

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; revising the minimum survey standards
20 incorporated by reference for conducting certified
21 surveys; authorizing the disclosure of confidential
22 appraisal reports under certain conditions; providing
23 for public agencies and nonprofit organizations to
24 enter into written agreements with the Department of
25 Environmental Protection rather than the Division of
26 State Lands to purchase and hold property for

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

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

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

104 deleting provisions authorizing counties and local

105 governments to submit requests for the surplus of
106 state-owned lands and requiring that such requests be
107 expedited; directing the board of trustees to make
108 certain determinations regarding the surplus and
109 disposition of state lands; providing that lands
110 acquired before a certain date using specified
111 proceeds are deemed to have been acquired for
112 conservation purposes; providing that certain lands
113 used by the Department of Corrections, the Department
114 of Management Services, and the Department of
115 Transportation may not be designated as lands acquired
116 for conservation purposes; requiring updated land
117 management plans to identify conservation and
118 nonconservation lands that are no longer used for the
119 purposes for which they were originally leased and
120 that could be disposed of; deleting an obsolete
121 provision; requiring that facilities and
122 nonconservation parcels of land be offered for lease
123 to state agencies before being offered for lease to a
124 local or federal unit of government, state university,
125 Florida College System institution, or private party;
126 providing for the valuation and disposition of surplus
127 lands; providing for the deposit of proceeds from the
128 sale of such lands; authorizing the board of trustees
129 to adopt rules; requiring surplus lands conveyed to a
130 local government for affordable housing to be disposed

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

157 State Recreation and Conservation Area to the
158 Department of Environmental Protection rather than the
159 Office of Greenways Management within the Office of
160 the Secretary; creating s. 253.87, F.S.; directing the
161 Department of Environmental Protection to include
162 certain county, municipal, state, and federal lands in
163 the Florida State-Owned Lands and Records Information
164 System (SOLARIS) database and to update the database
165 at specified intervals; requiring counties,
166 municipalities, and financially disadvantaged small
167 communities to submit a list of certain lands to the
168 department by a specified date and at specified
169 intervals; directing the department to conduct a study
170 and submit a report to the Governor and the
171 Legislature on the technical and economic feasibility
172 of including certain lands in the database or a
173 similar public lands inventory; amending s. 259.01,
174 F.S.; renaming the "Land Conservation Act of 1972" as
175 the "Land Conservation Program"; repealing s. 259.02,
176 F.S., relating to issuance of state bonds for certain
177 land projects; amending s. 259.032, F.S.; conforming
178 cross-references; revising provisions relating to the
179 management of conservation and recreation lands to
180 conform with changes made by the act; revising duties
181 of the Acquisition and Restoration Council; amending
182 s. 259.035, F.S.; requiring recipients of funds from

183 the Land Acquisition Trust Fund to annually report
184 certain performance measures to the Department of
185 Environmental Protection rather than the Division of
186 State Lands; amending s. 259.036, F.S.; revising the
187 composition of the regional land management review
188 team; providing for the Department of Environmental
189 Protection rather than the Division of State Lands to
190 act as the review team coordinator; revising
191 requirements for conservation and recreation land
192 management reviews and plans; amending s. 259.037,
193 F.S.; removing the director of the Office of Greenways
194 and Trails from the Land Management Uniform Accounting
195 Council; repealing s. 259.041(1)-(6) and (8)-(19),
196 F.S., relating to the acquisition of state-owned lands
197 for preservation, conservation, and recreation
198 purposes; amending s. 259.047, F.S.; revising
199 provisions relating to the acquisition of land on
200 which an agricultural lease exists to conform with
201 changes made by the act; amending s. 259.101, F.S.;
202 conforming cross-references; revising provisions
203 relating to alternate use of lands acquired under the
204 Florida Preservation 2000 Act to conform with changes
205 made by the act; deleting provisions for alternatives
206 to fee simple acquisition of such lands to conform
207 with changes made by the act; amending s. 259.105,
208 F.S.; deleting provisions requiring the advancement of

209 certain goals and objectives of imperiled species
210 management on state lands to conform with changes made
211 by the act; conforming cross-references; revising
212 provisions directing the Acquisition and Restoration
213 Council to give increased priority to certain projects
214 when developing proposed rules relating to Florida
215 Forever funding and additions to the Conservation and
216 Recreation Lands list; deleting provisions requiring
217 that such rules be submitted to the Legislature for
218 review; amending s. 259.1052, F.S.; deleting
219 provisions authorizing the Department of Environmental
220 Protection to distribute revenues from the Florida
221 Forever Trust Fund for the acquisition of a portion of
222 Babcock Crescent B Ranch; creating s. 570.715, F.S.,
223 and transferring, renumbering, and amending s.
224 259.04(7), F.S.; providing procedures for the
225 acquisition of conservation easements by the
226 Department of Agriculture and Consumer Services;
227 amending ss. 73.015, 125.355, 166.045, 215.82,
228 215.965, 253.027, 253.7824, 260.015, 260.016, 369.317,
229 373.139, 375.031, 375.041, 380.05, 380.055, 380.508,
230 589.07, 944.10, 957.04, 985.682, and 1013.14, F.S.;
231 conforming cross-references; providing an
232 appropriation and authorizing positions; providing an
233 effective date.

234

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

236

237 Section 1. Section 253.025, Florida Statutes, is amended
 238 to read:

239 253.025 Acquisition of state lands ~~for purposes other than~~
 240 ~~preservation, conservation, and recreation.~~-

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

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

250 1. Waive any requirements of this section.

251 2. Waive any rules adopted pursuant to this section,
 252 notwithstanding chapter 120.

253 3. Substitute other reasonably prudent procedures.

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

261 (d) Notwithstanding ~~any provisions in this section to the~~
 262 ~~contrary~~, if lands are being acquired by the board of trustees
 263 for the anticipated sale, conveyance, or transfer to the Federal
 264 Government pursuant to a joint state and federal acquisition
 265 project, the board of trustees may use appraisals obtained by
 266 the Federal Government in the acquisition of such lands. The
 267 board of trustees may waive any provision of this section when
 268 land is being conveyed from a state agency to the board.

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

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

284 (3) The board of trustees is authorized to adopt rules to
 285 implement this section, including rules governing the terms and
 286 conditions of land purchases. The rules shall address, with

287 specificity, but need not be limited to:

288 (a) The procedures to be followed in the acquisition
289 process, including selection of appraisers, surveyors, title
290 agents, and closing agents, and the content of appraisal
291 reports.

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

294 (c) Special requirements when multiple landowners are
295 involved in an acquisition.

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

298 (4) An agreement to acquire real property for the purposes
299 described in this chapter, chapter 259, chapter 260, or chapter
300 375, title to which will vest in the board of trustees, may not
301 bind the state before the agreement is reviewed and approved by
302 the Department of Environmental Protection as complying with
303 this section and any rules adopted pursuant to this section. If
304 any of the following conditions exist, the agreement shall be
305 submitted to and approved by the board of trustees:

306 (a) The purchase price agreed to by the seller exceeds the
307 value as established pursuant to the rules of the board of
308 trustees;

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

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

313 (d) Other conditions that the board of trustees may adopt
 314 by rule. Such conditions may include, but are not limited to,
 315 Florida Forever projects when title to the property being
 316 acquired is considered nonmarketable or is encumbered in such a
 317 way as to significantly affect its management.

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

333 (5)~~(3)~~ Land acquisition procedures provided for in this
 334 section are for voluntary, negotiated acquisitions.

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

339 (7)~~(5)~~ Evidence of marketable title shall be provided by
340 the landowner before ~~prior to~~ the conveyance of title, as
341 provided in the final agreement for purchase. Such evidence of
342 marketability shall be in the form of title insurance or an
343 abstract of title with a title opinion. The board of trustees
344 may waive the requirement that the landowner provide evidence of
345 marketable title, and, in such case, the acquiring agency shall
346 provide evidence of marketable title. The board of trustees or
347 its designee may waive the requirement of evidence of
348 marketability for acquisitions of property assessed by the
349 county property appraiser at \$10,000 or less, if ~~where~~ the
350 Division of State Lands finds, based upon such review of the
351 title records as is reasonable under the circumstances, that
352 there is no apparent impediment to marketability, or to
353 management of the property by the state.

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

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

365 (b) ~~(a)~~ Each parcel to be acquired shall have at least one
366 appraisal. Two appraisals are required when the estimated value
367 of the parcel exceeds \$1 million. However, if both appraisals
368 exceed \$1 million and differ significantly, a third appraisal
369 may be obtained. ~~If~~ When a parcel is estimated to be worth
370 \$100,000 or less and the director of the Division of State Lands
371 finds that the cost of an outside appraisal is not justified, a
372 comparable sales analysis, an appraisal prepared by the
373 division, or other reasonably prudent procedures may be used by
374 the division to estimate the value of the parcel, provided the
375 public's interest is reasonably protected. The state is not
376 required to appraise the value of lands and appurtenances that
377 are being donated to the state.

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

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

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

417 (f)~~(d)~~ Appraisal reports are confidential and exempt from
418 ~~the provisions of s. 119.07(1),~~ for use by the agency and the
419 board of trustees, until an option contract is executed or, if
420 no option contract is executed, until 2 weeks before a contract
421 or agreement for purchase is considered for approval by the
422 board of trustees. The Department of Environmental Protection
423 may disclose appraisal reports to private landowners during
424 negotiations for acquisitions using alternatives to fee simple
425 techniques, if the department determines that disclosure of such
426 reports will bring the proposed acquisition to closure. However,
427 the private landowner must agree to maintain the confidentiality
428 of the reports or information. ~~However,~~ The department ~~Division~~
429 ~~of State Lands~~ may also disclose appraisal information to public
430 agencies or nonprofit organizations that agree to maintain the
431 confidentiality of the reports or information when joint
432 acquisition of property is contemplated, or when a public agency
433 or nonprofit organization enters into a written agreement with
434 the department ~~division~~ to purchase and hold property for
435 subsequent resale to the board of trustees ~~division~~. In
436 addition, the department ~~division~~ may use, as its own,
437 appraisals obtained by a public agency or nonprofit
438 organization, if ~~provided~~ the appraiser is selected from the
439 department's ~~division's~~ list of appraisers and the appraisal is
440 reviewed and approved by the department ~~division~~. For the
441 purposes of this paragraph, the term "nonprofit organization"
442 means an organization that ~~whose purpose is the preservation of~~

443 ~~natural resources, and which~~ is exempt from federal income tax
444 under s. 501(c)(3) of the Internal Revenue Code and, for
445 purposes of the acquisition of conservation lands, an
446 organization whose purpose must include the preservation of
447 natural resources. The agency may release an appraisal report
448 when the passage of time has rendered the conclusions of value
449 in the report invalid or when the acquiring agency has
450 terminated negotiations.

