 ~~surplus requests for state-owned lands directly to the board~~
1584 ~~of trustees. County or local government requests for the state~~
1585 ~~to surplus conservation or nonconservation lands, whether for~~
1586 ~~purchase or exchange, shall be expedited throughout the~~

1587 ~~surplusing process. Property jointly acquired by the state and~~
1588 ~~other entities shall not be surplusd without the consent of all~~
1589 ~~joint owners.~~

1590 (1) The board of trustees shall determine which lands, the
1591 title to which is vested in the board, may be surplusd. For all
1592 conservation lands, the Acquisition and Restoration Council
1593 shall make a recommendation to the board of trustees, and the
1594 board of trustees shall determine whether the lands are no
1595 longer needed for conservation purposes. If the board of
1596 trustees determines the lands are no longer needed for
1597 conservation purposes, it may dispose of such lands by an
1598 affirmative vote of at least three members. In the case of a
1599 land exchange involving the disposition of conservation lands,
1600 the board of trustees must determine by an affirmative vote of
1601 at least three members that the exchange will result in a net
1602 positive conservation benefit. For all nonconservation lands,
1603 the board of trustees shall determine whether the lands are no
1604 longer needed. If the board of trustees determines the lands are
1605 no longer needed, it may dispose of such lands by an affirmative
1606 vote of at least three members. Local government requests for
1607 the state to surplus conservation or nonconservation lands,
1608 whether for purchase or exchange, shall be expedited throughout
1609 the surplusing process. Property jointly acquired by the state
1610 and other entities may not be surplusd without the consent of
1611 all joint owners ~~The decision to surplus state-owned~~
1612 ~~nonconservation lands may be made by the board without a review~~

1613 ~~of, or a recommendation on, the request from the Acquisition and~~
1614 ~~Restoration Council or the Division of State Lands. Such~~
1615 ~~requests for nonconservation lands shall be considered by the~~
1616 ~~board within 60 days of the board's receipt of the request.~~

1617 (2) For purposes of this section, all lands acquired by
1618 the state before July 1, 1999, using proceeds from Preservation
1619 2000 bonds, the former Conservation and Recreation Lands Trust
1620 Fund, the former Water Management Lands Trust Fund,
1621 Environmentally Endangered Lands Program, and the Save Our Coast
1622 Program and titled to the board of trustees which are identified
1623 as core parcels or within original project boundaries are deemed
1624 to have been acquired for conservation purposes ~~County or local~~
1625 ~~government requests for the surplus of state-owned~~
1626 ~~conservation lands are subject to review of, and recommendation~~
1627 ~~on, the request to the board by the Acquisition and Restoration~~
1628 ~~Council. Requests to surplus conservation lands shall be~~
1629 ~~considered by the board within 120 days of the board's receipt~~
1630 ~~of the request.~~

1631 (3) For any lands purchased by the state on or after July
1632 1, 1999, before acquisition, the board of trustees must
1633 determine which parcels must be designated as having been
1634 acquired for conservation purposes. Lands acquired for use by
1635 the Department of Corrections; the Department of Management
1636 Services for use as state offices; the Department of
1637 Transportation, except those lands specifically managed for
1638 conservation or recreation purposes; the State University

1639 System; or the Florida College System may not be designated as
 1640 having been acquired for conservation purposes ~~A local~~
 1641 ~~government may request that state lands be specifically declared~~
 1642 ~~surplus lands for the purpose of providing alternative water~~
 1643 ~~supply and water resource development projects as defined in s.~~
 1644 ~~373.019, public facilities such as schools, fire and police~~
 1645 ~~facilities, and affordable housing. The request shall comply~~
 1646 ~~with the requirements of subsection (1) if the lands are~~
 1647 ~~nonconservation lands or subsection (2) if the lands are~~
 1648 ~~conservation lands. Surplus lands that are conveyed to a local~~
 1649 ~~government for affordable housing shall be disposed of by the~~
 1650 ~~local government under the provisions of s. 125.379 or s.~~
 1651 ~~166.0451.~~

1652 (4) (a) At least every 10 years, as a component of each
 1653 land management plan or land use plan and in a form and manner
 1654 adopted by rule of the board of trustees, each manager shall
 1655 evaluate and indicate to the board of trustees those lands that
 1656 are not being used for the purpose for which they were
 1657 originally leased. For conservation lands, the Acquisition and
 1658 Restoration Council shall review and recommend to the board of
 1659 trustees whether such lands should be retained in public
 1660 ownership or disposed of by the board of trustees. For
 1661 nonconservation lands, the Division of State Lands shall review
 1662 and recommend to the board of trustees whether such lands should
 1663 be retained in public ownership or disposed of by the board of
 1664 trustees ~~Notwithstanding the requirements of this section and~~

1665 ~~the requirements of s. 253.034 which provides a surplus process~~
1666 ~~for the disposal of state lands, the board shall convey to~~
1667 ~~Miami-Dade County title to the property on which the Graham~~
1668 ~~Building, which houses the offices of the Miami-Dade State~~
1669 ~~Attorney, is located. By January 1, 2008, the board shall convey~~
1670 ~~fee simple title to the property to Miami-Dade County for a~~
1671 ~~consideration of one dollar. The deed conveying title to Miami-~~
1672 ~~Dade County must contain restrictions that limit the use of the~~
1673 ~~property for the purpose of providing workforce housing as~~
1674 ~~defined in s. 420.5095, and to house the offices of the Miami-~~
1675 ~~Dade State Attorney. Employees of the Miami-Dade State Attorney~~
1676 ~~and the Miami-Dade Public Defender who apply for and meet the~~
1677 ~~income qualifications for workforce housing shall receive~~
1678 ~~preference over other qualified applicants.~~

1679 (b) At least every 10 years, the Division of State Lands
1680 shall review all state-owned conservation lands titled to the
1681 board of trustees to determine whether any such lands are no
1682 longer needed for conservation purposes and could be disposed of
1683 in fee simple or with the state retaining a permanent
1684 conservation easement. After such review, the division shall
1685 submit a list of such lands, including additional conservation
1686 lands identified in an updated land management plan pursuant to
1687 s. 253.034(5), to the Acquisition and Restoration Council.
1688 Within 9 months after receiving the list, the council shall
1689 provide recommendations to the board of trustees as to whether
1690 any such lands are no longer needed for conservation purposes

1691 and could be disposed of in fee simple or with the state
1692 retaining a permanent conservation easement. After reviewing
1693 such list and considering such recommendations, if the board of
1694 trustees determines by an affirmative vote of at least three
1695 members that any such lands are no longer needed for
1696 conservation purposes, the board of trustees shall dispose of
1697 the lands in fee simple or with the state retaining a permanent
1698 conservation easement.

1699 (c) At least every 10 years, the Division of State Lands
1700 shall review all encumbered and unencumbered nonconservation
1701 lands titled to the board of trustees and recommend to the board
1702 of trustees whether any such lands should be retained in public
1703 ownership or disposed of by the board of trustees. The board of
1704 trustees may dispose of nonconservation lands under this
1705 paragraph by a majority vote of the members.

1706 (5) Conservation lands owned by the board of trustees
1707 which are not actively managed by any state agency or for which
1708 a land management plan has not been completed pursuant to s.
1709 253.034(5) must be reviewed by the Acquisition and Restoration
1710 Council for its recommendation as to whether such lands should
1711 be disposed of by the board of trustees.

1712 (6) Before any decision by the board of trustees to
1713 surplus conservation lands, the Acquisition and Restoration
1714 Council shall review and make recommendations to the board of
1715 trustees concerning the request for surplusings. The council
1716 shall determine whether the request for surplusings is compatible

1717 with the resource values of and management objectives for such
 1718 lands.

1719 (7) In reviewing conservation lands owned by the board of
 1720 trustees, the Acquisition and Restoration Council shall consider
 1721 whether such lands would be more appropriately owned or managed
 1722 by the county or other unit of local government in which the
 1723 land is located. The council shall recommend to the board of
 1724 trustees whether a sale, lease, or other conveyance to a local
 1725 government would be in the best interests of the state and local
 1726 government. This subsection does not limit the provisions of ss.
 1727 253.111 and 253.115. If the county or local government does not
 1728 elect to purchase such lands in accordance with s. 253.111, any
 1729 surplus determination involving other governmental agencies
 1730 shall be made when the board of trustees decides the best public
 1731 use of the lands. Surplus properties in which governmental
 1732 agencies have not expressed interest must then be available for
 1733 sale on the private market.

1734 (8) Before a facility or parcel of nonconservation land is
 1735 offered for lease or sale to a local or federal unit of
 1736 government or a private party, it shall first be offered for
 1737 lease to state agencies, state universities, and Florida College
 1738 System institutions, with priority consideration given to state
 1739 universities and Florida College System institutions. Within 45
 1740 days after the offer for lease of a surplus building or parcel,
 1741 a state agency, state university, or Florida College System
 1742 institution that requests the lease must submit a plan to the

1743 board of trustees that includes a description of the proposed
1744 use, including future use, of the building or parcel of land.
1745 The board of trustees must review and approve the plan before
1746 approving the lease. The state agency plan must, at a minimum,
1747 include the proposed use of the facility or parcel, the
1748 estimated cost of renovation, a capital improvement plan for the
1749 building, evidence that the building or parcel meets an existing
1750 need that cannot otherwise be met, and other criteria adopted by
1751 rule of the board of trustees. The board of trustees or its
1752 designee shall compare the estimated value of the facility or
1753 parcel to any submitted business plan to determine if the lease
1754 or sale is in the best interest of the state. The board of
1755 trustees shall adopt rules pursuant to chapter 120 to implement
1756 this section. A state agency or local government that has
1757 requested the use of a property that was to be declared as
1758 surplus must secure the property with a fully executed lease
1759 within 90 days after being notified that it may use such
1760 property or the request is voidable.

1761 (9) The sale price of lands determined to be surplus
1762 pursuant to this section and s. 253.82 shall be determined by
1763 the Division of State Lands, which shall consider an appraisal
1764 of the property or, if the estimated value of the land is
1765 \$500,000 or less, a comparable sales analysis or a broker's
1766 opinion of value. The division may require a second appraisal.
1767 The individual or entity that requests to purchase the surplus
1768 parcel shall pay all costs associated with determining the

1769 property's value, if any.

1770 (a) A written valuation of land determined to be surplus
1771 pursuant to this section and s. 253.82, and related documents
1772 used to form the valuation or which pertain to the valuation,
1773 are confidential and exempt from s. 119.07(1) and s. 24(a), Art.
1774 I of the State Constitution.

1775 1. The exemption expires 2 weeks before the contract or
1776 agreement regarding the purchase, exchange, or disposal of the
1777 surplus land is first considered for approval by the board of
1778 trustees.

1779 2. Before expiration of the exemption, the Division of
1780 State Lands may disclose confidential and exempt appraisals,
1781 valuations, or valuation information regarding surplus land:

1782 a. During negotiations for the sale or exchange of the
1783 land;

1784 b. During the marketing effort or bidding process
1785 associated with the sale, disposal, or exchange of the land to
1786 facilitate closure of such effort or process;

1787 c. When the passage of time has made the conclusions of
1788 value invalid; or

1789 d. When negotiations or marketing efforts concerning the
1790 land are concluded.

1791 (b) A unit of government that acquires title to lands
1792 pursuant to this section for less than appraised value may not
1793 sell or transfer title to all or any portion of the lands to any
1794 private owner for 10 years. A unit of government seeking to

1795 transfer or sell lands pursuant to this paragraph must first
1796 allow the board of trustees to reacquire such lands for the
1797 price at which the board of trustees sold such lands.

1798 (10) Parcels with a market value over \$500,000 must be
1799 initially offered for sale by competitive bid. Any parcels
1800 unsuccessfully offered for sale by competitive bid, and parcels
1801 with a market value of \$500,000 or less, may be sold by any
1802 reasonable means, including procuring real estate services, open
1803 or exclusive listings, competitive bid, auction, negotiated
1804 direct sales, or other appropriate services, to facilitate the
1805 sale.

1806 (11) After reviewing the recommendations of the
1807 Acquisition and Restoration Council, the board of trustees shall
1808 determine whether conservation lands identified for surplus
1809 should be held for other public purposes or are no longer
1810 needed. The board of trustees may require an agency to release
1811 its interest in such lands. A state entity, state agency, local
1812 government, or state university or Florida College System
1813 institution that has requested the use of a property that was to
1814 be declared as surplus must secure the property under a fully
1815 executed lease within 90 days after being notified that it may
1816 use such property or the request is voidable.

1817 (12) Requests to surplus lands may be made by any public
1818 or private entity or person and shall be determined by the board
1819 of trustees. All requests to surplus conservation lands shall be
1820 submitted to the lead managing agency for review and

1821 recommendation to the Acquisition and Restoration Council, and
1822 all requests to surplus nonconservation lands shall be submitted
1823 to the Division of State Lands for review and recommendation to
1824 the board of trustees. The lead managing agencies shall review
1825 such requests and make recommendations to the council within 90
1826 days after receipt of the requests. Any requests to surplus
1827 conservation lands that are not acted upon within the 90-day
1828 period shall be immediately scheduled for hearing at the next
1829 regularly scheduled meeting of the council. Requests to surplus
1830 lands shall be considered by the board of trustees within 60
1831 days after receipt of the requests from the council or division.
1832 Requests to surplus lands pursuant to this subsection are not
1833 required to be offered to local or state governments as provided
1834 in subsection (7) or subsection (8).

1835 (13) Proceeds from the sale of surplus conservation lands
1836 purchased before July 1, 2015, shall be deposited into the
1837 Florida Forever Trust Fund.

1838 (14) Proceeds from the sale of surplus conservation lands
1839 purchased on or after July 1, 2015, shall be deposited into the
1840 Land Acquisition Trust Fund, except when such lands were
1841 purchased with funds other than those from the Land Acquisition
1842 Trust Fund or a land acquisition trust fund created to implement
1843 s. 28, Art. X of the State Constitution, the proceeds shall be
1844 deposited into the fund from which the lands were purchased.

1845 (15) Funds received from the sale of surplus
1846 nonconservation lands or lands that were acquired by gift, by

1847 donation, or for no consideration shall be deposited into the
 1848 Internal Improvement Trust Fund.

1849 (16) Notwithstanding this section, such disposition of
 1850 land may not be made if it would have the effect of causing all
 1851 or any portion of the interest on any revenue bonds issued to
 1852 lose the exclusion from gross income for federal income tax
 1853 purposes.

1854 (17) The sale of filled, formerly submerged land that does
 1855 not exceed 5 acres in area is not subject to review by the
 1856 Acquisition and Restoration Council.

1857 (18) The board of trustees may adopt rules to administer
 1858 this section, including procedures for administering surplus
 1859 land requests and criteria for when the Division of State Lands
 1860 may approve requests to surplus nonconservation lands on behalf
 1861 of the board of trustees.

1862 (19) Surplus lands that are conveyed to a local government
 1863 for affordable housing shall be disposed of by the local
 1864 government under s. 125.379 or s. 166.0451.

1865 Section 7. Section 253.111, Florida Statutes, is amended
 1866 to read:

1867 253.111 Notice to county and municipality ~~board of county~~
 1868 ~~commissioners~~ before sale.—The Board of Trustees of the Internal
 1869 Improvement Trust Fund ~~of the state~~ may not sell any land to
 1870 which it holds ~~they held~~ title unless and until it affords ~~they~~
 1871 ~~afford~~ an opportunity to the county and municipality in which
 1872 such land is situated to receive such land on the following

1873 terms and conditions:

1874 (1) If a request ~~an application~~ is filed with the Division
1875 of State Lands ~~board~~ requesting that the board of trustees ~~they~~
1876 sell certain land to which it holds ~~they hold~~ title and the
1877 board of trustees decides to sell such land or if the board of
1878 trustees, without such request ~~application~~, decides to sell such
1879 land, the board of trustees shall, before consideration of any
1880 private offers, notify the governing body ~~board of county~~
1881 ~~commissioners~~ of the county and municipality in which such land
1882 is situated that such land is available to such county and
1883 municipality. Such notification shall be given by registered or
1884 express mail, return receipt requested, any commercial delivery
1885 service requiring a signed receipt, or electronic notification
1886 with return receipt.

1887 (2) The governing bodies ~~board of county commissioners~~ of
1888 the county and municipality in which such land is situated shall
1889 each, ~~within 40 days after receipt of such notification from the~~
1890 ~~board~~, determine by resolution whether ~~or not~~ it proposes to
1891 acquire such land.

1892 (3) If the board of trustees receives, within 45 days
1893 after notice is given to the governing bodies of the county and
1894 municipality ~~board of county commissioners~~ pursuant to
1895 subsection (1), the certified copy of the resolution provided
1896 for in subsection (2), the board of trustees shall ~~forthwith~~
1897 convey to the county or municipality such land at a price that
1898 is equal to its ~~appraised~~ market value based on, at the

1899 discretion of the Division of State Lands, an appraisal, a
 1900 comparable sales analysis, or a broker's opinion of value
 1901 ~~established by generally accepted professional standards for~~
 1902 ~~real estate appraisal~~ and subject to such other terms and
 1903 conditions as the board of trustees determines. If a parcel is
 1904 located within a municipality, priority consideration shall be
 1905 given to the municipality over the county.

1906 (4) ~~Nothing in~~ This section does not restrict ~~restricts~~
 1907 any right otherwise granted to the board of trustees by this
 1908 chapter to convey land to which it holds ~~they hold~~ title to the
 1909 state or any department, office, authority, board, bureau,
 1910 commission, institution, court, tribunal, agency, or other
 1911 instrumentality of or under the state. For purposes of this
 1912 section, the term word "land" as used in this act means all
 1913 lands vested in the Board of Trustees of the Internal
 1914 Improvement Trust Fund.

1915 (5) If any riparian owner exists with respect to any land
 1916 to be sold by the board of trustees, such riparian owner shall
 1917 have a right to secure such land, which right is prior in
 1918 interest to the right in the county and municipality created by
 1919 this section, provided that such riparian owner shall be
 1920 required to pay for such land upon such prices, terms, and
 1921 conditions as determined by the board of trustees. Such riparian
 1922 owner may waive this prior right, in which case this section
 1923 shall apply.

1924 (6) This section does not apply to:

1925 (a) Any land exchange approved by the board of trustees;

1926 (b) The conveyance of any lands located within the

1927 Everglades Agricultural Area; or

1928 (c) Lands managed pursuant to ss. 253.781-253.785.

1929 Section 8. Section 253.42, Florida Statutes, is amended to

1930 read:

1931 253.42 Board of trustees may exchange lands.—~~The~~

1932 ~~provisions of~~ This section applies ~~apply~~ to all lands owned by,

1933 vested in, or titled in the name of the board of trustees

1934 whether the lands were acquired by the state as a purchase, or

1935 through gift, donation, or any other conveyance for which no

1936 consideration was paid.

1937 (1) The board of trustees may exchange any lands owned by,

1938 vested in, or titled in its ~~the~~ name ~~of the board~~ for other

1939 lands in the state owned by counties, local governments,

1940 individuals, or private or public corporations, and may fix the

1941 terms and conditions of any such exchange. Any nonconservation

1942 lands that were acquired by the state through gift, donation, or

1943 any other conveyance for which no consideration was paid must

1944 first be offered at no cost to a county or local government

1945 unless otherwise provided in a deed restriction of record or

1946 other legal impediment, and so long as the use proposed by the

1947 county or local government is for a public purpose. For

1948 conservation lands acquired by the state through gift, donation,

1949 or any other conveyance for which no consideration was paid, the

1950 state may request land of equal conservation value from the

1951 county or local government but no other consideration.

1952 (2) In exchanging state-owned lands not acquired by the
 1953 state through gift, donation, or any other conveyance for which
 1954 no consideration was paid, with counties or local governments,
 1955 the board of trustees shall require an exchange of equal value.
 1956 Equal value is defined as the conservation benefit of the lands
 1957 being offered for exchange by a county or local government being
 1958 equal or greater in conservation benefit than the state-owned
 1959 lands. Such exchanges may include cash transactions if based on
 1960 an appropriate measure of value of the state-owned land, but
 1961 must also include the determination of a net-positive
 1962 conservation benefit by the Acquisition and Restoration Council,
 1963 irrespective of appraised value.

1964 (3) The board of trustees shall select and agree upon the
 1965 state lands to be exchanged and the lands to be conveyed to the
 1966 state and shall pay or receive any sum of money the board of
 1967 trustees deems ~~deemed~~ necessary ~~by the board~~ for the purpose of
 1968 equalizing the value of the exchanged property. The board of
 1969 trustees is authorized to make and enter into contracts or
 1970 agreements for such purpose or purposes.

1971 (4) (a) A person who owns land contiguous to state-owned
 1972 land titled to the board of trustees may submit a request to the
 1973 Division of State Lands to exchange all or a portion of the
 1974 privately owned land for all or a portion of the state-owned
 1975 land, whereby the state retains a permanent conservation
 1976 easement over all or a portion of the exchanged state-owned land

1977 and a permanent conservation easement over all or a portion of
 1978 the exchanged privately owned land. State-owned land exchanged
 1979 pursuant to this subsection shall be contiguous to the privately
 1980 owned land upon which the state retains a permanent conservation
 1981 easement. The division may submit such request to the
 1982 Acquisition and Restoration Council for review. If the division
 1983 submits a request to the council, the council shall provide
 1984 recommendations to the division. After receiving the council's
 1985 recommendations, the division shall review the request and the
 1986 council's recommendations and may provide recommendations to the
 1987 board of trustees. This subsection does not apply to state-owned
 1988 sovereign submerged land.

1989 (b) After receiving a request and the division's
 1990 recommendations, the board of trustees shall consider such
 1991 request and recommendations and may approve the request if:

1992 1. At least 30 percent of the perimeter of the privately
 1993 owned land is bordered by state-owned land and the exchange does
 1994 not create an inholding.

1995 2. The approval does not result in a violation of the
 1996 terms of a preexisting lease or agreement by the board of
 1997 trustees, the Department of Environmental Protection, the
 1998 Department of Agriculture and Consumer Services, or the Fish and
 1999 Wildlife Conservation Commission.

2000 3. For state-owned land purchased for conservation
 2001 purposes, the board of trustees makes a determination that the
 2002 exchange of land under this subsection will result in a positive

2003 conservation benefit.

2004 4. The approval does not conflict with any existing
 2005 flowage easement.

2006 5. The request is approved by three or more members of the
 2007 board of trustees.

2008 (c) Special consideration shall be given to a request that
 2009 maintains public access for any recreational purpose allowed on
 2010 the state-owned land at the time the request is submitted to the
 2011 board of trustees. A person who maintains public access pursuant
 2012 to this paragraph is entitled to the limitation on liability
 2013 provided in s. 375.251.

2014 (d) Land subject to a permanent conservation easement
 2015 granted pursuant to this subsection is subject to inspection by
 2016 the Department of Environmental Protection to ensure compliance
 2017 with the terms of the permanent conservation easement.

2018 Section 9. Subsection (2) of section 253.782, Florida
 2019 Statutes, is amended to read:

2020 253.782 Retention of state-owned lands in and around Lake
 2021 Rousseau and the Cross Florida Barge Canal right-of-way from
 2022 Lake Rousseau west to the Withlacoochee River.—

2023 (2) The Department of Environmental Protection is
 2024 authorized ~~and directed~~ to retain ownership of and maintain all
 2025 lands or interests in land owned by the Board of Trustees of the
 2026 Internal Improvement Trust Fund, including all fee and less-
 2027 than-fee interests in lands previously owned by the canal
 2028 authority in Lake Rousseau and the Cross Florida Barge Canal

2029 right-of-way from Lake Rousseau at U.S. Highway 41 west to and
 2030 including the Withlacoochee River.

2031 Section 10. Section 253.7821, Florida Statutes, is amended
 2032 to read:

2033 253.7821 Cross Florida Greenways State Recreation and
 2034 Conservation Area assigned to the Department of Environmental
 2035 Protection Office of the Executive Director.—The Cross Florida
 2036 Greenways State Recreation and Conservation Area is hereby
 2037 established and is initially assigned to the department Office
 2038 of Greenways Management within the Office of the Secretary. The
 2039 department office shall manage the greenways pursuant to the
 2040 department's existing statutory authority until administrative
 2041 rules are adopted by the department. However, the provisions of
 2042 this act shall control in any conflict between this act and any
 2043 other authority of the department.

2044 Section 11. Section 253.87, Florida Statutes, is created
 2045 to read:

2046 253.87 Inventory of state, federal, and local government
 2047 conservation lands by the Department of Environmental
 2048 Protection.—

2049 (1) By July 1, 2018, the department shall include in the
 2050 Florida State-Owned Lands and Records Information System (FL-
 2051 SOLARIS) database all federally owned conservation lands, all
 2052 lands on which the Federal Government retains a permanent
 2053 conservation easement, and all lands on which the state retains
 2054 a permanent conservation easement. The department shall update

2055 the database at least every 5 years.

2056 (2) By July 1, 2018, for counties and municipalities, and
2057 by July 1, 2019, for financially disadvantaged small
2058 communities, as defined in s. 403.1838, and at least every 5
2059 years thereafter, respectively, each county, municipality, and
2060 financially disadvantaged small community shall identify all
2061 conservation lands that it owns in fee simple and all lands on
2062 which it retains a permanent conservation easement and submit,
2063 in a manner determined by the department, a list of such lands
2064 to the department. Within 6 months after receiving such list,
2065 the department shall add such lands to the FL-SOLARIS database.

2066 (3) By January 1, 2018, the department shall conduct a
2067 study and submit a report to the Governor, the President of the
2068 Senate, and the Speaker of the House of Representatives on the
2069 technical and economic feasibility of including the following
2070 lands in the FL-SOLARIS database or a similar public lands
2071 inventory:

2072 (a) All lands on which local comprehensive plans, land use
2073 restrictions, zoning ordinances, or land development regulations
2074 prohibit the land from being developed or limit the amount of
2075 development to one unit per 40 or more acres.

2076 (b) All publicly and privately owned lands for which
2077 development rights have been transferred.

2078 (c) All privately owned lands under a permanent
2079 conservation easement.