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

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

466 (i)(g) The board of trustees may consider an appraisal
467 acquired by a seller, or any part thereof, in negotiating to
468 purchase a parcel, but such appraisal may not be used in lieu of

469 an appraisal required by this subsection or to determine the
470 maximum offer allowed by law.

471 (j)1. The board of trustees shall adopt by rule the method
472 for determining the value of parcels sought to be acquired by
473 state agencies pursuant to this section. An offer by a state
474 agency may not exceed the value for that parcel as determined
475 pursuant to the highest approved appraisal or the value
476 determined pursuant to the rules of the board of trustees,
477 whichever value is less.

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

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

488
489 Notwithstanding this subsection, on behalf of the board of
490 trustees and before the appraisal of parcels approved for
491 purchase under this chapter or chapter 259, the Secretary of
492 Environmental Protection or the director of the Division of
493 State Lands may enter into option contracts to buy such parcels.
494 Any such option contract shall state that the final purchase

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

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

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

520 (c) Upon the initiation of negotiations, the state agency

521 shall inform the owner in writing that all agreements for
522 purchase are subject to approval by the board of trustees.

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

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

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

545 ~~3. The provisions of this paragraph do not apply to the~~
546 ~~acquisition of historically unique or significant property as~~

547 ~~determined by the Division of Historical Resources of the~~
548 ~~Department of State.~~

549 (e)~~(f)~~ When making an offer to a landowner, a state agency
550 shall consider the desirability of a single cash payment in
551 relation to the maximum offer allowed by law.

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

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

573 is being made and the statutory authority therefor.

574 (h)-(i) Within 45 days after ~~of~~ receipt by the Department
575 of Environmental Protection ~~Division of State Lands~~ of the
576 agreement for purchase and the required documentation, the board
577 of trustees or, if ~~when~~ the purchase price does not exceed
578 \$100,000, its designee shall ~~either~~ reject or approve the
579 agreement. An approved agreement for purchase is binding on both
580 parties. Any agreement which has been disapproved shall be
581 returned to the agency, along with a statement as to the
582 deficiencies of the agreement or the supporting documentation.
583 An agreement for purchase which has been disapproved by the
584 board of trustees may be resubmitted when such deficiencies have
585 been corrected.

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

599 have value and are reasonably manageable by the state, and that
600 their acceptance would serve the public interest. The state is
601 not required to appraise the value of such donated lands and
602 appurtenances as a condition of receipt.

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

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

619 (11) Notwithstanding this section, the board of trustees,
620 by an affirmative vote of at least three members, voting at a
621 regularly scheduled and advertised meeting, may direct the
622 Department of Environmental Protection to exercise the power of
623 eminent domain pursuant to chapters 73 and 74 to acquire any
624 conservation parcel identified on the acquisition list

625 established by the Acquisition and Restoration Council and
626 approved by the board of trustees pursuant to chapter 259.
627 However, the board of trustees may only make such a vote under
628 the following circumstances:

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

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

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

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

639 3. The failure of the state to acquire it will seriously
640 impair the state's ability to manage or protect other state-
641 owned lands.

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

651 purposes.

652 (12)~~(9)~~ Any conveyance to the board of trustees of fee
653 title shall be made by no less than a special warranty deed,
654 unless the conveyance is from the Federal Government, the county
655 government, or another state agency or, in the event of a gift
656 or donation by quitclaim deed, if the board of trustees, or its
657 designee, determines that the acceptance of such quitclaim deed
658 is in the best interest of the public. A quitclaim deed may also
659 be accepted to aid in clearing title or boundary questions. ~~The~~
660 ~~title to lands acquired pursuant to this section shall vest in~~
661 ~~the board of trustees as provided in s. 253.03(1). All such~~
662 ~~lands, title to which is vested in the board pursuant to this~~
663 ~~section, shall be administered pursuant to the provisions of s.~~
664 ~~253.03.~~

665 (13)~~(10)~~ The board of trustees may purchase tax
666 certificates or tax deeds issued in accordance with chapter 197
667 relating to property eligible for purchase under this section.

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

677 of Representatives, and their designees.

678 (15)~~(12)~~ The board of trustees and all affected agencies
 679 shall adopt and may modify or repeal such rules and regulations
 680 as are necessary to carry out ~~the purposes of~~ this section,
 681 including rules governing the terms and conditions of land
 682 purchases. Such rules shall address the procedures to be
 683 followed, when multiple landowners are involved in an
 684 acquisition, in obtaining written option agreements so that the
 685 interests of the state are fully protected.

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

703 ~~253.034(6) (a) or (b).~~

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

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

724 ~~(17)-(14)~~ Any agency that acquires land on behalf of the
 725 board of trustees is authorized to request disbursement of
 726 payments for real estate closings in accordance with a written
 727 authorization from an ultimate beneficiary to allow a third
 728 party authorized by law to receive such payment provided the

729 Chief Financial Officer determines that such disbursement is
730 consistent with good business practices and can be completed in
731 a manner minimizing costs and risks to the state.

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

742 ~~(19)-(16)~~ Many parcels of land acquired pursuant to this
743 section may contain cattle-dipping vats as defined in s.
744 376.301. The state is encouraged to continue with the
745 acquisition of such lands, including any ~~the~~ cattle-dipping vats
746 ~~vat~~.

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

755 ~~and (d)~~ apply to all appraisals, offers, and counteroffers of
 756 the Department of Juvenile Justice for state juvenile justice
 757 facility sites.

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

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

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

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

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

778
 779 For such acquisitions, the board of trustees may waive or modify
 780 all procedures required for land acquisition pursuant to this

781 chapter and all competitive bid procedures required pursuant to
782 chapters 255 and 287. Lands acquired pursuant to this subsection
783 must, at the time of purchase, be on one of the acquisition
784 lists established pursuant to chapter 259, or be essential for
785 water resource development, protection, or restoration, or a
786 significant portion of the lands must contain natural
787 communities or plant or animal species that are listed by the
788 Florida Natural Areas Inventory as critically imperiled,
789 imperiled, or rare, or as excellent quality occurrences of
790 natural communities.

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

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, the
864 Department of Agriculture and Consumer Services, and each water
865 management district shall implement initiatives for using
866 alternatives to fee simple acquisition and to educate private
867 landowners about such alternatives. The Department of
868 Environmental Protection, the Department of Agriculture and
869 Consumer Services, and the water management districts may enter
870 into joint acquisition agreements to jointly fund the purchase
871 of lands using alternatives to fee simple techniques.

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

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

884 (7) For less than fee simple acquisitions pursuant to s.

885 570.71, the Department of Agriculture and Consumer Services
 886 shall comply with the acquisition procedures set forth in s.
 887 570.715.

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

891 253.03 Board of trustees to administer state lands; lands
 892 enumerated.—

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

911 ~~instruments is to compensate the board for costs incurred in the~~
 912 ~~administration and management of such leases or similar~~
 913 ~~instruments.~~

914 (7)

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

935 (11) The board of trustees ~~of the Internal Improvement~~
 936 ~~Trust Fund~~ may adopt rules to provide for the assessment and

937 collection of reasonable fees, commensurate with the actual cost
 938 to the board, for disclaimers, easements, exchanges, gifts,
 939 leases, releases, or sales of any interest in lands or any
 940 applications therefor and for reproduction of documents. All
 941 revenues received from the application fees charged by a water
 942 management district to process applications that include a
 943 request to use state lands are to be retained by the water
 944 management district. The board of trustees shall adopt by rule
 945 an annual administrative fee for all existing and future leases
 946 or similar instruments to be charged to agencies that are
 947 leasing land from the board of trustees. This annual
 948 administrative fee assessed for all leases or similar
 949 instruments is to compensate the board of trustees for costs
 950 incurred in the administration and management of such leases or
 951 similar instruments.

952 (15) The board of trustees ~~of the Internal Improvement~~
 953 ~~Trust Fund~~ shall encourage the use of sovereign submerged lands
 954 for public access and water-dependent uses which may include
 955 related minimal secondary nonwater-dependent uses and public
 956 access.

957 Section 4. Subsections (8) and (9) of section 253.031,
 958 Florida Statutes, are renumbered as subsections (7) and (8),
 959 respectively, and present subsections (2) and (7) of that
 960 section are amended, to read:

961 253.031 Land office; custody of documents concerning land;
 962 moneys; plats.—

963 (2) The board ~~of trustees of the Internal Improvement~~
 964 ~~Trust Fund~~ shall have custody of, and the department shall
 965 maintain, all the records, surveys, plats, maps, field notes,
 966 and patents and all other evidence touching the title and
 967 description of the public domain.

968 ~~(7) The board shall receive all of the tract books, plats,~~
 969 ~~and such records and papers heretofore kept in the United States~~
 970 ~~Land Office at Gainesville, Alachua County, as may be~~
 971 ~~surrendered by the Secretary of the Interior; and the board~~
 972 ~~shall carefully and safely keep and preserve all of said tract~~
 973 ~~books, plats, records, and papers as part of the public records~~
 974 ~~of its office, and at any time allow any duly accredited~~
 975 ~~authority of the United States, full and free access to any and~~
 976 ~~all of such tract books, plats, records, and papers, and shall~~
 977 ~~furnish any duly accredited authority of the United States with~~
 978 ~~copies of any such records without charge.~~

979 Section 5. Section 253.034, Florida Statutes, is amended
 980 to read:

981 253.034 State-owned lands; uses.—

982 (1) All lands acquired pursuant to chapter 259 shall be
 983 managed to serve the public interest by protecting and
 984 conserving land, air, water, and the state's natural resources,
 985 which contribute to the public health, welfare, and economy of
 986 the state. These lands shall be managed to provide for areas of
 987 natural resource based recreation, and to ensure the survival of
 988 plant and animal species and the conservation of finite and

989 renewable natural resources. The state's lands and natural
990 resources shall be managed using a stewardship ethic that
991 assures these resources will be available for the benefit and
992 enjoyment of all people of the state, both present and future.
993 It is the intent of the Legislature that, where feasible and
994 consistent with the goals of protection and conservation of
995 natural resources associated with lands held in the public trust
996 by the Board of Trustees of the Internal Improvement Trust Fund,
997 public land not designated for single-use purposes pursuant to
998 paragraph (2) (b) be managed for multiple-use purposes. All
999 multiple-use land management strategies shall address public
1000 access and enjoyment, resource conservation and protection,
1001 ecosystem maintenance and protection, and protection of
1002 threatened and endangered species, and the degree to which
1003 public-private partnerships or endowments may allow the entity
1004 with management responsibility to enhance its ability to manage
1005 these lands. The Acquisition and Restoration Council ~~created in~~
1006 ~~s. 259.035~~ shall recommend rules to the board of trustees, and
1007 the board of trustees shall adopt rules necessary to carry out
1008 the purposes of this section.