2080 (d) All lands owned by a nonprofit or nongovernmental

2081 organization for conservation purposes.

2082 (e) All lands that are part of a mitigation bank.

2083 Section 12. Section 259.01, Florida Statutes, is amended
2084 to read:

2085 259.01 Short title.—This chapter shall be known and may be
2086 cited as the "Land Conservation Program Act of 1972."

2087 Section 13. Section 259.02, Florida Statutes, is repealed.

2088 Section 14. Section 259.03, Florida Statutes, is amended
2089 to read:

2090 259.03 Definitions.—~~As The following terms and phrases~~
2091 ~~when used in this chapter, the term shall have the meanings~~
2092 ~~ascribed to them in this section, except where the context~~
2093 ~~clearly indicates a different meaning:~~

2094 (1) "Council" means the Acquisition and Restoration ~~that~~
2095 Council established pursuant to s. 259.035.

2096 (2) "Board" means the Governor and Cabinet, sitting as the
2097 Board of Trustees of the Internal Improvement Trust Fund.

2098 (3) "Capital improvement" or "capital project expenditure"
2099 means those activities relating to the acquisition, restoration,
2100 public access, and recreational uses of such lands, water areas,
2101 and related resources deemed necessary to accomplish the
2102 purposes of this chapter. Eligible activities include, but are
2103 not limited to: the initial removal of invasive plants; the
2104 construction, improvement, enlargement or extension of
2105 facilities' signs, firelanes, access roads, and trails; or any
2106 other activities that serve to restore, conserve, protect, or

2107 provide public access, recreational opportunities, or necessary
 2108 services for land or water areas. Such activities shall be
 2109 identified before ~~prior to~~ the acquisition of a parcel or the
 2110 approval of a project. The continued expenditures necessary for
 2111 a capital improvement approved under this subsection are ~~shall~~
 2112 not ~~be~~ eligible for funding provided in this chapter.

2113 (4) "Department" means the Department of Environmental
 2114 Protection.

2115 (5) "Division" means the Division of Bond Finance of the
 2116 State Board of Administration.

2117 (6) "Water resource development project" means a project
 2118 eligible for funding pursuant to s. 259.105 that increases the
 2119 amount of water available to meet the needs of natural systems
 2120 and the citizens of the state by enhancing or restoring aquifer
 2121 recharge, facilitating the capture and storage of excess flows
 2122 in surface waters, or promoting reuse. The implementation of
 2123 eligible projects under s. 259.105 includes land acquisition,
 2124 land and water body restoration, aquifer storage and recovery
 2125 facilities, surface water reservoirs, and other capital
 2126 improvements. ~~The term does not include construction of~~
 2127 ~~treatment, transmission, or distribution facilities.~~

2128 Section 15. Subsections (6), (7), and (8) and paragraphs
 2129 (a) and (d) of section (9) of section 259.032, Florida Statutes,
 2130 are amended to read:

2131 259.032 Conservation and recreation lands.—

2132 (6) Conservation and recreation lands are subject to the

2133 selection procedures of s. 259.035 and related rules and shall
 2134 be acquired in accordance with acquisition procedures for state
 2135 lands provided for in s. 253.025 ~~259.041~~, except as otherwise
 2136 provided by the Legislature. An inholding or an addition to
 2137 conservation and recreation lands is not subject to the
 2138 selection procedures of s. 259.035 if the estimated value of
 2139 such inholding or addition does not exceed \$500,000. When at
 2140 least 90 percent of the acreage of a project has been purchased
 2141 for conservation and recreation purposes, the project may be
 2142 removed from the list and the remaining acreage may continue to
 2143 be purchased. Funds appropriated to acquire conservation and
 2144 recreation lands may be used for title work, appraisal fees,
 2145 environmental audits, and survey costs related to acquisition
 2146 expenses for lands to be acquired, donated, or exchanged which
 2147 qualify under the categories of this section, at the discretion
 2148 of the board. When the Legislature has authorized the department
 2149 ~~of Environmental Protection~~ to condemn a specific parcel of land
 2150 and such parcel has already been approved for acquisition, the
 2151 land may be acquired in accordance with ~~the provisions of~~
 2152 chapter 73 or chapter 74, and the funds appropriated to acquire
 2153 conservation and recreation lands may be used to pay the
 2154 condemnation award and all costs, including reasonable attorney
 2155 fees, associated with condemnation.

2156 (7) All lands managed under this chapter and s. 253.034
 2157 shall be:

2158 (a) Managed in a manner that will provide the greatest

2159 combination of benefits to the public and to the resources.

2160 (b) Managed for public outdoor recreation which is
 2161 compatible with the conservation and protection of public lands.
 2162 Such management may include, but not be limited to, the
 2163 following public recreational uses: fishing, hunting, camping,
 2164 bicycling, hiking, nature study, swimming, boating, canoeing,
 2165 horseback riding, diving, model hobbyist activities, birding,
 2166 sailing, jogging, and other related outdoor activities
 2167 ~~compatible with the purposes for which the lands were acquired.~~

2168 ~~(c) Managed for the purposes for which the lands were~~
 2169 ~~acquired, consistent with paragraph (9) (a).~~

2170 (c) ~~(d)~~ Concurrent with its adoption of the annual list of
 2171 acquisition projects pursuant to s. 259.035, the board ~~of~~
 2172 ~~trustees~~ shall adopt a management prospectus for each project.

2173 The management prospectus shall delineate:

- 2174 1. The management goals for the property;
- 2175 2. The conditions that will affect the intensity of
 2176 management;
- 2177 3. An estimate of the revenue-generating potential of the
 2178 property, if appropriate;
- 2179 4. A timetable for implementing the various stages of
 2180 management and for providing access to the public, if
 2181 applicable;
- 2182 5. A description of potential multiple-use activities as
 2183 described in this section and s. 253.034;
- 2184 6. Provisions for protecting existing infrastructure and

2185 for ensuring the security of the project upon acquisition;

2186 7. The anticipated costs of management and projected

2187 sources of revenue, including legislative appropriations, to

2188 fund management needs; and

2189 8. Recommendations as to how many employees will be needed

2190 to manage the property, and recommendations as to whether local

2191 governments, volunteer groups, the former landowner, or other

2192 interested parties can be involved in the management.

2193 (d)~~(e)~~ Concurrent with the approval of the acquisition

2194 contract pursuant to s. 253.025(4)(c) ~~259.041(3)(e)~~ for any

2195 interest in lands except those lands ~~being~~ acquired pursuant to

2196 ~~under the provisions of~~ s. 259.1052, the board ~~of trustees~~ shall

2197 designate an agency or agencies to manage such lands. The board

2198 shall evaluate and amend, as appropriate, the management policy

2199 statement for the project as provided by s. 259.035 to ensure

2200 the policy is compatible with conservation or recreation

2201 purposes, consistent with the purposes for which the lands are

2202 ~~acquired~~. For any fee simple acquisition of a parcel which is or

2203 will be leased back for agricultural purposes, or any

2204 acquisition of a less-than-fee interest in land that is or will

2205 be used for agricultural purposes, the board ~~of trustees of the~~

2206 ~~Internal Improvement Trust Fund~~ shall first consider having a

2207 soil and water conservation district, created pursuant to

2208 chapter 582, manage and monitor such interests.

2209 (e)~~(f)~~ State agencies designated to manage lands acquired

2210 under this chapter or with funds deposited into the Land

2211 Acquisition Trust Fund, except those lands acquired under s.
 2212 259.1052, may contract with local governments and soil and water
 2213 conservation districts to assist in management activities,
 2214 including the responsibility of being the lead land manager.
 2215 Such land management contracts may include a provision for the
 2216 transfer of management funding to the local government or soil
 2217 and water conservation district from the land acquisition trust
 2218 fund of the lead land managing agency in an amount adequate for
 2219 the local government or soil and water conservation district to
 2220 perform its contractual land management responsibilities and
 2221 proportionate to its responsibilities, and which otherwise would
 2222 have been expended by the state agency to manage the property.

2223 (f) ~~(g)~~ Immediately following the acquisition of any
 2224 interest in conservation and recreation lands, the department ~~of~~
 2225 ~~Environmental Protection~~, acting on behalf of the board ~~of~~
 2226 ~~trustees~~, may issue to the lead managing entity an interim
 2227 assignment letter to be effective until the execution of a
 2228 formal lease.

2229 (8) (a) State, regional, or local governmental agencies or
 2230 private entities designated to manage lands under this section
 2231 shall develop and adopt, with the approval of the board ~~of~~
 2232 ~~trustees~~, an individual management plan for each project
 2233 designed to conserve and protect such lands and their associated
 2234 natural resources. Private sector involvement in management plan
 2235 development may be used to expedite the planning process.

2236 (b) Individual management plans required by s. 253.034(5),

2237 for parcels over 160 acres, shall be developed with input from
2238 an advisory group. Members of this advisory group shall include,
2239 at a minimum, representatives of the lead land managing agency,
2240 comanaging entities, local private property owners, the
2241 appropriate soil and water conservation district, a local
2242 conservation organization, and a local elected official. If
2243 habitat or potentially restorable habitat for imperiled species
2244 is located on state lands, the Fish and Wildlife Conservation
2245 Commission and the Department of Agriculture and Consumer
2246 Services shall be included on any advisory group required under
2247 chapter 253, and the short-term and long-term management goals
2248 required under chapter 253 must advance the goals and objectives
2249 of imperiled species management without restricting other uses
2250 identified in the management plan. The advisory group shall
2251 conduct at least one public hearing within the county in which
2252 the parcel or project is located. For those parcels or projects
2253 that are within more than one county, at least one areawide
2254 public hearing shall be acceptable and the lead managing agency
2255 shall invite a local elected official from each county. The
2256 areawide public hearing shall be held in the county in which the
2257 core parcels are located. Notice of such public hearing shall be
2258 posted on the parcel or project designated for management,
2259 advertised in a paper of general circulation, and announced at a
2260 scheduled meeting of the local governing body before the actual
2261 public hearing. The management prospectus required pursuant to
2262 paragraph (7) (c) ~~(7) (d)~~ shall be available to the public for a

2263 period of 30 days before ~~prior to~~ the public hearing.

2264 (c) Once a plan is adopted, the managing agency or entity
 2265 shall update the plan at least every 10 years in a form and
 2266 manner adopted ~~prescribed~~ by rule of the board ~~of trustees~~. Such
 2267 updates, for parcels over 160 acres, shall be developed with
 2268 input from an advisory group. Such plans may include transfers
 2269 of leasehold interests to appropriate conservation organizations
 2270 or governmental entities designated by the ~~Land Acquisition and~~
 2271 ~~Management Advisory~~ council ~~or its successor~~, for uses
 2272 consistent with the purposes of the organizations and the
 2273 protection, preservation, conservation, restoration, and proper
 2274 management of the lands and their resources. Volunteer
 2275 management assistance is encouraged, including, but not limited
 2276 to, assistance by youths participating in programs sponsored by
 2277 state or local agencies, by volunteers sponsored by
 2278 environmental or civic organizations, and by individuals
 2279 participating in programs for committed delinquents and adults.

2280 (d)~~1.~~ For each project for which lands are acquired after
 2281 July 1, 1995, an individual management plan shall be adopted and
 2282 in place no later than 1 year after the essential parcel or
 2283 parcels identified in the priority list developed pursuant to s.
 2284 259.105 have been acquired. The department ~~of Environmental~~
 2285 ~~Protection~~ shall distribute only 75 percent of the acquisition
 2286 funds to which a budget entity or water management district
 2287 would otherwise be entitled to any budget entity or any water
 2288 management district that has more than one-third of its

2289 management plans overdue.

2290 ~~2. The requirements of subparagraph 1. do not apply to the~~
 2291 ~~individual management plan for the Babcock Crescent B Ranch~~
 2292 ~~being acquired pursuant to s. 259.1052. The management plan for~~
 2293 ~~the ranch shall be adopted and in place no later than 2 years~~
 2294 ~~following the date of acquisition by the state.~~

2295 (e) Individual management plans shall conform to the
 2296 appropriate policies and guidelines of the state land management
 2297 plan and shall include, but not be limited to:

2298 1. A statement of the purpose for which the lands were
 2299 acquired, the projected use or uses as defined in s. 253.034,
 2300 and the statutory authority for such use or uses.

2301 2. Key management activities necessary to achieve the
 2302 desired outcomes, including, but not limited to, providing
 2303 public access, preserving and protecting natural resources,
 2304 protecting cultural and historical resources, restoring habitat,
 2305 protecting threatened and endangered species, controlling the
 2306 spread of nonnative plants and animals, performing prescribed
 2307 fire activities, and other appropriate resource management.

2308 3. A specific description of how the managing agency plans
 2309 to identify, locate, protect, and preserve, or otherwise use
 2310 fragile, nonrenewable natural and cultural resources.

2311 4. A priority schedule for conducting management
 2312 activities, ~~based on the purposes for which the lands were~~
 2313 ~~acquired.~~

2314 5. A cost estimate for conducting priority management

2315 activities, to include recommendations for cost-effective
 2316 methods of accomplishing those activities.

2317 6. A cost estimate for conducting other management
 2318 activities which would enhance the natural resource value or
 2319 public recreation value ~~for which the lands were acquired~~. The
 2320 cost estimate shall include recommendations for cost-effective
 2321 methods of accomplishing those activities.

2322 7. A determination of the public uses and public access
 2323 that would be compatible with conservation or recreation
 2324 purposes ~~that would be consistent with the purposes for which~~
 2325 ~~the lands were acquired~~.

2326 (f) The Division of State Lands shall submit a copy of
 2327 each individual management plan for parcels which exceed 160
 2328 acres in size to each member of the ~~Acquisition and Restoration~~
 2329 council, which shall:

2330 1. Within 60 days after receiving a plan from the Division
 2331 of State Lands, review each plan for compliance with the
 2332 requirements of this subsection and with the requirements of the
 2333 rules adopted ~~established~~ by the board pursuant to this
 2334 subsection.

2335 2. Consider the propriety of the recommendations of the
 2336 managing agency with regard to the future use or protection of
 2337 the property.

2338 3. After its review, submit the plan, along with its
 2339 recommendations and comments, to the board ~~of trustees~~, with
 2340 recommendations as to whether to approve the plan as submitted,

2341 approve the plan with modifications, or reject the plan.

2342 (g) The board ~~of trustees~~ shall consider the individual
 2343 management plan submitted by each state agency and the
 2344 recommendations of the ~~Acquisition and Restoration~~ council and
 2345 the department ~~Division of State Lands~~ and shall approve the
 2346 plan with or without modification or reject such plan. The use
 2347 or possession of any lands owned by the board ~~of trustees~~ which
 2348 is not in accordance with an approved individual management plan
 2349 is subject to termination by the board ~~of trustees~~.

2350

2351 By July 1 of each year, each governmental agency and each
 2352 private entity designated to manage lands shall report to the
 2353 Secretary of Environmental Protection on the progress of
 2354 funding, staffing, and resource management of every project for
 2355 which the agency or entity is responsible.

2356 (9) (a) The Legislature recognizes that acquiring lands
 2357 pursuant to this chapter serves the public interest by
 2358 protecting land, air, and water resources which contribute to
 2359 the public health and welfare, providing areas for natural
 2360 resource based recreation, and ensuring the survival of unique
 2361 and irreplaceable plant and animal species. The Legislature
 2362 intends for these lands to be managed and maintained in a manner
 2363 that is compatible with conservation or recreation purposes ~~for~~
 2364 ~~the purposes for which they were acquired~~ and for the public to
 2365 have access to and use of these lands if public access ~~where it~~
 2366 ~~is consistent with acquisition purposes~~ and would not harm the

2367 resources the state is seeking to protect on the public's
 2368 behalf.

2369 (d) Up to one-fifth of the funds appropriated for the
 2370 purposes identified in paragraph (b) shall be reserved by the
 2371 board ~~of trustees~~ for interim management of acquisitions and for
 2372 associated contractual services, to ensure the conservation and
 2373 protection of natural resources on project sites and to allow
 2374 limited public recreational use of lands. Interim management
 2375 activities may include, but not be limited to, resource
 2376 assessments, control of invasive, nonnative species, habitat
 2377 restoration, fencing, law enforcement, controlled burning, and
 2378 public access consistent with preliminary determinations made
 2379 pursuant to paragraph (7) (f) ~~(7) (g)~~. The board ~~of trustees~~ shall
 2380 make these interim funds available immediately upon purchase.

2381 Section 16. Subsection (3) and paragraph (a) of subsection
 2382 (4) of section 259.035, Florida Statutes, are amended to read:

2383 259.035 Acquisition and Restoration Council.—

2384 (3) The council shall provide assistance to the board ~~of~~
 2385 ~~trustees~~ in reviewing the recommendations and plans for state-
 2386 owned conservation lands required under s. 253.034 and this
 2387 chapter. The council shall, in reviewing such ~~recommendations~~
 2388 ~~and~~ plans, consider the optimization of multiple-use and
 2389 conservation strategies to accomplish the provisions funded
 2390 pursuant to former s. 259.101(3) (a), Florida Statutes 2014, and
 2391 to s. 259.105(3) (b).

2392 (4) (a) By December 1, 2016, the ~~Acquisition and~~

2393 ~~Restoration~~ council shall develop rules defining specific
2394 criteria and numeric performance measures needed for lands that
2395 are to be acquired for public purpose under the Florida Forever
2396 program pursuant to s. 259.105 or with funds deposited into the
2397 Land Acquisition Trust Fund pursuant to s. 28(a), Art. X of the
2398 State Constitution. These rules shall be reviewed and adopted by
2399 the board, then submitted to the Legislature for consideration
2400 by February 1, 2017. The Legislature may reject, modify, or take
2401 no action relative to the proposed rules. If no action is taken,
2402 the rules shall be implemented. Subsequent to their approval,
2403 each recipient of funds from the Land Acquisition Trust Fund
2404 shall annually report to the department ~~Division of State Lands~~
2405 on each of the numeric performance measures accomplished during
2406 the previous fiscal year.

2407 Section 17. Subsections (1), (2), (4), and (5) of section
2408 259.036, Florida Statutes, are amended to read:

2409 259.036 Management review teams.—

2410 (1) To determine whether conservation, preservation, and
2411 recreation lands titled in the name of the board ~~of Trustees of~~
2412 ~~the Internal Improvement Trust Fund~~ are being managed for ~~the~~
2413 purposes that are compatible with conservation, preservation, or
2414 recreation for which they were acquired and in accordance with a
2415 land management plan adopted pursuant to s. 259.032, the board
2416 ~~of trustees~~, acting through the department ~~of Environmental~~
2417 ~~Protection~~, shall cause periodic management reviews to be
2418 conducted as follows:

2419 (a) The department shall establish a regional land
 2420 management review team composed of the following members:
 2421 1. One individual who is from the county or local
 2422 community in which the parcel or project is located and who is
 2423 selected by the county commission in the county which is most
 2424 impacted by the acquisition.
 2425 2. One individual from the Division of Recreation and
 2426 Parks of the department.
 2427 3. One individual from the Florida Forest Service of the
 2428 Department of Agriculture and Consumer Services.
 2429 4. One individual from the Fish and Wildlife Conservation
 2430 Commission.
 2431 5. One individual from the department's district office in
 2432 which the parcel is located.
 2433 6. A private land manager, preferably from the local
 2434 community, mutually agreeable to the state agency
 2435 representatives.
 2436 7. A member or staff from the jurisdictional water
 2437 management district or ~~of the~~ local soil and water conservation
 2438 district board of supervisors.
 2439 8. A member of a conservation organization.
 2440 (b) The department ~~staff of the Division of State Lands~~
 2441 shall act as the review team coordinator for the purposes of
 2442 establishing schedules for the reviews and other staff
 2443 functions. The Legislature shall appropriate funds necessary to
 2444 implement land management review team functions.

2445 (2) The land management review team shall review select
2446 management areas before ~~prior to~~ the date the manager is
2447 required to submit a 10-year land management plan update. For
2448 management areas that exceed 1,000 acres in size, the department
2449 ~~Division of State Lands~~ shall schedule a land management review
2450 at least every 5 years. A copy of the review shall be provided
2451 to the manager, the department ~~Division of State Lands~~, and the
2452 ~~Acquisition and Restoration~~ council. The manager shall consider
2453 the findings and recommendations of the land management review
2454 team in finalizing the required 10-year update of its management
2455 plan.

2456 (4) In the event a land management plan has not been
2457 adopted within the timeframes specified in s. 259.032(8), the
2458 department may direct a management review of the property, to be
2459 conducted by the land management review team. The review shall
2460 consider the extent to which the land is being managed in a
2461 manner that is compatible with conservation or recreation
2462 purposes ~~for the purposes for which it was acquired~~ and the
2463 degree to which actual management practices are in compliance
2464 with the management policy statement and management prospectus
2465 for that property.

2466 (5) If the land management review team determines that
2467 reviewed lands are not being managed in a manner that is
2468 compatible with conservation or recreation purposes ~~for the~~
2469 ~~purposes for which they were acquired or~~ in compliance with the
2470 adopted land management plan, management policy statement, or

2471 management prospectus, or if the managing agency fails to
 2472 address the review findings in the updated management plan, the
 2473 department shall provide the review findings to the board, and
 2474 the managing agency must report to the board its reasons for
 2475 managing the lands as it has.

2476 Section 18. Section 259.037, Florida Statutes, is amended
 2477 to read:

2478 259.037 Land Management Uniform Accounting Council.—

2479 (1) The Land Management Uniform Accounting Council (LMUAC)
 2480 is created within the Department of Environmental Protection and
 2481 shall consist of the director of the Division of State Lands,
 2482 the director of the Division of Recreation and Parks, and the
 2483 director of the Office of Coastal and Aquatic Managed Areas, ~~and~~
 2484 ~~the director of the Office of Greenways and Trails of the~~
 2485 ~~department of Environmental Protection;~~ the director of the
 2486 Florida Forest Service of the Department of Agriculture and
 2487 Consumer Services; the executive director of the Fish and
 2488 Wildlife Conservation Commission; and the director of the
 2489 Division of Historical Resources of the Department of State, or
 2490 their respective designees. Each state agency represented on the
 2491 LMUAC ~~council~~ shall have one vote. The chair of the LMUAC
 2492 ~~council~~ shall rotate annually in the foregoing order of state
 2493 agencies. The agency of the representative serving as chair ~~of~~
 2494 ~~the council~~ shall provide staff support for the LMUAC ~~council~~.
 2495 The Division of State Lands shall serve as the recipient of and
 2496 repository for the LMUAC's ~~council's~~ documents. The LMUAC

2497 ~~council~~ shall meet at the request of the chair.

2498 (2) The Auditor General and the director of the Office of
 2499 Program Policy Analysis and Government Accountability, or their
 2500 designees, shall advise the LMUAC ~~council~~ to ensure that
 2501 appropriate accounting procedures are used ~~utilized~~ and that a
 2502 uniform method of collecting and reporting accurate costs of
 2503 land management activities are created and can be used by all
 2504 agencies.

2505 (3) (a) All land management activities and costs must be
 2506 assigned to a specific category, and any single activity or cost
 2507 may not be assigned to more than one category. Administrative
 2508 costs, such as planning or training, shall be segregated from
 2509 other management activities. Specific management activities and
 2510 costs must initially be grouped, at a minimum, within the
 2511 following categories:

- 2512 1. Resource management.
- 2513 2. Administration.
- 2514 3. Support.
- 2515 4. Capital improvements.
- 2516 5. Recreation visitor services.
- 2517 6. Law enforcement activities.

2518
 2519 Upon adoption of the initial list of land management categories
 2520 by the LMUAC ~~council~~, agencies assigned to manage conservation
 2521 or recreation lands shall, ~~on July 1, 2000, begin to~~ account for
 2522 land management costs in accordance with the category to which

2523 an expenditure is assigned.

2524 (b) Each reporting agency shall also:

2525 1. Include a report of the available public use
2526 opportunities for each management unit of state land, the total
2527 management cost for public access and public use, and the cost
2528 associated with each use option.

2529 2. List the acres of land requiring minimal management
2530 effort, moderate management effort, and significant management
2531 effort pursuant to s. 259.032(9)(c). For each category created
2532 in paragraph (a), the reporting agency shall include the amount
2533 of funds requested, the amount of funds received, and the amount
2534 of funds expended for land management.

2535 3. List acres managed and cost of management for each
2536 park, preserve, forest, reserve, or management area.

2537 4. List acres managed, cost of management, and lead
2538 manager for each state lands management unit for which secondary
2539 management activities were provided.

2540 5. Include a report of the estimated calculable financial
2541 benefits to the public for the ecosystem services provided by
2542 conservation lands, based on the best readily available
2543 information or science that provides a standard measurement
2544 methodology to be consistently applied by the land managing
2545 agencies. Such information may include, but need not be limited
2546 to, the value of natural lands for protecting the quality and
2547 quantity of drinking water through natural water filtration and
2548 recharge, contributions to protecting and improving air quality,

2549 benefits to agriculture through increased soil productivity and
 2550 preservation of biodiversity, and savings to property and lives
 2551 through flood control.

2552 (4) The LMUAC ~~council~~ shall provide a report of the
 2553 agencies' expenditures pursuant to the adopted categories to the
 2554 Acquisition and Restoration Council and the Division of State
 2555 Lands for inclusion in its annual report required pursuant to s.
 2556 259.036.

2557 (5) Should the LMUAC ~~council~~ determine that the list of
 2558 land management categories needs to be revised, it shall meet
 2559 upon the call of the chair.

2560 (6) Biennially, each reporting agency shall also submit an
 2561 operational report for each management area along with an
 2562 approved management plan. The report should assess the progress
 2563 toward achieving short-term and long-term management goals of
 2564 the approved management plan, including all land management
 2565 activities, and identify any deficiencies in management and
 2566 corrective actions to address identified deficiencies as
 2567 appropriate. This report shall be submitted to the Acquisition
 2568 and Restoration Council and the Division of State Lands for
 2569 inclusion in its annual report required pursuant to s. 259.036.