1009 (2) As used in this section, the term ~~following phrases~~
1010 ~~have the following meanings:~~

1011 (a) "Multiple use" means the harmonious and coordinated
1012 management of timber, recreation, conservation of fish and
1013 wildlife, forage, archaeological and historic sites, habitat and
1014 other biological resources, or water resources so that they are

1015 used ~~utilized~~ in the combination that will best serve the people
1016 of the state, making the most judicious use of the land for some
1017 or all of these resources and giving consideration to the
1018 relative values of the various resources. Where necessary and
1019 appropriate for all state-owned lands that are larger than 1,000
1020 acres in project size and are managed for multiple uses, buffers
1021 may be formed around any areas that require special protection
1022 or have special management needs. Such buffers may ~~shall~~ not
1023 exceed more than one-half of the total acreage. Multiple uses
1024 within a buffer area may be restricted to provide the necessary
1025 buffering effect desired. Multiple use in this context includes
1026 both uses of land or resources by more than one management
1027 entity, which may include private sector land managers. In any
1028 case, lands identified as multiple-use lands in the land
1029 management plan shall be managed to enhance and conserve the
1030 lands and resources for the enjoyment of the people of the
1031 state.

1032 (b) "Single use" means management for one particular
1033 purpose to the exclusion of all other purposes, except that the
1034 using entity shall have the option of including in its
1035 management program compatible secondary purposes which will not
1036 detract from or interfere with the primary management purpose.
1037 Such single uses may include, but are not necessarily restricted
1038 to, the use of agricultural lands for production of food and
1039 livestock, the use of improved sites and grounds for
1040 institutional purposes, and the use of lands for parks,

1041 preserves, wildlife management, archaeological or historic
1042 sites, or wilderness areas where the maintenance of essentially
1043 natural conditions is important. All submerged lands shall be
1044 considered single-use lands and shall be managed primarily for
1045 the maintenance of essentially natural conditions, the
1046 propagation of fish and wildlife, and public recreation,
1047 including hunting and fishing where deemed appropriate by the
1048 managing entity.

1049 (c) "Conservation lands" means lands that are currently
1050 managed for conservation, outdoor resource-based recreation, or
1051 archaeological or historic preservation, except those lands that
1052 were acquired solely to facilitate the acquisition of other
1053 conservation lands. Lands acquired for uses other than
1054 conservation, outdoor resource-based recreation, or
1055 archaeological or historic preservation may ~~shall~~ not be
1056 designated conservation lands except as otherwise authorized
1057 under this section. These lands shall include, but not be
1058 limited to, the following: correction and detention facilities,
1059 military installations and facilities, state office buildings,
1060 maintenance yards, state university or Florida College System
1061 institution campuses, agricultural field stations or offices,
1062 tower sites, law enforcement and license facilities,
1063 laboratories, hospitals, clinics, and other sites that do not
1064 possess ~~ne~~ significant natural or historical resources. However,
1065 lands acquired solely to facilitate the acquisition of other
1066 conservation lands, and for which the land management plan has

1067 not yet been completed or updated, may be evaluated by the Board
1068 of Trustees of the Internal Improvement Trust Fund on a case-by-
1069 case basis to determine if they will be designated conservation
1070 lands.

1071 (d) "Public access," as used in this chapter and chapter
1072 259, means access by the general public to state lands and
1073 water, including vessel access made possible by boat ramps,
1074 docks, and associated support facilities, where compatible with
1075 conservation and recreation objectives.

1076
1077 Lands acquired by the state as a gift, through donation, or by
1078 any other conveyance for which no consideration was paid, and
1079 which are not managed for conservation, outdoor resource-based
1080 recreation, or archaeological or historic preservation under a
1081 land management plan approved by the board of trustees are not
1082 conservation lands.

1083 (3) Recognizing that recreational trails purchased with
1084 rails-to-trails funds pursuant to former s. 259.101(3)(g),
1085 Florida Statutes 2014, or s. 259.105(3)(h) have had historic
1086 transportation uses and that their linear character may extend
1087 many miles, the Legislature intends that if the necessity arises
1088 to serve public needs, after balancing the need to protect trail
1089 users from collisions with automobiles and a preference for the
1090 use of overpasses and underpasses to the greatest extent
1091 feasible and practical, transportation uses shall be allowed to
1092 cross recreational trails purchased pursuant to former s.

1093 259.101(3)(g), Florida Statutes 2014, or s. 259.105(3)(h). When
 1094 these crossings are needed, the location and design should
 1095 consider and mitigate the impact on humans and environmental
 1096 resources, and the value of the land shall be paid based on fair
 1097 market value.

1098 (4) A ~~No~~ management agreement, lease, or other instrument
 1099 authorizing the use of lands owned by the board of trustees may
 1100 not ~~of the Internal Improvement Trust Fund shall~~ be executed for
 1101 a period greater than is necessary to provide for the reasonable
 1102 use of the land for the existing or planned life cycle or
 1103 amortization of the improvements, except that an easement in
 1104 perpetuity may be granted by the board of trustees ~~of the~~
 1105 ~~Internal Improvement Trust Fund~~ if the improvement is a
 1106 transportation facility. If an entity managing or leasing state-
 1107 owned lands from the board of trustees does not meet the short-
 1108 term goals under paragraph (5)(b) for conservation lands, the
 1109 Department of Environmental Protection may submit the lands to
 1110 the Acquisition and Restoration Council to review whether the
 1111 short-term goals should be modified, consider whether the lands
 1112 should be offered to another entity for management or leasing,
 1113 or recommend to the board of trustees whether to surplus the
 1114 lands. If an entity managing or leasing state-owned lands from
 1115 the board of trustees does not meet the short-term goals under
 1116 paragraph (5)(i) for nonconservation lands, the department may
 1117 submit the lands to the board of trustees to consider whether to
 1118 require the managing or leasing entity to release its interest

1119 | in the lands and to consider whether to surplus the lands. If
 1120 | the state-owned lands are determined to be surplus, the board of
 1121 | trustees may require an entity to release its interest in the
 1122 | lands. An entity managing or leasing state-owned lands from the
 1123 | board of trustees may not sublease such lands without prior
 1124 | review by the Division of State Lands and, for conservation
 1125 | lands, by the Acquisition and Restoration Council ~~created in s.~~
 1126 | ~~259.035.~~ All management agreements, leases, or other instruments
 1127 | authorizing the use of lands owned by the board of trustees
 1128 | shall be reviewed for approval by the board of trustees or its
 1129 | designee. The council is not required to review subleases of
 1130 | parcels which are less than 160 acres in size.

1131 | (5) Each manager of conservation lands shall submit to the
 1132 | Division of State Lands a land management plan at least every 10
 1133 | years in a form and manner adopted ~~prescribed~~ by rule of ~~by~~ the
 1134 | board of trustees and in accordance with ~~the provisions of s.~~
 1135 | ~~259.032.~~ Each manager of conservation lands shall also update a
 1136 | land management plan whenever the manager proposes to add new
 1137 | facilities or make substantive land use or management changes
 1138 | that were not addressed in the approved plan, or within 1 year
 1139 | after ~~of~~ the addition of significant new lands. Each manager of
 1140 | nonconservation lands shall submit to the Division of State
 1141 | Lands a land use plan at least every 10 years in a form and
 1142 | manner adopted ~~prescribed~~ by rule of ~~by~~ the board of trustees.
 1143 | The division shall review each plan for compliance with the
 1144 | requirements of this subsection and the requirements of the

1145 rules adopted ~~established~~ by the board of trustees pursuant to
1146 this section. All nonconservation land use plans, whether for
1147 single-use or multiple-use properties, shall be managed to
1148 provide the greatest benefit to the state ~~include an analysis of~~
1149 ~~the property to determine if any significant natural or cultural~~
1150 ~~resources are located on the property. Such resources include~~
1151 ~~archaeological and historic sites, state and federally listed~~
1152 ~~plant and animal species, and imperiled natural communities and~~
1153 ~~unique natural features. If such resources occur on the~~
1154 ~~property, the manager shall consult with the Division of State~~
1155 ~~Lands and other appropriate agencies to develop management~~
1156 ~~strategies to protect such resources. Land use plans shall also~~
1157 ~~provide for the control of invasive nonnative plants and~~
1158 ~~conservation of soil and water resources, including a~~
1159 ~~description of how the manager plans to control and prevent soil~~
1160 ~~erosion and soil or water contamination. Land use plans~~
1161 ~~submitted by a manager shall include reference to appropriate~~
1162 ~~statutory authority for such use or uses and shall conform to~~
1163 ~~the appropriate policies and guidelines of the state land~~
1164 ~~management plan. Plans for managed areas larger than 1,000 acres~~
1165 ~~shall contain an analysis of the multiple-use potential of the~~
1166 ~~property,~~ which includes ~~analysis shall include~~ the potential of
1167 the property to generate revenues to enhance the management of
1168 the property. In addition ~~Additionally~~, the plan shall contain
1169 an analysis of the potential use of private land managers to
1170 facilitate the restoration or management of these lands. If ~~If~~

1171 ~~those cases where~~ a newly acquired property has a valid
1172 conservation plan that was developed by a soil and conservation
1173 district, such plan shall be used to guide management of the
1174 property until a formal land use plan is completed.

1175 (a) State conservation lands shall be managed to ensure
1176 the conservation of the state's plant and animal species and to
1177 ensure the accessibility of state lands for the benefit and
1178 enjoyment of all people of the state, both present and future.
1179 Each land management plan for state conservation lands shall
1180 provide a desired outcome, describe both short-term and long-
1181 term management goals, and include measurable objectives to
1182 achieve those goals. Short-term goals shall be achievable within
1183 a 2-year planning period, and long-term goals shall be
1184 achievable within a 10-year planning period. These short-term
1185 and long-term management goals shall be the basis for all
1186 subsequent land management activities.

1187 (b) Short-term and long-term management goals for state
1188 conservation lands shall include measurable objectives for the
1189 following, as appropriate:

- 1190 1. Habitat restoration and improvement.
- 1191 2. Public access and recreational opportunities.
- 1192 3. Hydrological preservation and restoration.
- 1193 4. Sustainable forest management.
- 1194 5. Exotic and invasive species maintenance and control.
- 1195 6. Capital facilities and infrastructure.
- 1196 7. Cultural and historical resources.

1197 8. Imperiled species habitat maintenance, enhancement,
 1198 restoration, or population restoration.

1199 (c) The land management plan shall, at a minimum, contain
 1200 the following elements:

1201 1. A physical description of the land.

1202 2. A quantitative data description of the land which
 1203 includes an inventory of forest and other natural resources;
 1204 exotic and invasive plants; hydrological features;
 1205 infrastructure, including recreational facilities; and other
 1206 significant land, cultural, or historical features. The
 1207 inventory shall reflect the number of acres for each resource
 1208 and feature, when appropriate. The inventory shall be of such
 1209 detail that objective measures and benchmarks can be established
 1210 for each tract of land and monitored during the lifetime of the
 1211 plan. All quantitative data collected shall be aggregated,
 1212 standardized, collected, and presented in an electronic format
 1213 to allow for uniform management reporting and analysis. The
 1214 information collected by the Department of Environmental
 1215 Protection pursuant to s. 253.0325(2) shall be available to the
 1216 land manager and his or her assignee.

1217 3. A detailed description of each short-term and long-term
 1218 land management goal, the associated measurable objectives, and
 1219 the related activities that are to be performed to meet the land
 1220 management objectives. Each land management objective must be
 1221 addressed by the land management plan, and if ~~where~~ practicable,
 1222 a ~~no~~ land management objective may not ~~shall~~ be performed to the

1223 detriment of the other land management objectives.

1224 4. A schedule of land management activities which contains
 1225 short-term and long-term land management goals and the related
 1226 measurable objective and activities. The schedule shall include
 1227 for each activity a timeline for completion, quantitative
 1228 measures, and detailed expense and manpower budgets. The
 1229 schedule shall provide a management tool that facilitates
 1230 development of performance measures.

1231 5. A summary budget for the scheduled land management
 1232 activities of the land management plan. For state lands
 1233 containing or anticipated to contain imperiled species habitat,
 1234 the summary budget shall include any fees anticipated from
 1235 public or private entities for projects to offset adverse
 1236 impacts to imperiled species or such habitat, which fees shall
 1237 be used solely to restore, manage, enhance, repopulate, or
 1238 acquire imperiled species habitat. The summary budget shall be
 1239 prepared in such manner that it facilitates computing an
 1240 aggregate of land management costs for all state-managed lands
 1241 using the categories described in s. 259.037(3).

1242 (d) Upon completion, the land management plan must ~~will~~ be
 1243 transmitted to the Acquisition and Restoration Council for
 1244 review. The ~~Acquisition and Restoration~~ council shall have 90
 1245 days after receipt of the plan to review the plan and submit its
 1246 recommendations to the board of trustees. During the review
 1247 period, the land management plan may be revised if agreed to by
 1248 the primary land manager and the ~~Acquisition and Restoration~~

1249 council taking into consideration public input. ~~If the~~
 1250 ~~Acquisition and Restoration Council fails to make a~~
 1251 ~~recommendation for a land management plan, the secretary of the~~
 1252 ~~Department of Environmental Protection, Commissioner of~~
 1253 ~~Agriculture, or Executive Director of the Fish and Wildlife~~
 1254 ~~Conservation Commission or their designees shall submit the land~~
 1255 ~~management plan to the board of trustees.~~ The land management
 1256 plan becomes effective upon approval by the board of trustees.

1257 (e) Land management plans are to be updated every 10 years
 1258 on a rotating basis. Each updated land management plan must
 1259 identify any conservation lands under the plan, in part or in
 1260 whole, that are no longer needed for conservation purposes and
 1261 could be disposed of in fee simple or with the state retaining a
 1262 permanent conservation easement.

1263 (f) In developing land management plans, at least one
 1264 public hearing shall be held in any one affected county.

1265 (g) The Division of State Lands shall make available to
 1266 the public an electronic copy of each land management plan for
 1267 parcels that exceed 160 acres in size. The division ~~of State~~
 1268 ~~Lands~~ shall review each plan for compliance with the
 1269 requirements of this subsection, the requirements of chapter
 1270 259, and the requirements of the rules adopted ~~established~~ by
 1271 the board of trustees pursuant to this section. The Acquisition
 1272 and Restoration Council shall also consider the propriety of the
 1273 recommendations of the managing entity with regard to the future
 1274 use of the property, the protection of fragile or nonrenewable

1275 resources, the potential for alternative or multiple uses not
 1276 recognized by the managing entity, and the possibility of
 1277 disposal of the property by the board of trustees. After its
 1278 review, the council shall submit the plan, along with its
 1279 recommendations and comments, to the board of trustees. The
 1280 council shall specifically recommend to the board of trustees
 1281 whether to approve the plan as submitted, approve the plan with
 1282 modifications, or reject the plan. If the ~~Acquisition and~~
 1283 ~~Restoration~~ council fails to make a recommendation for a land
 1284 management plan, the Secretary ~~of the Department~~ of
 1285 Environmental Protection, Commissioner of Agriculture, or
 1286 executive director of the Fish and Wildlife Conservation
 1287 Commission or their designees shall submit the land management
 1288 plan to the board of trustees.

1289 (h) The board of trustees ~~of the Internal Improvement~~
 1290 ~~Trust Fund~~ shall consider the land management plan submitted by
 1291 each entity and the recommendations of the Acquisition and
 1292 Restoration Council and the Division of State Lands and shall
 1293 approve the plan with or without modification or reject such
 1294 plan. The use or possession of any such lands that is not in
 1295 accordance with an approved land management plan is subject to
 1296 termination by the board of trustees.

1297 (i)1. State nonconservation lands shall be managed to
 1298 provide the greatest benefit to the state. State nonconservation
 1299 lands may be grouped by similar land use types under one land
 1300 use plan. Each land use plan shall, at a minimum, contain the

1301 following elements:

1302 a. A physical description of the land to include any
1303 significant natural or cultural resources as well as management
1304 strategies developed by the land manager to protect such
1305 resources.

1306 b. A desired development outcome.

1307 c. A schedule for achieving the desired development
1308 outcome.

1309 d. A description of both short-term and long-term
1310 development goals.

1311 e. A management and control plan for invasive nonnative
1312 plants.

1313 f. A management and control plan for soil erosion and soil
1314 and water contamination.

1315 g. Measureable objectives to achieve the goals identified
1316 in the land use plan.

1317 2. Short-term goals shall be achievable within a 5-year
1318 planning period and long-term goals shall be achievable within a
1319 10-year planning period.

1320 3. The use or possession of any such lands that is not in
1321 accordance with an approved land use plan is subject to
1322 termination by the board of trustees.

1323 4. Land use plans submitted by a manager shall include
1324 reference to appropriate statutory authority for such use or
1325 uses and shall conform to the appropriate policies and
1326 guidelines of the state land management plan.

1327 ~~(6) The Board of Trustees of the Internal Improvement~~
1328 ~~Trust Fund shall determine which lands, the title to which is~~
1329 ~~vested in the board, may be surplusd. For conservation lands,~~
1330 ~~the board shall determine whether the lands are no longer needed~~
1331 ~~for conservation purposes and may dispose of them by an~~
1332 ~~affirmative vote of at least three members. In the case of a~~
1333 ~~land exchange involving the disposition of conservation lands,~~
1334 ~~the board must determine by an affirmative vote of at least~~
1335 ~~three members that the exchange will result in a net positive~~
1336 ~~conservation benefit. For all other lands, the board shall~~
1337 ~~determine whether the lands are no longer needed and may dispose~~
1338 ~~of them by an affirmative vote of at least three members.~~

1339 ~~(a) For the purposes of this subsection, all lands~~
1340 ~~acquired by the state before July 1, 1999, using proceeds from~~
1341 ~~Preservation 2000 bonds, the former Conservation and Recreation~~
1342 ~~Lands Trust Fund, the former Water Management Lands Trust Fund,~~
1343 ~~Environmentally Endangered Lands Program, and the Save Our Coast~~
1344 ~~Program and titled to the board which are identified as core~~
1345 ~~parcels or within original project boundaries are deemed to have~~
1346 ~~been acquired for conservation purposes.~~

1347 ~~(b) For any lands purchased by the state on or after July~~
1348 ~~1, 1999, before acquisition, the board must determine which~~
1349 ~~parcels must be designated as having been acquired for~~
1350 ~~conservation purposes. Lands acquired for use by the Department~~
1351 ~~of Corrections, the Department of Management Services for use as~~
1352 ~~state offices, the Department of Transportation, except those~~

1353 ~~specifically managed for conservation or recreation purposes, or~~
1354 ~~the State University System or the Florida College System may~~
1355 ~~not be designated as having been purchased for conservation~~
1356 ~~purposes.~~

1357 ~~(c) At least every 10 years, as a component of each land~~
1358 ~~management plan or land use plan and in a form and manner~~
1359 ~~prescribed by rule by the board, each manager shall evaluate and~~
1360 ~~indicate to the board those lands that are not being used for~~
1361 ~~the purpose for which they were originally leased. For~~
1362 ~~conservation lands, the council shall review and recommend to~~
1363 ~~the board whether such lands should be retained in public~~
1364 ~~ownership or disposed of by the board. For nonconservation~~
1365 ~~lands, the division shall review such lands and recommend to the~~
1366 ~~board whether such lands should be retained in public ownership~~
1367 ~~or disposed of by the board.~~

1368 ~~(d) Lands owned by the board which are not actively~~
1369 ~~managed by any state agency or for which a land management plan~~
1370 ~~has not been completed pursuant to subsection (5) must be~~
1371 ~~reviewed by the council or its successor for its recommendation~~
1372 ~~as to whether such lands should be disposed of by the board.~~

1373 ~~(e) Before any decision by the board to surplus lands, the~~
1374 ~~Acquisition and Restoration Council shall review and make~~
1375 ~~recommendations to the board concerning the request for~~
1376 ~~surplusing. The council shall determine whether the request for~~
1377 ~~surplusing is compatible with the resource values of and~~
1378 ~~management objectives for such lands.~~