2570 Section 19. Section 259.041, Florida Statutes, is
 2571 repealed.

2572 Section 20. Subsection (2) of section 259.047, Florida
 2573 Statutes, is amended to read:

2574 259.047 Acquisition of land on which an agricultural lease

2575 exists.—

2576 (2) If ~~Where~~ consistent with the purposes of conservation
 2577 and recreation ~~for which the property was acquired~~, the state or
 2578 acquiring entity shall make reasonable efforts to keep lands in
 2579 agricultural production which are in agricultural production at
 2580 the time of acquisition.

2581 Section 21. Subsection (8) of section 259.101, Florida
 2582 Statutes, is renumbered as subsection (7), and subsection (5),
 2583 paragraph (a) of subsection (6), and present subsection (7) of
 2584 that section are amended, to read:

2585 259.101 Florida Preservation 2000 Act.—

2586 (5) DISPOSITION OF LANDS.—

2587 (a) Any lands acquired pursuant to former paragraphs
 2588 (3) (a), (3) (c), (3) (d), (3) (e), (3) (f), or (3) (g) of this
 2589 section, Florida Statutes 2014, if title to such lands is vested
 2590 in the board ~~of Trustees of the Internal Improvement Trust Fund~~,
 2591 may be disposed of by the board ~~of Trustees of the Internal~~
 2592 ~~Improvement Trust Fund~~ in accordance with the provisions and
 2593 procedures set forth in s. 253.0341 ~~253.034(6)~~, and lands
 2594 acquired pursuant to former paragraph (3) (b) of this section,
 2595 Florida Statutes 2014, may be disposed of by the owning water
 2596 management district in accordance with the procedures and
 2597 provisions set forth in ss. 373.056 and 373.089 provided such
 2598 disposition also shall satisfy the requirements of paragraphs
 2599 (b) and (c).

2600 (b) Before land acquired with Preservation 2000 funds may

2601 be surplusd as required by s. 253.0341 ~~253.034(6)~~ or determined
 2602 to be no longer required for its purposes under s. 373.056(4),
 2603 as applicable, there shall first be a determination by the board
 2604 ~~of Trustees of the Internal Improvement Trust Fund~~, or, in the
 2605 case of water management district lands, by the owning water
 2606 management district, that such land no longer needs to be
 2607 preserved in furtherance of the intent of the Florida
 2608 Preservation 2000 Act. Any lands eligible to be disposed of
 2609 under this procedure also may be used to acquire other lands
 2610 through an exchange of lands if such lands obtained in an
 2611 exchange are described in the same paragraph of former
 2612 subsection (3) of this section, Florida Statutes 2014, as the
 2613 lands disposed.

2614 (c) Revenue derived from the disposal of lands acquired
 2615 with Preservation 2000 funds may not be used for any purpose
 2616 except for deposit into the Florida Forever Trust Fund within
 2617 the department ~~of Environmental Protection~~, for recredit to the
 2618 share held under former subsection (3) of this section, Florida
 2619 Statutes 2014, in which such disposed land is described.

2620 (6) ALTERNATE USES OF ACQUIRED LANDS.—

2621 (a) The board ~~of Trustees of the Internal Improvement~~
 2622 ~~Trust Fund~~, or, in the case of water management district lands,
 2623 the owning water management district, may authorize the granting
 2624 of a lease, easement, or license for the use of any lands
 2625 acquired pursuant to former subsection (3) of this section,
 2626 Florida Statutes 2014, for any governmental use permitted by s.

2627 17, Art. IX of the State Constitution of 1885, as adopted by s.
 2628 9(a), Art. XII of the State Constitution, and any other
 2629 incidental public or private use that is determined by the board
 2630 or the owning water management district to be compatible with
 2631 conservation, preservation, or recreation ~~the purposes for which~~
 2632 ~~such lands were acquired.~~

2633 ~~(7) ALTERNATIVES TO FEE SIMPLE ACQUISITION.—~~

2634 ~~(a) The Legislature finds that, with the increasing~~
 2635 ~~pressures on the natural areas of this state, the state must~~
 2636 ~~develop creative techniques to maximize the use of acquisition~~
 2637 ~~and management moneys. The Legislature finds that the state's~~
 2638 ~~environmental land-buying agencies should be encouraged to~~
 2639 ~~augment their traditional, fee simple acquisition programs with~~
 2640 ~~the use of alternatives to fee simple acquisition techniques.~~
 2641 ~~The Legislature also finds that using alternatives to fee simple~~
 2642 ~~acquisition by public land-buying agencies will achieve the~~
 2643 ~~following public policy goals:~~

2644 ~~1. Allow more lands to be brought under public protection~~
 2645 ~~for preservation, conservation, and recreational purposes at~~
 2646 ~~less expense using public funds.~~

2647 ~~2. Retain, on local government tax rolls, some portion of~~
 2648 ~~or interest in lands that are under public protection.~~

2649 ~~3. Reduce long-term management costs by allowing private~~
 2650 ~~property owners to continue acting as stewards of the land, as~~
 2651 ~~appropriate.~~

2652

2653 ~~Therefore, it is the intent of the Legislature that public land-~~
2654 ~~buying agencies develop programs to pursue alternatives to fee~~
2655 ~~simple acquisition and to educate private landowners about such~~
2656 ~~alternatives and the benefits of such alternatives. It also is~~
2657 ~~the intent of the Legislature that the department and the water~~
2658 ~~management districts spend a portion of their shares of~~
2659 ~~Preservation 2000 bond proceeds to purchase eligible properties~~
2660 ~~using alternatives to fee simple acquisition. Finally, it is the~~
2661 ~~intent of the Legislature that public agencies acquire lands in~~
2662 ~~fee simple for public access and recreational activities. Lands~~
2663 ~~protected using alternatives to fee simple acquisition~~
2664 ~~techniques may not be accessible to the public unless such~~
2665 ~~access is negotiated with and agreed to by the private~~
2666 ~~landowners who retain interests in such lands.~~

2667 ~~(b) The Land Acquisition Advisory Council and the water~~
2668 ~~management districts shall identify, within their 1997~~
2669 ~~acquisition plans, those projects that require a full fee simple~~
2670 ~~interest to achieve the public policy goals, along with the~~
2671 ~~reasons why full title is determined to be necessary. The~~
2672 ~~council and the water management districts may use alternatives~~
2673 ~~to fee simple acquisition to bring the remaining projects in~~
2674 ~~their acquisition plans under public protection. For the~~
2675 ~~purposes of this subsection, the term "alternatives to fee~~
2676 ~~simple acquisition" includes the purchase of development rights;~~
2677 ~~conservation easements; flowage easements; the purchase of~~
2678 ~~timber rights, mineral rights, or hunting rights; the purchase~~

2679 ~~of agricultural interests or silvicultural interests; land~~
2680 ~~protection agreements; fee simple acquisitions with~~
2681 ~~reservations; or any other acquisition technique that achieves~~
2682 ~~the public policy goals identified in paragraph (a). It is~~
2683 ~~presumed that a private landowner retains the full range of uses~~
2684 ~~for all the rights or interests in the landowner's land which~~
2685 ~~are not specifically acquired by the public agency. Life estates~~
2686 ~~and fee simple acquisitions with leaseback provisions do not~~
2687 ~~qualify as an alternative to fee simple acquisition under this~~
2688 ~~subsection, although the department and the districts are~~
2689 ~~encouraged to use such techniques if appropriate.~~

2690 ~~(c) The department and each water management district~~
2691 ~~shall implement initiatives to use alternatives to fee simple~~
2692 ~~acquisition and to educate private landowners about such~~
2693 ~~alternatives. These initiatives must include at least two~~
2694 ~~acquisitions a year by the department and each water management~~
2695 ~~district utilizing alternatives to fee simple.~~

2696 ~~(d) The Legislature finds that the lack of direct sales~~
2697 ~~comparison information has served as an impediment to successful~~
2698 ~~implementation of alternatives to fee simple acquisition. It is~~
2699 ~~the intent of the Legislature that, in the absence of direct~~
2700 ~~comparable sales information, appraisals of alternatives to fee~~
2701 ~~simple acquisitions be based on the difference between the full~~
2702 ~~fee simple valuation and the value of the interests remaining~~
2703 ~~with the seller after acquisition.~~

2704 ~~(e) The public agency that has been assigned management~~

2705 ~~responsibility shall inspect and monitor any less-than-fee-~~
 2706 ~~simple interest according to the terms of the purchase agreement~~
 2707 ~~relating to such interest.~~

2708 ~~(f) The department and the water management districts may~~
 2709 ~~enter into joint acquisition agreements to jointly fund the~~
 2710 ~~purchase of lands using alternatives to fee simple techniques.~~

2711 Section 22. Paragraph (a) of subsection (2), paragraphs
 2712 (i) and (l) of subsection (3), subsections (10) and (13),
 2713 paragraph (i) of subsection (15), and subsection (19) of section
 2714 259.105, Florida Statutes, are amended to read:

2715 259.105 The Florida Forever Act.—

2716 (2) (a) The Legislature finds and declares that:

2717 1. Land acquisition programs have provided tremendous
 2718 financial resources for purchasing environmentally significant
 2719 lands to protect those lands from imminent development or
 2720 alteration, thereby ensuring present and future generations'
 2721 access to important waterways, open spaces, and recreation and
 2722 conservation lands.

2723 2. The continued alteration and development of the state's
 2724 ~~Florida's~~ natural and rural areas to accommodate the state's
 2725 growing population have contributed to the degradation of water
 2726 resources, the fragmentation and destruction of wildlife
 2727 habitats, the loss of outdoor recreation space, and the
 2728 diminishment of wetlands, forests, working landscapes, and
 2729 coastal open space.

2730 3. The potential development of the state's ~~Florida's~~

2731 remaining natural areas and escalation of land values require
2732 government efforts to restore, bring under public protection, or
2733 acquire lands and water areas to preserve the state's essential
2734 ecological functions and invaluable quality of life.

2735 4. It is essential to protect the state's ecosystems by
2736 promoting a more efficient use of land, to ensure opportunities
2737 for viable agricultural activities on working lands, and to
2738 promote vital rural and urban communities that support and
2739 produce development patterns consistent with natural resource
2740 protection.

2741 5. The state's ~~Florida's~~ groundwater, surface waters, and
2742 springs are under tremendous pressure due to population growth
2743 and economic expansion and require special protection and
2744 restoration efforts, including the protection of uplands and
2745 springsheds that provide vital recharge to aquifer systems and
2746 are critical to the protection of water quality and water
2747 quantity of the aquifers and springs. To ensure that sufficient
2748 quantities of water are available to meet the current and future
2749 needs of the natural systems and citizens of the state, and
2750 assist in achieving the planning goals of the department and the
2751 water management districts, water resource development projects
2752 on public lands, if ~~where~~ compatible with the resource values of
2753 and management objectives for the lands, are appropriate.

2754 6. The needs of urban, suburban, and small communities in
2755 the state ~~Florida~~ for high-quality outdoor recreational
2756 opportunities, greenways, trails, and open space have not been

2757 fully met by previous acquisition programs. Through such
2758 programs as the Florida Communities Trust and the Florida
2759 Recreation Development Assistance Program, the state shall place
2760 additional emphasis on acquiring, protecting, preserving, and
2761 restoring open space, ecological greenways, and recreation
2762 properties within urban, suburban, and rural areas where
2763 pristine natural communities or water bodies no longer exist
2764 because of the proximity of developed property.

2765 7. Many of the state's ~~Florida's~~ unique ecosystems, such
2766 as the Florida Everglades, are facing ecological collapse due to
2767 the state's ~~Florida's~~ burgeoning population growth and other
2768 economic activities. To preserve these valuable ecosystems for
2769 future generations, essential parcels of land must be acquired
2770 to facilitate ecosystem restoration.

2771 8. Access to public lands to support a broad range of
2772 outdoor recreational opportunities and the development of
2773 necessary infrastructure, if ~~where~~ compatible with the resource
2774 values of and management objectives for such lands, promotes an
2775 appreciation for the state's ~~Florida's~~ natural assets and
2776 improves the quality of life.

2777 9. Acquisition of lands, in fee simple, less-than-fee
2778 interest, or other techniques shall be based on a comprehensive
2779 science-based assessment of the state's ~~Florida's~~ natural
2780 resources which targets essential conservation lands by
2781 prioritizing all current and future acquisitions based on a
2782 uniform set of data and planned so as to protect the integrity

2783 and function of ecological systems and working landscapes, and
2784 provide multiple benefits, including preservation of fish and
2785 wildlife habitat, recreation space for urban and rural areas,
2786 and the restoration of natural water storage, flow, and
2787 recharge.

2788 10. The state has embraced performance-based program
2789 budgeting as a tool to evaluate the achievements of publicly
2790 funded agencies, build in accountability, and reward those
2791 agencies which are able to consistently achieve quantifiable
2792 goals. While previous and existing state environmental programs
2793 have achieved varying degrees of success, few of these programs
2794 can be evaluated as to the extent of their achievements,
2795 primarily because performance measures, standards, outcomes, and
2796 goals were not established at the outset. Therefore, the Florida
2797 Forever program shall be developed and implemented in the
2798 context of measurable state goals and objectives.