1379 ~~(f) In reviewing lands owned by the board, the council~~
1380 ~~shall consider whether such lands would be more appropriately~~
1381 ~~owned or managed by the county or other unit of local government~~
1382 ~~in which the land is located. The council shall recommend to the~~
1383 ~~board whether a sale, lease, or other conveyance to a local~~
1384 ~~government would be in the best interests of the state and local~~
1385 ~~government. The provisions of this paragraph in no way limit the~~
1386 ~~provisions of ss. 253.111 and 253.115. Such lands shall be~~
1387 ~~offered to the state, county, or local government for a period~~
1388 ~~of 45 days. Permittable uses for such surplus lands may include~~
1389 ~~public schools; public libraries; fire or law enforcement~~
1390 ~~substations; governmental, judicial, or recreational centers;~~
1391 ~~and affordable housing meeting the criteria of s. 420.0004(3).~~
1392 ~~County or local government requests for surplus lands shall be~~
1393 ~~expedited throughout the surplus process. If the county or~~
1394 ~~local government does not elect to purchase such lands in~~
1395 ~~accordance with s. 253.111, any surplus determination~~
1396 ~~involving other governmental agencies shall be made when the~~
1397 ~~board decides the best public use of the lands. Surplus~~
1398 ~~properties in which governmental agencies have expressed no~~
1399 ~~interest must then be available for sale on the private market.~~

1400 ~~(g) The sale price of lands determined to be surplus~~
1401 ~~pursuant to this subsection and s. 253.82 shall be determined by~~
1402 ~~the division, which shall consider an appraisal of the property,~~
1403 ~~or, if the estimated value of the land is \$500,000 or less, a~~
1404 ~~comparable sales analysis or a broker's opinion of value. The~~

1405 ~~division may require a second appraisal. The individual or~~
1406 ~~entity that requests to purchase the surplus parcel shall pay~~
1407 ~~all costs associated with determining the property's value, if~~
1408 ~~any.~~

1409 ~~1. A written valuation of land determined to be surplus~~
1410 ~~pursuant to this subsection and s. 253.82, and related documents~~
1411 ~~used to form the valuation or which pertain to the valuation,~~
1412 ~~are confidential and exempt from s. 119.07(1) and s. 24(a), Art.~~
1413 ~~I of the State Constitution.~~

1414 ~~a. The exemption expires 2 weeks before the contract or~~
1415 ~~agreement regarding the purchase, exchange, or disposal of the~~
1416 ~~surplus land is first considered for approval by the board.~~

1417 ~~b. Before expiration of the exemption, the division may~~
1418 ~~disclose confidential and exempt appraisals, valuations, or~~
1419 ~~valuation information regarding surplus land:~~

1420 ~~(I) During negotiations for the sale or exchange of the~~
1421 ~~land.~~

1422 ~~(II) During the marketing effort or bidding process~~
1423 ~~associated with the sale, disposal, or exchange of the land to~~
1424 ~~facilitate closure of such effort or process.~~

1425 ~~(III) When the passage of time has made the conclusions of~~
1426 ~~value invalid.~~

1427 ~~(IV) When negotiations or marketing efforts concerning the~~
1428 ~~land are concluded.~~

1429 ~~2. A unit of government that acquires title to lands~~
1430 ~~hereunder for less than appraised value may not sell or transfer~~

1431 ~~title to all or any portion of the lands to any private owner~~
1432 ~~for 10 years. Any unit of government seeking to transfer or sell~~
1433 ~~lands pursuant to this paragraph must first allow the board of~~
1434 ~~trustees to reacquire such lands for the price at which the~~
1435 ~~board sold such lands.~~

1436 ~~(h) Parcels with a market value over \$500,000 must be~~
1437 ~~initially offered for sale by competitive bid. The division may~~
1438 ~~use agents, as authorized by s. 253.431, for this process. Any~~
1439 ~~parcels unsuccessfully offered for sale by competitive bid, and~~
1440 ~~parcels with a market value of \$500,000 or less, may be sold by~~
1441 ~~any reasonable means, including procuring real estate services,~~
1442 ~~open or exclusive listings, competitive bid, auction, negotiated~~
1443 ~~direct sales, or other appropriate services, to facilitate the~~
1444 ~~sale.~~

1445 ~~(i) After reviewing the recommendations of the council,~~
1446 ~~the board shall determine whether lands identified for surplus~~
1447 ~~are to be held for other public purposes or are no longer~~
1448 ~~needed. The board may require an agency to release its interest~~
1449 ~~in such lands. A state agency, county, or local government that~~
1450 ~~has requested the use of a property that was to be declared as~~
1451 ~~surplus must secure the property under lease within 90 days~~
1452 ~~after being notified that it may use such property.~~

1453 ~~(j) Requests for surplusizing may be made by any public or~~
1454 ~~private entity or person. All requests shall be submitted to the~~
1455 ~~lead managing agency for review and recommendation to the~~
1456 ~~council or its successor. Lead managing agencies have 90 days to~~

1457 ~~review such requests and make recommendations. Any surplus~~
1458 ~~requests that have not been acted upon within the 90-day time~~
1459 ~~period shall be immediately scheduled for hearing at the next~~
1460 ~~regularly scheduled meeting of the council or its successor.~~
1461 ~~Requests for surplus~~ pursuant to this paragraph are not
1462 required to be offered to local or state governments as provided
1463 in paragraph (f).

1464 ~~(k) Proceeds from the sale of surplus conservation lands~~
1465 ~~purchased before July 1, 2015, shall be deposited into the~~
1466 ~~Florida Forever Trust Fund.~~

1467 ~~(l) Proceeds from the sale of surplus conservation lands~~
1468 ~~purchased on or after July 1, 2015, shall be deposited into the~~
1469 ~~Land Acquisition Trust Fund, except when such lands were~~
1470 ~~purchased with funds other than those from the Land Acquisition~~
1471 ~~Trust Fund or a land acquisition trust fund created to implement~~
1472 ~~s. 28, Art. X of the State Constitution, the proceeds shall be~~
1473 ~~deposited into the fund from which the lands were purchased.~~

1474 ~~(m) Funds received from the sale of surplus~~
1475 ~~nonconservation lands or lands that were acquired by gift, by~~
1476 ~~donation, or for no consideration shall be deposited into the~~
1477 ~~Internal Improvement Trust Fund.~~

1478 ~~(n) Notwithstanding this subsection, such disposition of~~
1479 ~~land may not be made if it would have the effect of causing all~~
1480 ~~or any portion of the interest on any revenue bonds issued to~~
1481 ~~lose the exclusion from gross income for federal income tax~~
1482 ~~purposes.~~

1483 ~~(e) The sale of filled, formerly submerged land that does~~
 1484 ~~not exceed 5 acres in area is not subject to review by the~~
 1485 ~~council or its successor.~~

1486 ~~(p) The board may adopt rules to administer this section~~
 1487 ~~which may include procedures for administering surplus land~~
 1488 ~~requests and criteria for when the division may approve requests~~
 1489 ~~to surplus nonconservation lands on behalf of the board.~~

1490 (6)~~(7)~~ This section does ~~shall~~ not be construed so as to
 1491 affect:

1492 (a) Other provisions of this chapter relating to oil, gas,
 1493 or mineral resources.

1494 (b) The exclusive use of state-owned land subject to a
 1495 lease by the board of trustees ~~of the Internal Improvement Trust~~
 1496 ~~Fund~~ of state-owned land for private uses and purposes.

1497 (c) Sovereignty lands not leased for private uses and
 1498 purposes.

1499 (7)~~(8)~~(a) The Legislature recognizes the value of the
 1500 state's conservation lands as water recharge areas and air
 1501 filters.

1502 (b) If state-owned lands are subject to annexation
 1503 procedures, the Division of State Lands must notify the county
 1504 legislative delegation of the county in which the land is
 1505 located.

1506 (8)~~(9)~~ Land management plans required to be submitted by
 1507 the Department of Corrections, the Department of Juvenile
 1508 Justice, the Department of Children and Families, or the

1509 Department of Education are not subject to ~~the provisions for~~
1510 review by the Acquisition and Restoration Council ~~or its~~
1511 ~~successor described in subsection (5)~~. Management plans filed by
1512 these agencies shall be made available to the public for a
1513 period of 90 days at the administrative offices of the parcel or
1514 project affected by the management plan and at the Tallahassee
1515 offices of each agency. Any plans not objected to during the
1516 public comment period shall be deemed approved. Any plans for
1517 which an objection is filed shall be submitted to the board of
1518 trustees ~~of the Internal Improvement Trust Fund~~ for
1519 consideration. The board of trustees ~~of the Internal Improvement~~
1520 ~~Trust Fund~~ shall approve the plan with or without modification,
1521 or reject the plan. The use or possession of any such lands
1522 which is not in accordance with an approved land management plan
1523 is subject to termination by the board of trustees.

1524 (9) ~~(10)~~ The following additional uses of conservation
1525 lands acquired pursuant to the Florida Forever program and other
1526 state-funded conservation land purchase programs shall be
1527 authorized, upon a finding by the board of trustees, if they
1528 meet the criteria specified in paragraphs (a)-(e): water
1529 resource development projects, water supply development
1530 projects, stormwater management projects, linear facilities, and
1531 sustainable agriculture and forestry. Such additional uses are
1532 authorized if ~~where~~:

1533 (a) The use is not inconsistent with the management plan
1534 for such lands;

1535 (b) The use is compatible with the natural ecosystem and
 1536 resource values of such lands;

1537 (c) The ~~proposed~~ use is appropriately located on such
 1538 lands and if ~~where~~ due consideration is given to the use of
 1539 other available lands;

1540 (d) The using entity reasonably compensates the
 1541 titleholder for such use based upon an appropriate measure of
 1542 value; and

1543 (e) The use is consistent with the public interest.

1544

1545 A decision by the board of trustees pursuant to this section
 1546 shall be given a presumption of correctness. Moneys received
 1547 from the use of state lands pursuant to this section shall be
 1548 returned to the lead managing entity in accordance with s.
 1549 259.032 (9) (c) .

1550 (10)~~(11)~~ Lands listed as projects for acquisition may be
 1551 managed for conservation pursuant to s. 259.032, on an interim
 1552 basis by a private party in anticipation of a state purchase in
 1553 accordance with a contractual arrangement between the acquiring
 1554 agency and the private party that may include management service
 1555 contracts, leases, cost-share arrangements or resource
 1556 conservation agreements. Lands designated as eligible under this
 1557 subsection shall be managed to maintain or enhance the resources
 1558 the state is seeking to protect by acquiring the land. Funding
 1559 for these contractual arrangements may originate from the
 1560 documentary stamp tax revenue deposited into the Land

1561 Acquisition Trust Fund. No more than \$6.2 million may be
1562 expended from the Land Acquisition Trust Fund for this purpose.

1563 (11)~~(12)~~ Any lands available to governmental employees,
1564 including water management district employees, for hunting or
1565 other recreational purposes shall also be made available to the
1566 general public for such purposes.

1567 ~~(13) Before a building or parcel of land is offered for~~
1568 ~~lease or sale to a local or federal unit of government or a~~
1569 ~~private party, it shall first be offered for lease to state~~
1570 ~~agencies, state universities, and Florida College System~~
1571 ~~institutions, with priority consideration given to state~~
1572 ~~universities and Florida College System institutions. Within 60~~
1573 ~~days after the offer for lease of a surplus building or parcel,~~
1574 ~~a state university or Florida College System institution that~~
1575 ~~requests the lease must submit a plan for review and approval by~~
1576 ~~the Board of Trustees of the Internal Improvement Trust Fund~~
1577 ~~regarding the intended use, including future use, of the~~
1578 ~~building or parcel of land before approval of a lease. Within 60~~
1579 ~~days after the offer for lease of a surplus building or parcel,~~
1580 ~~a state agency that requests the lease of such facility or~~
1581 ~~parcel must submit a plan for review and approval by the board~~
1582 ~~of trustees regarding the intended use. The state agency plan~~
1583 ~~must, at a minimum, include the proposed use of the facility or~~
1584 ~~parcel, the estimated cost of renovation, a capital improvement~~
1585 ~~plan for the building, evidence that the building or parcel~~
1586 ~~meets an existing need that cannot otherwise be met, and other~~

1587 ~~criteria developed by rule by the board of trustees. The board~~
1588 ~~or its designee shall compare the estimated value of the~~
1589 ~~building or parcel to any submitted business plan to determine~~
1590 ~~if the lease or sale is in the best interest of the state. The~~
1591 ~~board of trustees shall adopt rules pursuant to chapter 120 for~~
1592 ~~the implementation of this section.~~

1593 Section 6. Section 253.0341, Florida Statutes, is amended
1594 to read:

1595 253.0341 Surplus of state-owned lands ~~to counties or local~~
1596 ~~governments. Counties and local governments may submit~~
1597 ~~surplusing requests for state-owned lands directly to the board~~
1598 ~~of trustees. County or local government requests for the state~~
1599 ~~to surplus conservation or nonconservation lands, whether for~~
1600 ~~purchase or exchange, shall be expedited throughout the~~
1601 ~~surplusing process. Property jointly acquired by the state and~~
1602 ~~other entities shall not be surplused without the consent of all~~
1603 ~~joint owners.~~

1604 (1) The board of trustees shall determine which lands, the
1605 title to which is vested in the board, may be surplused. For all
1606 conservation lands, the Acquisition and Restoration Council
1607 shall make a recommendation to the board of trustees, and the
1608 board of trustees shall determine whether the lands are no
1609 longer needed for conservation purposes. If the board of
1610 trustees determines the lands are no longer needed for
1611 conservation purposes, it may dispose of such lands by an
1612 affirmative vote of at least three members. In the case of a

1613 land exchange involving the disposition of conservation lands,
 1614 the board of trustees must determine by an affirmative vote of
 1615 at least three members that the exchange will result in a net
 1616 positive conservation benefit. For all nonconservation lands,
 1617 the board of trustees shall determine whether the lands are no
 1618 longer needed. If the board of trustees determines the lands are
 1619 no longer needed, it may dispose of such lands by an affirmative
 1620 vote of at least three members. Local government requests for
 1621 the state to surplus conservation or nonconservation lands,
 1622 whether for purchase or exchange, shall be expedited throughout
 1623 the surplus process. Property jointly acquired by the state
 1624 and other entities may not be surplus without the consent of
 1625 all joint owners ~~The decision to surplus state-owned~~
 1626 ~~nonconservation lands may be made by the board without a review~~
 1627 ~~of, or a recommendation on, the request from the Acquisition and~~
 1628 ~~Restoration Council or the Division of State Lands. Such~~
 1629 ~~requests for nonconservation lands shall be considered by the~~
 1630 ~~board within 60 days of the board's receipt of the request.~~

1631 (2) For purposes of this section, all lands acquired by
 1632 the state before July 1, 1999, using proceeds from Preservation
 1633 2000 bonds, the former Conservation and Recreation Lands Trust
 1634 Fund, the former Water Management Lands Trust Fund,
 1635 Environmentally Endangered Lands Program, and the Save Our Coast
 1636 Program and titled to the board of trustees which are identified
 1637 as core parcels or within original project boundaries are deemed
 1638 to have been acquired for conservation purposes ~~County or local~~

1639 ~~government requests for the surplusing of state-owned~~
1640 ~~conservation lands are subject to review of, and recommendation~~
1641 ~~on, the request to the board by the Acquisition and Restoration~~
1642 ~~Council. Requests to surplus conservation lands shall be~~
1643 ~~considered by the board within 120 days of the board's receipt~~
1644 ~~of the request.~~

1645 (3) For any lands purchased by the state on or after July
1646 1, 1999, before acquisition, the board of trustees must
1647 determine which parcels must be designated as having been
1648 acquired for conservation purposes. Lands acquired for use by
1649 the Department of Corrections; the Department of Management
1650 Services for use as state offices; the Department of
1651 Transportation, except those lands specifically managed for
1652 conservation or recreation purposes; the State University
1653 System; or the Florida College System may not be designated as
1654 having been acquired for conservation purposes A local
1655 ~~government may request that state lands be specifically declared~~
1656 ~~surplus lands for the purpose of providing alternative water~~
1657 ~~supply and water resource development projects as defined in s.~~
1658 ~~373.019, public facilities such as schools, fire and police~~
1659 ~~facilities, and affordable housing. The request shall comply~~
1660 ~~with the requirements of subsection (1) if the lands are~~
1661 ~~nonconservation lands or subsection (2) if the lands are~~
1662 ~~conservation lands. Surplus lands that are conveyed to a local~~
1663 ~~government for affordable housing shall be disposed of by the~~
1664 ~~local government under the provisions of s. 125.379 or s.~~

1665 ~~166.0451.~~

1666 (4) At least every 10 years, as a component of each land

1667 management plan or land use plan and in a form and manner

1668 adopted by rule of the board of trustees, each manager shall

1669 evaluate and indicate to the board of trustees those lands that

1670 are not being used for the purpose for which they were

1671 originally leased. For conservation lands, the Acquisition and

1672 Restoration Council shall review and recommend to the board of

1673 trustees whether such lands should be retained in public

1674 ownership or disposed of by the board of trustees. For

1675 nonconservation lands, the Division of State Lands shall review

1676 and recommend to the board of trustees whether such lands should

1677 be retained in public ownership or disposed of by the board of

1678 trustees ~~Notwithstanding the requirements of this section and~~

1679 ~~the requirements of s. 253.034 which provides a surplus process~~

1680 ~~for the disposal of state lands, the board shall convey to~~

1681 ~~Miami-Dade County title to the property on which the Graham~~

1682 ~~Building, which houses the offices of the Miami-Dade State~~

1683 ~~Attorney, is located. By January 1, 2008, the board shall convey~~

1684 ~~fee simple title to the property to Miami-Dade County for a~~

1685 ~~consideration of one dollar. The deed conveying title to Miami-~~

1686 ~~Dade County must contain restrictions that limit the use of the~~

1687 ~~property for the purpose of providing workforce housing as~~

1688 ~~defined in s. 420.5095, and to house the offices of the Miami-~~

1689 ~~Dade State Attorney. Employees of the Miami-Dade State Attorney~~

1690 ~~and the Miami-Dade Public Defender who apply for and meet the~~

1691 ~~income qualifications for workforce housing shall receive~~
 1692 ~~preference over other qualified applicants.~~

1693 (5) Conservation lands owned by the board of trustees
 1694 which are not actively managed by any state agency or for which
 1695 a land management plan has not been completed pursuant to s.
 1696 253.034(5) must be reviewed by the Acquisition and Restoration
 1697 Council for its recommendation as to whether such lands should
 1698 be disposed of by the board of trustees.

1699 (6) Before any decision by the board of trustees to
 1700 surplus conservation lands, the Acquisition and Restoration
 1701 Council shall review and make recommendations to the board of
 1702 trustees concerning the request for surplusings. The council
 1703 shall determine whether the request for surplusings is compatible
 1704 with the resource values of and management objectives for such
 1705 lands.

1706 (7) Before a facility or parcel of nonconservation land is
 1707 offered for lease to a local or federal unit of government,
 1708 state university, Florida College System institution, or private
 1709 party, it shall first be offered for lease to state agencies.
 1710 Within 45 days after the offer for lease of a facility or
 1711 parcel, a state agency that requests the lease must submit a
 1712 plan to the board of trustees that includes a description of the
 1713 proposed use, including future use, of the facility or parcel.
 1714 The board of trustees must review and approve the plan before
 1715 approving the lease. The state agency plan must, at a minimum,
 1716 include the proposed use of the facility or parcel, the

1717 estimated cost of renovation, a capital improvement plan for the
1718 building, evidence that the facility or parcel meets an existing
1719 need that cannot otherwise be met, and other criteria adopted by
1720 rule of the board of trustees. The board of trustees or its
1721 designee shall compare the estimated value of the facility or
1722 parcel to any submitted business plan to determine if the lease
1723 or sale is in the best interest of the state. The board of
1724 trustees shall adopt rules pursuant to chapter 120 to implement
1725 this section. A state agency that has requested the use of a
1726 facility or parcel must secure the facility or parcel with a
1727 fully executed lease within 90 days after being notified that it
1728 may use such facility or parcel or the request is voidable.

1729 (8) The sale price of lands determined to be surplus
1730 pursuant to this section and s. 253.82 shall be determined by
1731 the Division of State Lands, which shall consider an appraisal
1732 of the property or, if the estimated value of the land is
1733 \$500,000 or less, a comparable sales analysis or a broker's
1734 opinion of value. The division may require a second appraisal.
1735 The individual or entity that requests to purchase the surplus
1736 parcel shall pay all costs associated with determining the
1737 property's value, if any.

1738 (a) A written valuation of land determined to be surplus
1739 pursuant to this section and s. 253.82, and related documents
1740 used to form the valuation or which pertain to the valuation,
1741 are confidential and exempt from s. 119.07(1) and s. 24(a), Art.
1742 I of the State Constitution.

1743 1. The exemption expires 2 weeks before the contract or
 1744 agreement regarding the purchase, exchange, or disposal of the
 1745 surplus land is first considered for approval by the board of
 1746 trustees.

1747 2. Before expiration of the exemption, the Division of
 1748 State Lands may disclose confidential and exempt appraisals,
 1749 valuations, or valuation information regarding surplus land:

1750 a. During negotiations for the sale or exchange of the
 1751 land;

1752 b. During the marketing effort or bidding process
 1753 associated with the sale, disposal, or exchange of the land to
 1754 facilitate closure of such effort or process;

1755 c. When the passage of time has made the conclusions of
 1756 value invalid; or

1757 d. When negotiations or marketing efforts concerning the
 1758 land are concluded.