2799 11. The state must play a major role in the recovery and
2800 management of its imperiled species through the acquisition,
2801 restoration, enhancement, and management of ecosystems that can
2802 support the major life functions of such species. It is the
2803 intent of the Legislature to support local, state, and federal
2804 programs that result in net benefit to imperiled species habitat
2805 by providing public and private land owners meaningful
2806 incentives for acquiring, restoring, managing, and repopulating
2807 habitats for imperiled species. It is the further intent of the
2808 Legislature that public lands, both existing and to be acquired,

2809 identified by the lead land managing agency, in consultation
 2810 with the ~~Florida~~ Fish and Wildlife Conservation Commission for
 2811 animals or the Department of Agriculture and Consumer Services
 2812 for plants, as habitat or potentially restorable habitat for
 2813 imperiled species, be restored, enhanced, managed, and
 2814 repopulated as habitat for such species to advance the goals and
 2815 objectives of imperiled species management in a manner that is
 2816 compatible with conservation or recreation purposes ~~consistent~~
 2817 ~~with the purposes for which such lands are acquired~~ without
 2818 restricting other uses identified in the management plan. It is
 2819 also the intent of the Legislature that of the proceeds
 2820 distributed pursuant to subsection (3), additional consideration
 2821 be given to acquisitions that achieve a combination of
 2822 conservation goals, including the restoration, enhancement,
 2823 management, or repopulation of habitat for imperiled species.
 2824 The ~~Acquisition and Restoration~~ council, in addition to the
 2825 criteria in subsection (9), shall give weight to projects that
 2826 include acquisition, restoration, management, or repopulation of
 2827 habitat for imperiled species. The term "imperiled species" as
 2828 used in this chapter and chapter 253, means plants and animals
 2829 that are federally listed under the Endangered Species Act, or
 2830 state-listed by the Fish and Wildlife Conservation Commission or
 2831 the Department of Agriculture and Consumer Services.

2832 a. As part of the state's role, all state lands that have
 2833 imperiled species habitat shall include as a consideration in
 2834 management plan development the restoration, enhancement,

2835 management, and repopulation of such habitats. In addition, the
2836 lead land managing agency of such state lands may use fees
2837 received from public or private entities for projects to offset
2838 adverse impacts to imperiled species or their habitat in order
2839 to restore, enhance, manage, repopulate, or acquire land and to
2840 implement land management plans developed under s. 253.034 or a
2841 land management prospectus developed and implemented under this
2842 chapter. Such fees shall be deposited into a foundation or fund
2843 created by each land management agency under s. 379.223, s.
2844 589.012, or s. 259.032(9)(c), to be used solely to restore,
2845 manage, enhance, repopulate, or acquire imperiled species
2846 habitat.

2847 ~~b. Where habitat or potentially restorable habitat for~~
2848 ~~imperiled species is located on state lands, the Fish and~~
2849 ~~Wildlife Conservation Commission and the Department of~~
2850 ~~Agriculture and Consumer Services shall be included on any~~
2851 ~~advisory group required under chapter 253, and the short-term~~
2852 ~~and long-term management goals required under chapter 253 must~~
2853 ~~advance the goals and objectives of imperiled species management~~
2854 ~~consistent with the purposes for which the land was acquired~~
2855 ~~without restricting other uses identified in the management~~
2856 ~~plan.~~

2857 12. There is a need to change the focus and direction of
2858 the state's major land acquisition programs and to extend
2859 funding and bonding capabilities, so that future generations may
2860 enjoy the natural resources of this state.

2861 (3) Less the costs of issuing and the costs of funding
 2862 reserve accounts and other costs associated with bonds, the
 2863 proceeds of cash payments or bonds issued pursuant to this
 2864 section shall be deposited into the Florida Forever Trust Fund
 2865 created by s. 259.1051. The proceeds shall be distributed by the
 2866 department of Environmental Protection in the following manner:

2867 (i) Three and five-tenths percent to the Department of
 2868 Agriculture and Consumer Services for the acquisition of
 2869 agricultural lands, through perpetual conservation easements and
 2870 other perpetual less-than-fee techniques, which will achieve the
 2871 objectives of Florida Forever and s. 570.71. Rules concerning
 2872 the application, acquisition, and priority ranking process for
 2873 such easements shall be developed pursuant to s. 570.71(10) and
 2874 as provided by this paragraph. The board shall ensure that such
 2875 rules are consistent with the acquisition process provided for
 2876 in s. 253.025 ~~259.041~~. ~~Provisions of~~ The rules developed
 2877 pursuant to s. 570.71(10), shall also provide for the following:

2878 1. An annual priority list shall be developed pursuant to
 2879 s. 570.71(10), submitted to the ~~Acquisition and Restoration~~
 2880 council for review, and approved by the board pursuant to s.
 2881 259.04.

2882 2. Terms of easements and acquisitions proposed pursuant
 2883 to this paragraph shall be approved by the board and may ~~shall~~
 2884 not be delegated by the board to any other entity receiving
 2885 funds under this section.

2886 3. All acquisitions pursuant to this paragraph shall

2887 contain a clear statement that they are subject to legislative
 2888 appropriation.

2889
 2890 ~~No~~ Funds provided under this paragraph may not ~~shall~~ be expended
 2891 until final adoption of rules by the board pursuant to s.
 2892 570.71.

2893 (1) For the purposes of paragraphs (e), (f), (g), and (h),
 2894 the agencies that receive the funds shall develop their
 2895 individual acquisition or restoration lists in accordance with
 2896 specific criteria and numeric performance measures developed
 2897 pursuant to s. 259.035(4). Proposed additions may be acquired if
 2898 they are identified within the original project boundary, the
 2899 management plan required pursuant to s. 253.034(5), or the
 2900 management prospectus required pursuant to s. 259.032(7)(c)
 2901 ~~259.032(7)(d)~~. Proposed additions not meeting the requirements
 2902 of this paragraph shall be submitted to the ~~Acquisition and~~
 2903 ~~Restoration~~ council for approval. The council may only approve
 2904 the proposed addition if it meets two or more of the following
 2905 criteria: serves as a link or corridor to other publicly owned
 2906 property; enhances the protection or management of the property;
 2907 would add a desirable resource to the property; would create a
 2908 more manageable boundary configuration; has a high resource
 2909 value that otherwise would be unprotected; or can be acquired at
 2910 less than fair market value.

2911 (10) The ~~Acquisition and Restoration~~ council shall give
 2912 increased priority to:

2913 (a) ~~those~~ Projects for which matching funds are available.

2914 (b) ~~and to~~ Project elements previously identified on an
 2915 acquisition list pursuant to this section that can be acquired
 2916 at 80 percent or less of appraised value.

2917 (c) Projects that can be acquired in less than fee
 2918 ownership, such as a permanent conservation easement.

2919 (d) Projects that contribute to improving the quality and
 2920 quantity of surface water and groundwater.

2921 (e) Projects that contribute to improving the water
 2922 quality and flow of springs.

2923 (f) ~~The council shall also give increased priority to~~
 2924 ~~those~~ Projects for which ~~where~~ the state's land conservation
 2925 plans overlap with the military's need to protect lands, water,
 2926 and habitat to ensure the sustainability of military missions
 2927 including:

2928 1.~~(a)~~ Protecting habitat on nonmilitary land for any
 2929 species found on military land that is designated as threatened
 2930 or endangered, or is a candidate for such designation under the
 2931 Endangered Species Act or any Florida statute;

2932 2.~~(b)~~ Protecting areas underlying low-level military air
 2933 corridors or operating areas; and

2934 3.~~(c)~~ Protecting areas identified as clear zones, accident
 2935 potential zones, and air installation compatible use buffer
 2936 zones delineated by our military partners, and for which federal
 2937 or other funding is available to assist with the project.

2938 (13) An affirmative vote of at least five members of the

2939 ~~Acquisition and Restoration~~ council shall be required in order
 2940 to place a ~~proposed~~ project submitted pursuant to subsection (7)
 2941 on the proposed project list developed pursuant to subsection
 2942 (8). Any member of the council who by family or a business
 2943 relationship has a connection with any project proposed to be
 2944 ranked shall declare such interest before ~~prior to~~ voting for a
 2945 project's inclusion on the list.

2946 (15) The ~~Acquisition and Restoration~~ council shall submit
 2947 to the board ~~of trustees~~, with its list of projects, a report
 2948 that includes, but need shall not be limited to, the following
 2949 information for each project listed:

2950 (i) A management policy statement for the project and a
 2951 management prospectus pursuant to s. 259.032(7)(c)
 2952 ~~259.032(7)(d)~~.

2953 (19) The ~~Acquisition and Restoration~~ council shall
 2954 recommend adoption of rules by the board ~~of trustees~~ necessary
 2955 to implement ~~the provisions of~~ this section relating to:
 2956 solicitation, scoring, selecting, and ranking of Florida Forever
 2957 project proposals; disposing of or leasing lands or water areas
 2958 selected for funding through the Florida Forever program; and
 2959 the process of reviewing and recommending for approval or
 2960 rejection the land management plans associated with publicly
 2961 owned properties. ~~Rules promulgated pursuant to this subsection~~
 2962 ~~shall be submitted to the President of the Senate and the~~
 2963 ~~Speaker of the House of Representatives, for review by the~~
 2964 ~~Legislature, no later than 30 days prior to the 2010 Regular~~

2965 ~~Session and shall become effective only after legislative~~
 2966 ~~review. In its review, the Legislature may reject, modify, or~~
 2967 ~~take no action relative to such rules. The board of trustees~~
 2968 ~~shall conform such rules to changes made by the Legislature, or,~~
 2969 ~~if no action was taken by the Legislature, such rules shall~~
 2970 ~~become effective.~~

2971 Section 23. Subsections (6) and (7) of section 259.1052,
 2972 Florida Statutes, are amended to read:

2973 259.1052 Babcock Crescent B Ranch Florida Forever
 2974 acquisition; conditions for purchase.-

2975 ~~(6) In addition to distributions authorized under s.~~
 2976 ~~259.105(3), the Department of Environmental Protection is~~
 2977 ~~authorized to distribute \$310 million in revenues from the~~
 2978 ~~Florida Forever Trust Fund. This distribution shall represent~~
 2979 ~~payment in full for the portion of the Babcock Crescent B Ranch~~
 2980 ~~to be acquired by the state under this section.~~

2981 ~~(7) As used in this section, the term "state's portion of~~
 2982 ~~the Babcock Crescent B Ranch" comprises those lands to be~~
 2983 ~~conveyed by special warranty deed to the Board of Trustees of~~
 2984 ~~the Internal Improvement Trust Fund under the provisions of the~~
 2985 ~~agreement for sale and purchase executed by the Board of~~
 2986 ~~Trustees of the Internal Improvement Trust Fund, the Fish and~~
 2987 ~~Wildlife Conservation Commission, the Department of Agriculture~~
 2988 ~~and Consumer Services, and the participating local government,~~
 2989 ~~as purchaser, and MSKP, III, a Florida corporation, as seller.~~

2990 Section 24. Paragraph (d) of subsection (1) of section

2991 73.015, Florida Statutes, is amended to read:

2992 73.015 Presuit negotiation.—

2993 (1) Effective July 1, 2000, before an eminent domain
 2994 proceeding is brought under this chapter or chapter 74, the
 2995 condemning authority must attempt to negotiate in good faith
 2996 with the fee owner of the parcel to be acquired, must provide
 2997 the fee owner with a written offer and, if requested, a copy of
 2998 the appraisal upon which the offer is based, and must attempt to
 2999 reach an agreement regarding the amount of compensation to be
 3000 paid for the parcel.

3001 (d) Notwithstanding this subsection, with respect to lands
 3002 acquired under s. 253.025 ~~259.041~~, the condemning authority is
 3003 not required to give the fee owner the current appraisal before
 3004 executing an option contract.

3005 Section 25. Paragraph (b) of subsection (1) of section
 3006 125.355, Florida Statutes, is amended to read:

3007 125.355 Proposed purchase of real property by county;
 3008 confidentiality of records; procedure.—

3009 (1)

3010 (b) If the exemptions provided in this section are
 3011 utilized, the governing body shall obtain at least one appraisal
 3012 by an appraiser approved pursuant to s. 253.025 ~~253.025(6)(b)~~
 3013 for each purchase in an amount of not more than \$500,000. For
 3014 each purchase in an amount in excess of \$500,000, the governing
 3015 body shall obtain at least two appraisals by appraisers approved
 3016 pursuant to s. 253.025 ~~253.025(6)(b)~~. If the agreed purchase

3017 price exceeds the average appraised price of the two appraisals,
 3018 the governing body is required to approve the purchase by an
 3019 extraordinary vote. The governing body may, by ordinary vote,
 3020 exempt a purchase in an amount of \$100,000 or less from the
 3021 requirement for an appraisal.