1759 (b) A unit of government that acquires title to lands
 1760 pursuant to this section for less than appraised value may not
 1761 sell or transfer title to all or any portion of the lands to any
 1762 private owner for 10 years. A unit of government seeking to
 1763 transfer or sell lands pursuant to this paragraph must first
 1764 allow the board of trustees to reacquire such lands for the
 1765 price at which the board of trustees sold such lands.

1766 (9) Parcels with a market value over \$500,000 must be
 1767 initially offered for sale by competitive bid. Any parcels
 1768 unsuccessfully offered for sale by competitive bid, and parcels

1769 with a market value of \$500,000 or less, may be sold by any
1770 reasonable means, including procuring real estate services, open
1771 or exclusive listings, competitive bid, auction, negotiated
1772 direct sales, or other appropriate services, to facilitate the
1773 sale.

1774 (10) After reviewing the recommendations of the
1775 Acquisition and Restoration Council, the board of trustees shall
1776 determine whether conservation lands identified for surplus
1777 should be held for other public purposes or are no longer
1778 needed. The board of trustees may require an agency to release
1779 its interest in such lands. An entity approved to use
1780 conservation lands by the board of trustees must secure the
1781 property under a fully executed lease within 90 days after being
1782 notified that it may use such property or the request is
1783 voidable.

1784 (11) Requests to surplus lands may be made by any public
1785 or private entity or person and shall be determined by the board
1786 of trustees. All requests to surplus conservation lands shall be
1787 submitted to the lead managing agency for review and
1788 recommendation to the Acquisition and Restoration Council, and
1789 all requests to surplus nonconservation lands shall be submitted
1790 to the Division of State Lands for review and recommendation to
1791 the board of trustees. The lead managing agencies shall review
1792 such requests and make recommendations to the council within 90
1793 days after receipt of the requests. Any requests to surplus
1794 conservation lands that are not acted upon within the 90-day

1795 period shall be immediately scheduled for hearing at the next
 1796 regularly scheduled meeting of the council. Requests to surplus
 1797 lands shall be considered by the board of trustees within 60
 1798 days after receipt of the requests from the council or division.
 1799 Requests to surplus lands pursuant to this subsection are not
 1800 required to be offered to state agencies as provided in
 1801 subsection (7).

1802 (12) Proceeds from the sale of surplus conservation lands
 1803 purchased before July 1, 2015, shall be deposited into the
 1804 Florida Forever Trust Fund.

1805 (13) Proceeds from the sale of surplus conservation lands
 1806 purchased on or after July 1, 2015, shall be deposited into the
 1807 Land Acquisition Trust Fund, except when such lands were
 1808 purchased with funds other than those from the Land Acquisition
 1809 Trust Fund or a land acquisition trust fund created to implement
 1810 s. 28, Art. X of the State Constitution, the proceeds shall be
 1811 deposited into the fund from which the lands were purchased.

1812 (14) Funds received from the sale of surplus
 1813 nonconservation lands or lands that were acquired by gift, by
 1814 donation, or for no consideration shall be deposited into the
 1815 Internal Improvement Trust Fund.

1816 (15) Notwithstanding this section, such disposition of
 1817 land may not be made if it would have the effect of causing all
 1818 or any portion of the interest on any revenue bonds issued to
 1819 lose the exclusion from gross income for federal income tax
 1820 purposes.

1821 (16) The sale of filled, formerly submerged land that does
 1822 not exceed 5 acres in area is not subject to review by the
 1823 Acquisition and Restoration Council.

1824 (17) The board of trustees may adopt rules to administer
 1825 this section, including procedures for administering surplus
 1826 land requests and criteria for when the Division of State Lands
 1827 may approve requests to surplus nonconservation lands on behalf
 1828 of the board of trustees.

1829 (18) Surplus lands that are conveyed to a local government
 1830 for affordable housing shall be disposed of by the local
 1831 government under s. 125.379 or s. 166.0451.

1832 Section 7. Section 253.111, Florida Statutes, is amended
 1833 to read:

1834 253.111 Riparian owners of land ~~Notice to board of county~~
 1835 ~~commissioners before sale. The Board of Trustees of the Internal~~
 1836 ~~Improvement Trust Fund of the state may not sell any land to~~
 1837 ~~which they hold title unless and until they afford an~~
 1838 ~~opportunity to the county in which such land is situated to~~
 1839 ~~receive such land on the following terms and conditions:~~

1840 ~~(1) If an application is filed with the board requesting~~
 1841 ~~that they sell certain land to which they hold title and the~~
 1842 ~~board decides to sell such land or if the board, without such~~
 1843 ~~application, decides to sell such land, the board shall, before~~
 1844 ~~consideration of any private offers, notify the board of county~~
 1845 ~~commissioners of the county in which such land is situated that~~
 1846 ~~such land is available to such county. Such notification shall~~

1847 be given by registered mail, ~~return receipt requested.~~

1848 ~~(2) The board of county commissioners of the county in~~
1849 ~~which such land is situated shall, within 40 days after receipt~~
1850 ~~of such notification from the board, determine by resolution~~
1851 ~~whether or not it proposes to acquire such land.~~

1852 ~~(3) If the board receives, within 45 days after notice is~~
1853 ~~given to the board of county commissioners pursuant to~~
1854 ~~subsection (1), the certified copy of the resolution provided~~
1855 ~~for in subsection (2), the board shall forthwith convey to the~~
1856 ~~county such land at a price that is equal to its appraised~~
1857 ~~market value established by generally accepted professional~~
1858 ~~standards for real estate appraisal and subject to such other~~
1859 ~~terms and conditions as the board determines.~~

1860 ~~(4) Nothing in This section restricts any right otherwise~~
1861 ~~granted to the board by this chapter to convey land to which~~
1862 ~~they hold title to the state or any department, office,~~
1863 ~~authority, board, bureau, commission, institution, court,~~
1864 ~~tribunal, agency, or other instrumentality of or under the~~
1865 ~~state. The word "land" as used in this act means all lands~~
1866 ~~vested in the Board of Trustees of the Internal Improvement~~
1867 ~~Trust Fund.~~

1868 ~~(1)-(5)~~ If a ~~any~~ riparian owner exists with respect to any
1869 land to be sold by the board of trustees, such riparian owner
1870 shall have a right to secure such land, ~~which right is prior in~~
1871 ~~interest to the right in the county created by this section,~~
1872 provided that such riparian owner shall be required to pay for

1873 such land upon such prices, terms, and conditions as determined
 1874 by the board of trustees. Such riparian owner may waive this
 1875 ~~prior right, in which case this section shall apply.~~

1876 (2)~~(6)~~ This section does not apply to:

1877 (a) Any land exchange approved by the board of trustees;

1878 (b) The conveyance of any lands located within the
 1879 Everglades Agricultural Area; or

1880 (c) Lands managed pursuant to ss. 253.781-253.785.

1881 Section 8. Section 253.42, Florida Statutes, is amended to
 1882 read:

1883 253.42 Board of trustees may exchange lands.—~~The~~
 1884 ~~provisions of~~ This section applies ~~apply~~ to all lands owned by,
 1885 vested in, or titled in the name of the board of trustees
 1886 whether the lands were acquired by the state as a purchase, or
 1887 through gift, donation, or any other conveyance for which no
 1888 consideration was paid.

1889 (1) The board of trustees may exchange any lands owned by,
 1890 vested in, or titled in its ~~the~~ name ~~of the board~~ for other
 1891 lands in the state owned by counties, local governments,
 1892 individuals, or private or public corporations, and may fix the
 1893 terms and conditions of any such exchange. ~~Any nonconservation~~
 1894 ~~lands that were acquired by the state through gift, donation, or~~
 1895 ~~any other conveyance for which no consideration was paid must~~
 1896 ~~first be offered at no cost to a county or local government~~
 1897 ~~unless otherwise provided in a deed restriction of record or~~
 1898 ~~other legal impediment, and so long as the use proposed by the~~

1899 ~~county or local government is for a public purpose.~~ For
 1900 conservation lands acquired by the state through gift, donation,
 1901 or any other conveyance for which no consideration was paid, the
 1902 state may request land of equal conservation value from the
 1903 county or local government but no other consideration.

1904 (2) In exchanging state-owned lands not acquired by the
 1905 state through gift, donation, or any other conveyance for which
 1906 no consideration was paid, with counties or local governments,
 1907 the board of trustees shall require an exchange of equal value.
 1908 Equal value is defined as the conservation benefit of the lands
 1909 being offered for exchange by a county or local government being
 1910 equal or greater in conservation benefit than the state-owned
 1911 lands. Such exchanges may include cash transactions if based on
 1912 an appropriate measure of value of the state-owned land, but
 1913 must also include the determination of a net-positive
 1914 conservation benefit by the Acquisition and Restoration Council,
 1915 irrespective of appraised value.

1916 (3) The board of trustees shall select and agree upon the
 1917 state lands to be exchanged and the lands to be conveyed to the
 1918 state and shall pay or receive any sum of money the board of
 1919 trustees deems ~~deemed~~ necessary ~~by the board~~ for the purpose of
 1920 equalizing the value of the exchanged property. The board of
 1921 trustees is authorized to make and enter into contracts or
 1922 agreements for such purpose or purposes.

1923 (4) (a) A person who owns land contiguous to state-owned
 1924 land titled to the board of trustees may submit a request to the

1925 Division of State Lands to exchange all or a portion of the
 1926 privately owned land for all or a portion of the state-owned
 1927 land, whereby the state retains a permanent conservation
 1928 easement over all or a portion of the exchanged state-owned land
 1929 and a permanent conservation easement over all or a portion of
 1930 the exchanged privately owned land. State-owned land exchanged
 1931 pursuant to this subsection shall be contiguous to the privately
 1932 owned land upon which the state retains a permanent conservation
 1933 easement. If the division elects to proceed with a request, the
 1934 division must submit the request to the Acquisition and
 1935 Restoration Council for review and the council must provide
 1936 recommendations to the division. If the division elects to
 1937 forward a request to the board of trustees, the division must
 1938 provide its recommendations and the recommendations of the
 1939 council to the board. This subsection does not apply to state-
 1940 owned sovereign submerged land.

1941 (b) After receiving a request and the division's
 1942 recommendations, the board of trustees shall consider such
 1943 request and recommendations and may approve the request if:

1944 1. At least 30 percent of the perimeter of the privately
 1945 owned land is bordered by state-owned land and the exchange does
 1946 not create an inholding.