3022 Section 26. Paragraph (b) of subsection (1) of section
 3023 166.045, Florida Statutes, is amended to read:

3024 166.045 Proposed purchase of real property by
 3025 municipality; confidentiality of records; procedure.—

3026 (1)

3027 (b) If the exemptions provided in this section are
 3028 utilized, the governing body shall obtain at least one appraisal
 3029 by an appraiser approved pursuant to s. 253.025 ~~253.025(6)(b)~~
 3030 for each purchase in an amount of not more than \$500,000. For
 3031 each purchase in an amount in excess of \$500,000, the governing
 3032 body shall obtain at least two appraisals by appraisers approved
 3033 pursuant to s. 253.025 ~~253.025(6)(b)~~. If the agreed purchase
 3034 price exceeds the average appraised price of the two appraisals,
 3035 the governing body is required to approve the purchase by an
 3036 extraordinary vote. The governing body may, by ordinary vote,
 3037 exempt a purchase in an amount of \$100,000 or less from the
 3038 requirement for an appraisal.

3039 Section 27. Subsection (2) of section 215.82, Florida
 3040 Statutes, is amended to read:

3041 215.82 Validation; when required.—

3042 (2) Any bonds issued pursuant to this act which are

3043 validated shall be validated in the manner provided by chapter
 3044 75. In actions to validate bonds to be issued in the name of the
 3045 State Board of Education under s. 9(a) and (d), Art. XII of the
 3046 State Constitution and bonds to be issued pursuant to chapter
 3047 259, the Land Conservation Program Act of 1972, the complaint
 3048 shall be filed in the circuit court of the county where the seat
 3049 of state government is situated, the notice required to be
 3050 published by s. 75.06 shall be published only in the county
 3051 where the complaint is filed, and the complaint and order of the
 3052 circuit court shall be served only on the state attorney of the
 3053 circuit in which the action is pending. In any action to
 3054 validate bonds issued pursuant to s. 1010.62 or issued pursuant
 3055 to s. 9(a)(1), Art. XII of the State Constitution or issued
 3056 pursuant to s. 215.605 or s. 338.227, the complaint shall be
 3057 filed in the circuit court of the county where the seat of state
 3058 government is situated, the notice required to be published by
 3059 s. 75.06 shall be published in a newspaper of general
 3060 circulation in the county where the complaint is filed and in
 3061 two other newspapers of general circulation in the state, and
 3062 the complaint and order of the circuit court shall be served
 3063 only on the state attorney of the circuit in which the action is
 3064 pending; provided, however, that if publication of notice
 3065 pursuant to this section would require publication in more
 3066 newspapers than would publication pursuant to s. 75.06, such
 3067 publication shall be made pursuant to s. 75.06.

3068 Section 28. Section 215.965, Florida Statutes, is amended

3069 to read:

3070 215.965 Disbursement of state moneys.—Except as provided
 3071 in s. 17.076, s. 253.025(17) ~~253.025(14)~~, ~~s. 259.041(18)~~, s.
 3072 717.124(4) (b) and (c), s. 732.107(5), or s. 733.816(5), all
 3073 moneys in the State Treasury shall be disbursed by state
 3074 warrant, drawn by the Chief Financial Officer upon the State
 3075 Treasury and payable to the ultimate beneficiary. This
 3076 authorization shall include electronic disbursement.

3077 Section 29. Subsection (8) of section 253.027, Florida
 3078 Statutes, is amended to read:

3079 253.027 Emergency archaeological property acquisition.—

3080 (8) WAIVER OF APPRAISALS OR SURVEYS.—The Board of Trustees
 3081 of the Internal Improvement Trust Fund may waive or limit any
 3082 appraisal or survey requirements in s. 253.025 ~~259.041~~, if
 3083 necessary to effectuate the purposes of this section. Fee simple
 3084 title is not required to be conveyed if some lesser interest
 3085 will allow the preservation of the archaeological resource.
 3086 Properties purchased pursuant to this section shall be
 3087 considered archaeologically unique or significant properties and
 3088 may be purchased under the provisions of s. 253.025(9)
 3089 ~~253.025(7)~~.

3090 Section 30. Section 253.7824, Florida Statutes, is amended
 3091 to read:

3092 253.7824 Sale of products; proceeds.—The Department of
 3093 Environmental Protection may authorize the removal and sale of
 3094 products from the land where environmentally appropriate, the

3095 | proceeds from which shall be deposited into the appropriate
 3096 | trust fund in accordance with the same disposition provided
 3097 | under s. 253.0341 ~~253.034(6)(k), (l), or (m)~~ applicable to the
 3098 | sale of land.

3099 | Section 31. Paragraphs (b) and (c) of subsection (2) of
 3100 | section 260.015, Florida Statutes, are amended to read:

3101 | 260.015 Acquisition of land.—

3102 | (2) For purposes of the Florida Greenways and Trails
 3103 | Program, the board may:

3104 | (b) Accept title to abandoned railroad rights-of-way which
 3105 | is conveyed by quitclaim deed through purchase, dedication,
 3106 | gift, grant, or settlement, notwithstanding s. 253.025
 3107 | ~~259.041(1)~~.

3108 | (c) Enter into an agreement or, upon delegation, the
 3109 | department may enter into an agreement, with a nonprofit
 3110 | corporation, as defined in s. 253.025 ~~259.041(7)(e)~~, to assume
 3111 | responsibility for acquisition of lands pursuant to this
 3112 | section. The agreement may transfer responsibility for all
 3113 | matters which may be delegated or waived pursuant to s. 253.025
 3114 | ~~259.041(1)~~.

3115 | Section 32. Paragraph (b) of subsection (3) of section
 3116 | 260.016, Florida Statutes, is amended to read:

3117 | 260.016 General powers of the department.—

3118 | (3) The department or its designee is authorized to
 3119 | negotiate with potentially affected private landowners as to the
 3120 | terms under which such landowners would consent to the public

3121 use of their lands as part of the greenways and trails system.
 3122 The department shall be authorized to agree to incentives for a
 3123 private landowner who consents to this public use of his or her
 3124 lands for conservation or recreational purposes, including, but
 3125 not limited to, the following:

3126 (b) Agreement to exchange, subject to the approval of the
 3127 board ~~of Trustees of the Internal Improvement Trust Fund~~ or
 3128 other applicable unit of government, ownership or other rights
 3129 of use of public lands for the ownership or other rights of use
 3130 of privately owned lands. Any exchange of state-owned lands,
 3131 title to which is vested in the board ~~of Trustees of the~~
 3132 ~~Internal Improvement Trust Fund~~, for privately owned lands shall
 3133 be subject to the requirements of s. 253.025 ~~259.041~~.

3134 Section 33. Subsections (6) and (7) of section 369.317,
 3135 Florida Statutes, are amended to read:

3136 369.317 Wekiva Parkway.—

3137 (6) The Central Florida Expressway Authority is hereby
 3138 granted the authority to act as a third-party acquisition agent,
 3139 pursuant to s. 253.025 ~~259.041~~ on behalf of the Board of
 3140 Trustees of the Internal Improvement Trust Fund or chapter 373
 3141 on behalf of the governing board of the St. Johns River Water
 3142 Management District, for the acquisition of all necessary lands,
 3143 property and all interests in property identified herein,
 3144 including fee simple or less-than-fee simple interests. The
 3145 lands subject to this authority are identified in paragraph
 3146 10.a., State of Florida, Office of the Governor, Executive Order

3147 03-112 of July 1, 2003, and in Recommendation 16 of the Wekiva
3148 Basin Area Task Force created by Executive Order 2002-259, such
3149 lands otherwise known as Neighborhood Lakes, a 1,587+/-acre
3150 parcel located in Orange and Lake Counties within Sections 27,
3151 28, 33, and 34 of Township 19 South, Range 28 East, and Sections
3152 3, 4, 5, and 9 of Township 20 South, Range 28 East; Seminole
3153 Woods/Swamp, a 5,353+/-acre parcel located in Lake County within
3154 Section 37, Township 19 South, Range 28 East; New Garden Coal; a
3155 1,605+/-acre parcel in Lake County within Sections 23, 25, 26,
3156 35, and 36, Township 19 South, Range 28 East; Pine Plantation, a
3157 617+/-acre tract consisting of eight individual parcels within
3158 the Apopka City limits. The Department of Transportation, the
3159 Department of Environmental Protection, the St. Johns River
3160 Water Management District, and other land acquisition entities
3161 shall participate and cooperate in providing information and
3162 support to the third-party acquisition agent. The land
3163 acquisition process authorized by this paragraph shall begin no
3164 later than December 31, 2004. Acquisition of the properties
3165 identified as Neighborhood Lakes, Pine Plantation, and New
3166 Garden Coal, or approval as a mitigation bank shall be concluded
3167 no later than December 31, 2010. Department of Transportation
3168 and Central Florida Expressway Authority funds expended to
3169 purchase an interest in those lands identified in this
3170 subsection shall be eligible as environmental mitigation for
3171 road construction related impacts in the Wekiva Study Area. If
3172 any of the lands identified in this subsection are used as

3173 environmental mitigation for road-construction-related impacts
3174 incurred by the Department of Transportation or Central Florida
3175 Expressway Authority, or for other impacts incurred by other
3176 entities, within the Wekiva Study Area or within the Wekiva
3177 parkway alignment corridor, and if the mitigation offsets these
3178 impacts, the St. Johns River Water Management District and the
3179 Department of Environmental Protection shall consider the
3180 activity regulated under part IV of chapter 373 to meet the
3181 cumulative impact requirements of s. 373.414(8)(a).

3182 (a) Acquisition of the land described in this section is
3183 required to provide right-of-way for the Wekiva Parkway, a
3184 limited access roadway linking State Road 429 to Interstate 4,
3185 an essential component in meeting regional transportation needs
3186 to provide regional connectivity, improve safety, accommodate
3187 projected population and economic growth, and satisfy critical
3188 transportation requirements caused by increased traffic volume
3189 growth and travel demands.

3190 (b) Acquisition of the lands described in this section is
3191 also required to protect the surface water and groundwater
3192 resources of Lake, Orange, and Seminole counties, otherwise
3193 known as the Wekiva Study Area, including recharge within the
3194 springshed that provides for the Wekiva River system. Protection
3195 of this area is crucial to the long term viability of the Wekiva
3196 River and springs and the central Florida region's water supply.
3197 Acquisition of the lands described in this section is also
3198 necessary to alleviate pressure from growth and development

3199 affecting the surface and groundwater resources within the
 3200 recharge area.

3201 (c) Lands acquired pursuant to this section that are
 3202 needed for transportation facilities for the Wekiva Parkway
 3203 shall be determined not necessary for conservation purposes
 3204 pursuant to ss. 253.0341 ~~253.034(6)~~ and 373.089(5) and shall be
 3205 transferred to or retained by the Central Florida Expressway
 3206 Authority or the Department of Transportation upon reimbursement
 3207 of the full purchase price and acquisition costs.

3208 (7) The Department of Transportation, the Department of
 3209 Environmental Protection, the St. Johns River Water Management
 3210 District, Central Florida Expressway Authority, and other land
 3211 acquisition entities shall cooperate and establish funding
 3212 responsibilities and partnerships by agreement to the extent
 3213 funds are available to the various entities. Properties acquired
 3214 with Florida Forever funds shall be in accordance with s.
 3215 253.025 ~~259.041~~ or chapter 373. The Central Florida Expressway
 3216 Authority shall acquire land in accordance with this section ~~of~~
 3217 ~~law~~ to the extent funds are available from the various funding
 3218 partners; however, the authority is, ~~but shall~~ not be required
 3219 or ~~nor~~ assumed to fund the land acquisition beyond the agreement
 3220 and funding provided by the various land acquisition entities.

3221 Section 34. Paragraph (a) of subsection (3) of section
 3222 373.139, Florida Statutes, is amended to read:

3223 373.139 Acquisition of real property.—

3224 (3) The initial 5-year work plan and any subsequent

3225 modifications or additions thereto shall be adopted by each
 3226 water management district after a public hearing. Each water
 3227 management district shall provide at least 14 days' advance
 3228 notice of the hearing date and shall separately notify each
 3229 county commission within which a proposed work plan project or
 3230 project modification or addition is located of the hearing date.

3231 (a) Appraisal reports, offers, and counteroffers are
 3232 confidential and exempt from ~~the provisions of~~ s. 119.07(1)
 3233 until an option contract is executed or, if no option contract
 3234 is executed, until 30 days before a contract or agreement for
 3235 purchase is considered for approval by the governing board.
 3236 However, each district may, at its discretion, disclose
 3237 appraisal reports to private landowners during negotiations for
 3238 acquisitions using alternatives to fee simple techniques, if the
 3239 district determines that disclosure of such reports will bring
 3240 the proposed acquisition to closure. If ~~In the event that~~
 3241 negotiation is terminated by the district, the appraisal report,
 3242 offers, and counteroffers shall become available pursuant to s.
 3243 119.07(1). Notwithstanding ~~the provisions of~~ this section and s.
 3244 253.025 ~~259.041~~, a district and the Division of State Lands may
 3245 share and disclose appraisal reports, appraisal information,
 3246 offers, and counteroffers when joint acquisition of property is
 3247 contemplated. A district and the Division of State Lands shall
 3248 maintain the confidentiality of such appraisal reports,
 3249 appraisal information, offers, and counteroffers in conformance
 3250 with this section and s. 253.025 ~~259.041~~, except in those cases

3251 in which a district and the division have exercised discretion
3252 to disclose such information. A district may disclose appraisal
3253 information, offers, and counteroffers to a third party who has
3254 entered into a contractual agreement with the district to work
3255 with or on the behalf of or to assist the district in connection
3256 with land acquisitions. The third party shall maintain the
3257 confidentiality of such information in conformance with this
3258 section. In addition, a district may use, as its own, appraisals
3259 obtained by a third party provided the appraiser is selected
3260 from the district's list of approved appraisers and the
3261 appraisal is reviewed and approved by the district.

3262 Section 35. Subsection (8) of section 375.031, Florida
3263 Statutes, is amended to read:

3264 375.031 Acquisition of land; procedures.—

3265 (8) The department may, if it deems it desirable and in
3266 the best interest of the program, request the board of trustees
3267 to sell or otherwise dispose of any lands or water storage areas
3268 acquired under this act. The board of trustees, when so
3269 requested, shall offer the lands or water storage areas, on such
3270 terms as the department may determine, first to other state
3271 agencies and then, if still available, to the county or
3272 municipality in which the lands or water storage areas lie. If
3273 not acquired by another state agency or local governmental body
3274 for beneficial public purposes, the lands or water storage areas
3275 shall then be offered by the board of trustees at public sale,
3276 after first giving notice of such sale by publication in a

3277 newspaper published in the county or counties in which such
 3278 lands or water storage areas lie not less than once a week for 3
 3279 consecutive weeks. All proceeds from the sale or disposition of
 3280 any lands or water storage areas pursuant to this section shall
 3281 be deposited into the appropriate trust fund pursuant to s.
 3282 253.0341 ~~253.034(6)(k), (l), or (m)~~.

3283 Section 36. Subsection (2) of section 375.041, Florida
 3284 Statutes, is amended to read:

3285 375.041 Land Acquisition Trust Fund.—

3286 (2) All moneys and revenue from the sale or other
 3287 disposition of land, water areas, or related resources acquired
 3288 on or after July 1, 2015, for the purposes of s. 28, Art. X of
 3289 the State Constitution shall be deposited into or credited to
 3290 the Land Acquisition Trust Fund, except as otherwise provided
 3291 pursuant to s. 253.0341 ~~253.034(6)(l)~~.

3292 Section 37. Paragraph (a) of subsection (1) of section
 3293 380.05, Florida Statutes, is amended to read:

3294 380.05 Areas of critical state concern.—

3295 (1)(a) The state land planning agency may from time to
 3296 time recommend to the Administration Commission specific areas
 3297 of critical state concern. In its recommendation, the agency
 3298 shall include recommendations with respect to the purchase of
 3299 lands situated within the boundaries of the proposed area as
 3300 environmentally endangered lands and outdoor recreation lands
 3301 under the Land Conservation Program Act of 1972. The agency also
 3302 shall include any report or recommendation of a resource

3303 | planning and management committee appointed pursuant to s.
 3304 | 380.045; the dangers that would result from uncontrolled or
 3305 | inadequate development of the area and the advantages that would
 3306 | be achieved from the development of the area in a coordinated
 3307 | manner; a detailed boundary description of the proposed area;
 3308 | specific principles for guiding development within the area; an
 3309 | inventory of lands owned by the state, federal, county, and
 3310 | municipal governments within the proposed area; and a list of
 3311 | the state agencies with programs that affect the purpose of the
 3312 | designation. The agency shall recommend actions which the local
 3313 | government and state and regional agencies must accomplish in
 3314 | order to implement the principles for guiding development. These
 3315 | actions may include, but need ~~shall~~ not be limited to, revisions
 3316 | of the local comprehensive plan and adoption of land development
 3317 | regulations, density requirements, and special permitting
 3318 | requirements.

3319 | Section 38. Paragraph (b) of subsection (5) of section
 3320 | 380.055, Florida Statutes, is amended to read:

3321 | 380.055 Big Cypress Area.—

3322 | (5) ACQUISITION OF BIG CYPRESS NATIONAL PRESERVE.—

3323 | (b) The Board of Trustees of the Internal Improvement
 3324 | Trust Fund shall set aside from the proceeds of the full faith
 3325 | and credit bonds authorized by the Land Conservation Program Act
 3326 | ~~of 1972~~, or from other funds authorized, appropriated, or
 3327 | allocated for the acquisition of environmentally endangered
 3328 | lands, or from both sources, \$40 million for acquisition of the

3329 area proposed as the Federal Big Cypress National Preserve,
 3330 Florida, or portions thereof.

3331 Section 39. Paragraph (f) of subsection (4) of section
 3332 380.508, Florida Statutes, is amended to read:

3333 380.508 Projects; development, review, and approval.—

3334 (4) Projects or activities which the trust undertakes,
 3335 coordinates, or funds in any manner shall comply with the
 3336 following guidelines:

3337 (f) The trust shall cooperate with local governments,
 3338 state agencies, federal agencies, and nonprofit organizations in
 3339 ensuring the reservation of lands for parks, recreation, fish
 3340 and wildlife habitat, historical preservation, or scientific
 3341 study. If any local government, state agency, federal agency, or
 3342 nonprofit organization is unable, due to limited financial
 3343 resources or other circumstances of a temporary nature, to
 3344 acquire a site for the purposes described in this paragraph, the
 3345 trust may acquire and hold the site for subsequent conveyance to
 3346 the appropriate governmental agency or nonprofit organization.
 3347 The trust may provide such technical assistance as required to
 3348 aid local governments, state and federal agencies, and nonprofit
 3349 organizations in completing acquisition and related functions.
 3350 The trust may not reserve lands acquired in accordance with this
 3351 paragraph for more than 5 years from the time of acquisition. A
 3352 local government, federal or state agency, or nonprofit
 3353 organization may acquire the land at any time during this period
 3354 for public purposes. The purchase price shall be based upon the

3355 trust's cost of acquisition, plus administrative and management
 3356 costs in reserving the land. The payment of the purchase price
 3357 shall be by money, trust-approved property of an equivalent
 3358 value, or a combination of money and trust-approved property.
 3359 If, after the 5-year period, the trust has not sold to a
 3360 governmental agency or nonprofit organization land acquired for
 3361 site reservation, the trust shall dispose of such land at fair
 3362 market value or shall trade it for other land of comparable
 3363 value which will serve to accomplish the purposes of this part.
 3364 Any proceeds from the sale of such land received by the
 3365 department shall be deposited into the appropriate trust fund
 3366 pursuant to s. 253.0341 ~~253.034(6)(k), (l), or (m)~~.

3367
 3368 Project costs may include costs of providing parks, open space,
 3369 public access sites, scenic easements, and other areas and
 3370 facilities serving the public where such features are part of a
 3371 project plan approved according to this part. In undertaking or
 3372 coordinating projects or activities authorized by this part, the
 3373 trust shall, when appropriate, use and promote the use of
 3374 creative land acquisition methods, including the acquisition of
 3375 less than fee interest through, among other methods,
 3376 conservation easements, transfer of development rights, leases,
 3377 and leaseback arrangements. The trust shall assist local
 3378 governments in the use of sound alternative methods of financing
 3379 for funding projects and activities authorized under this part.
 3380 Any funds over and above eligible project costs, which remain

3381 after completion of a project approved according to this part,
 3382 shall be transmitted to the state and deposited into the Florida
 3383 Forever Trust Fund.

3384 Section 40. Section 589.07, Florida Statutes, is amended
 3385 to read:

3386 589.07 Florida Forest Service may acquire lands for forest
 3387 purposes.—The Florida Forest Service, on behalf of the state and
 3388 subject to the restrictions mentioned in s. 589.08, may acquire
 3389 lands, suitable for state forest purposes, by gift, donation,
 3390 contribution, purchase, or otherwise and may enter into
 3391 agreements with the Federal Government, or other agency, for
 3392 acquiring by gift, purchase, or otherwise, such lands as are, in
 3393 the judgment of the Florida Forest Service, suitable and
 3394 desirable for state forests. The acquisition procedures for
 3395 state lands provided in s. 253.025 ~~259.041~~ do not apply to
 3396 acquisition of land by the Florida Forest Service.

3397 Section 41. Paragraphs (a) and (b) of subsection (4) of
 3398 section 944.10, Florida Statutes, are amended to read:

3399 944.10 Department of Corrections to provide buildings;
 3400 sale and purchase of land; contracts to provide services and
 3401 inmate labor.—

3402 (4) (a) Notwithstanding s. 253.025 or s. 287.057, whenever
 3403 the department finds it to be necessary for timely site
 3404 acquisition, it may contract without the need for competitive
 3405 selection with one or more appraisers whose names are contained
 3406 on the list of approved appraisers maintained by the Division of

3407 State Lands of the Department of Environmental Protection in
 3408 accordance with s. 253.025(8) ~~253.025(6)(b)~~. In those instances
 3409 in which the department directly contracts for appraisal
 3410 services, it must also contract with an approved appraiser who
 3411 is not employed by the same appraisal firm for review services.

3412 (b) Notwithstanding s. 253.025(8) ~~253.025(6)~~, the
 3413 department may negotiate and enter into an option contract
 3414 before an appraisal is obtained. The option contract must state
 3415 that the final purchase price cannot exceed the maximum value
 3416 allowed by law. The consideration for such an option contract
 3417 may not exceed 10 percent of the estimate obtained by the
 3418 department or 10 percent of the value of the parcel, whichever
 3419 amount is greater.

3420 Section 42. Subsections (6) and (7) of section 957.04,
 3421 Florida Statutes, are amended to read:

3422 957.04 Contract requirements.—

3423 (6) Notwithstanding s. 253.025(9) ~~253.025(7)~~, the Board of
 3424 Trustees of the Internal Improvement Trust Fund need not approve
 3425 a lease-purchase agreement negotiated by the Department of
 3426 Management Services if the Department of Management Services
 3427 finds that there is a need to expedite the lease-purchase.

3428 (7)(a) Notwithstanding s. 253.025 or s. 287.057, whenever
 3429 the Department of Management Services finds it to be in the best
 3430 interest of timely site acquisition, it may contract without the
 3431 need for competitive selection with one or more appraisers whose
 3432 names are contained on the list of approved appraisers

3433 maintained by the Division of State Lands of the Department of
3434 Environmental Protection in accordance with s. 253.025(8)
3435 ~~253.025(6)(b)~~. In those instances when the Department of
3436 Management Services directly contracts for appraisal services,
3437 it shall also contract with an approved appraiser who is not
3438 employed by the same appraisal firm for review services.

3439 (b) Notwithstanding s. 253.025(8) ~~253.025(6)~~, the
3440 Department of Management Services may negotiate and enter into
3441 lease-purchase agreements before an appraisal is obtained. Any
3442 such agreement must state that the final purchase price cannot
3443 exceed the maximum value allowed by law.

3444 Section 43. Paragraphs (a) and (b) of subsection (12) of
3445 section 985.682, Florida Statutes, are amended to read:

3446 985.682 Siting of facilities; criteria.—

3447 (12) (a) Notwithstanding s. 253.025 or s. 287.057, when the
3448 department finds it necessary for timely site acquisition, it
3449 may contract, without using the competitive selection procedure,
3450 with an appraiser whose name is on the list of approved
3451 appraisers maintained by the Division of State Lands of the
3452 Department of Environmental Protection under s. 253.025(8)
3453 ~~253.025(6)(b)~~. When the department directly contracts for
3454 appraisal services, it must contract with an approved appraiser
3455 who is not employed by the same appraisal firm for review
3456 services.

3457 (b) Notwithstanding s. 253.025(8) ~~253.025(6)~~, the
3458 department may negotiate and enter into an option contract

3459 before an appraisal is obtained. The option contract must state
3460 that the final purchase price may not exceed the maximum value
3461 allowed by law. The consideration for such an option contract
3462 may not exceed 10 percent of the estimate obtained by the
3463 department or 10 percent of the value of the parcel, whichever
3464 amount is greater.

3465 Section 44. Paragraph (b) of subsection (1) of section
3466 1013.14, Florida Statutes, is amended to read:

3467 1013.14 Proposed purchase of real property by a board;
3468 confidentiality of records; procedure.—

3469 (1)

3470 (b) Before ~~Prior to~~ acquisition of the property, the board
3471 shall obtain at least one appraisal by an appraiser approved
3472 pursuant to s. 253.025(8) ~~253.025(6)(b)~~ for each purchase in an
3473 amount greater than \$100,000 and not more than \$500,000. For
3474 each purchase in an amount in excess of \$500,000, the board
3475 shall obtain at least two appraisals by appraisers approved
3476 pursuant to s. 253.025(8) ~~253.025(6)(b)~~. If the agreed to
3477 purchase price exceeds the average appraised value, the board is
3478 required to approve the purchase by an extraordinary vote.

3479 Section 45. For the 2016-2017 fiscal year, the sums of
3480 \$396,040 in recurring funds and \$1,370,528 in nonrecurring funds
3481 from the General Revenue Fund are appropriated to the Department
3482 of Environmental Protection, and four full-time equivalent
3483 positions with associated salary rate of 182,968 are authorized,
3484 for the purpose of implementing the amendments made by this act

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3485 to ss. 253.034 and 253.0341, Florida Statutes, and the
3486 provisions of s. 253.87, Florida Statutes, as created by this
3487 act.

3488 Section 46. This act shall take effect July 1, 2016.