1947 2. The approval does not result in a violation of the
 1948 terms of a preexisting lease or agreement by the board of
 1949 trustees, the Department of Environmental Protection, the
 1950 Department of Agriculture and Consumer Services, or the Fish and

1951 Wildlife Conservation Commission.

1952 3. For state-owned land purchased for conservation
 1953 purposes, the board of trustees makes a determination that the
 1954 exchange of land under this subsection will result in a net
 1955 positive conservation benefit.

1956 4. The approval does not conflict with any existing
 1957 flowage easement.

1958 5. The request is approved by three or more members of the
 1959 board of trustees.

1960 (c) Special consideration shall be given to a request that
 1961 maintains public access for any recreational purpose allowed on
 1962 the state-owned land at the time the request is submitted to the
 1963 board of trustees. A person who maintains public access pursuant
 1964 to this paragraph is entitled to the limitation on liability
 1965 provided in s. 375.251.

1966 (d) Land subject to a permanent conservation easement
 1967 granted pursuant to this subsection is subject to inspection by
 1968 the Department of Environmental Protection to ensure compliance
 1969 with the terms of the permanent conservation easement.

1970 Section 9. Subsection (2) of section 253.782, Florida
 1971 Statutes, is amended to read:

1972 253.782 Retention of state-owned lands in and around Lake
 1973 Rousseau and the Cross Florida Barge Canal right-of-way from
 1974 Lake Rousseau west to the Withlacoochee River.—

1975 (2) The Department of Environmental Protection is
 1976 authorized ~~and directed~~ to retain ownership of and maintain all

1977 lands or interests in land owned by the Board of Trustees of the
 1978 Internal Improvement Trust Fund, including all fee and less than
 1979 fee less than fee interests in lands previously owned by the
 1980 canal authority in Lake Rousseau and the Cross Florida Barge
 1981 Canal right-of-way from Lake Rousseau at U.S. Highway 41 west to
 1982 and including the Withlacoochee River.

1983 Section 10. Section 253.7821, Florida Statutes, is amended
 1984 to read:

1985 253.7821 Cross Florida Greenways State Recreation and
 1986 Conservation Area assigned to the Department of Environmental
 1987 Protection ~~Office of the Executive Director.~~—The Cross Florida
 1988 Greenways State Recreation and Conservation Area is ~~hereby~~
 1989 established and ~~is initially~~ assigned to the department ~~Office~~
 1990 ~~of Greenways Management within the Office of the Secretary.~~ The
 1991 department ~~office~~ shall manage the greenways pursuant to the
 1992 department's existing statutory authority until administrative
 1993 rules are adopted by the department. However, the provisions of
 1994 this act shall control in any conflict between this act and any
 1995 other authority of the department.

1996 Section 11. Section 253.87, Florida Statutes, is created
 1997 to read:

1998 253.87 Inventory of state, federal, and local government
 1999 conservation lands by the Department of Environmental
 2000 Protection.—

2001 (1) By July 1, 2018, the department shall include in the
 2002 Florida State-Owned Lands and Records Information System (FL-

2003 SOLARIS) database all federally owned conservation lands in the
 2004 state, all lands on which the Federal Government retains a
 2005 permanent conservation easement in the state, and all lands on
 2006 which the state retains a permanent conservation easement. The
 2007 department shall update the database at least every 5 years.

2008 (2) By July 1, 2018, for counties and municipalities, and
 2009 by July 1, 2019, for financially disadvantaged small
 2010 communities, as defined in s. 403.1838, and at least every 5
 2011 years thereafter, respectively, each county, municipality, and
 2012 financially disadvantaged small community shall identify all
 2013 conservation lands that it owns in fee simple and all lands on
 2014 which it retains a permanent conservation easement and submit,
 2015 in a manner determined by the department, a list of such lands
 2016 to the department. Within 6 months after receiving such list,
 2017 the department shall add such lands to the FL-SOLARIS database.

2018 (3) By January 1, 2018, the department shall conduct a
 2019 study and submit a report to the Governor, the President of the
 2020 Senate, and the Speaker of the House of Representatives on the
 2021 technical and economic feasibility of including the following
 2022 lands in the FL-SOLARIS database or a similar public lands
 2023 inventory:

2024 (a) All lands on which local comprehensive plans, land use
 2025 restrictions, zoning ordinances, or land development regulations
 2026 prohibit the land from being developed or limit the amount of
 2027 development to one unit per 40 or more acres.

2028 (b) All publicly and privately owned lands for which

2029 development rights have been transferred.

2030 (c) All privately owned lands under a permanent
 2031 conservation easement.

2032 (d) All lands owned by a nonprofit or nongovernmental
 2033 organization for conservation purposes.

2034 (e) All lands that are part of a mitigation bank.

2035 Section 12. Section 259.01, Florida Statutes, is amended
 2036 to read:

2037 259.01 Short title.—This chapter shall be known and may be
 2038 cited as the "Land Conservation Program Act ~~of 1972.~~"

2039 Section 13. Section 259.02, Florida Statutes, is repealed.

2040 Section 14. Subsections (6), (7), and (8) and paragraphs
 2041 (a) and (d) of section (9) of section 259.032, Florida Statutes,
 2042 are amended to read:

2043 259.032 Conservation and recreation lands.—

2044 (6) Conservation and recreation lands are subject to the
 2045 selection procedures of s. 259.035 and related rules and shall
 2046 be acquired in accordance with acquisition procedures for state
 2047 lands provided for in s. 253.025 ~~259.041~~, except as otherwise
 2048 provided by the Legislature. An inholding or an addition to
 2049 conservation and recreation lands is not subject to the
 2050 selection procedures of s. 259.035 if the estimated value of
 2051 such inholding or addition does not exceed \$500,000. When at
 2052 least 90 percent of the acreage of a project has been purchased
 2053 for conservation and recreation purposes, the project may be
 2054 removed from the list and the remaining acreage may continue to

2055 be purchased. Funds appropriated to acquire conservation and
 2056 recreation lands may be used for title work, appraisal fees,
 2057 environmental audits, and survey costs related to acquisition
 2058 expenses for lands to be acquired, donated, or exchanged which
 2059 qualify under the categories of this section, at the discretion
 2060 of the board. When the Legislature has authorized the department
 2061 ~~of Environmental Protection~~ to condemn a specific parcel of land
 2062 and such parcel has already been approved for acquisition, the
 2063 land may be acquired in accordance with ~~the provisions of~~
 2064 chapter 73 or chapter 74, and the funds appropriated to acquire
 2065 conservation and recreation lands may be used to pay the
 2066 condemnation award and all costs, including reasonable attorney
 2067 fees, associated with condemnation.

2068 (7) All lands managed under this chapter and s. 253.034
 2069 shall be:

2070 (a) Managed in a manner that will provide the greatest
 2071 combination of benefits to the public and to the resources.

2072 (b) Managed for public outdoor recreation which is
 2073 compatible with the conservation and protection of public lands.
 2074 Such management may include, but not be limited to, the
 2075 following public recreational uses: fishing, hunting, camping,
 2076 bicycling, hiking, nature study, swimming, boating, canoeing,
 2077 horseback riding, diving, model hobbyist activities, birding,
 2078 sailing, jogging, and other related outdoor activities
 2079 ~~compatible with the purposes for which the lands were acquired.~~

2080 ~~(c) Managed for the purposes for which the lands were~~

2081 ~~acquired, consistent with paragraph (9)(a).~~
 2082 (c)~~(d)~~ Concurrent with its adoption of the annual list of
 2083 acquisition projects pursuant to s. 259.035, the board ~~of~~
 2084 ~~trustees~~ shall adopt a management prospectus for each project.
 2085 The management prospectus shall delineate:
 2086 1. The management goals for the property;
 2087 2. The conditions that will affect the intensity of
 2088 management;
 2089 3. An estimate of the revenue-generating potential of the
 2090 property, if appropriate;
 2091 4. A timetable for implementing the various stages of
 2092 management and for providing access to the public, if
 2093 applicable;
 2094 5. A description of potential multiple-use activities as
 2095 described in this section and s. 253.034;
 2096 6. Provisions for protecting existing infrastructure and
 2097 for ensuring the security of the project upon acquisition;
 2098 7. The anticipated costs of management and projected
 2099 sources of revenue, including legislative appropriations, to
 2100 fund management needs; and
 2101 8. Recommendations as to how many employees will be needed
 2102 to manage the property, and recommendations as to whether local
 2103 governments, volunteer groups, the former landowner, or other
 2104 interested parties can be involved in the management.
 2105 (d)~~(e)~~ Concurrent with the approval of the acquisition
 2106 contract pursuant to s. 253.025(4)(c) ~~259.041(3)(e)~~ for any

2107 | interest in lands except those lands ~~being~~ acquired pursuant to
 2108 | ~~under the provisions of~~ s. 259.1052, the board ~~of trustees~~ shall
 2109 | designate an agency or agencies to manage such lands. The board
 2110 | shall evaluate and amend, as appropriate, the management policy
 2111 | statement for the project as provided by s. 259.035 to ensure
 2112 | that the policy statement is compatible with conservation,
 2113 | recreation, or both, ~~consistent with the purposes for which the~~
 2114 | ~~lands are acquired.~~ For any fee simple acquisition of a parcel
 2115 | which is or will be leased back for agricultural purposes, or
 2116 | any acquisition of a less than fee ~~less than fee~~ interest in
 2117 | land that is or will be used for agricultural purposes, the
 2118 | board ~~of trustees of the Internal Improvement Trust Fund~~ shall
 2119 | first consider having a soil and water conservation district,
 2120 | created pursuant to chapter 582, manage and monitor such
 2121 | interests.

2122 | (e) ~~(f)~~ State agencies designated to manage lands acquired
 2123 | under this chapter or with funds deposited into the Land
 2124 | Acquisition Trust Fund, except those lands acquired under s.
 2125 | 259.1052, may contract with local governments and soil and water
 2126 | conservation districts to assist in management activities,
 2127 | including the responsibility of being the lead land manager.
 2128 | Such land management contracts may include a provision for the
 2129 | transfer of management funding to the local government or soil
 2130 | and water conservation district from the land acquisition trust
 2131 | fund of the lead land managing agency in an amount adequate for
 2132 | the local government or soil and water conservation district to

2133 perform its contractual land management responsibilities and
 2134 proportionate to its responsibilities, and which otherwise would
 2135 have been expended by the state agency to manage the property.

2136 (f)~~(g)~~ Immediately following the acquisition of any
 2137 interest in conservation and recreation lands, the department ~~of~~
 2138 ~~Environmental Protection~~, acting on behalf of the board ~~of~~
 2139 ~~trustees~~, may issue to the lead managing entity an interim
 2140 assignment letter to be effective until the execution of a
 2141 formal lease.

2142 (8) (a) State, regional, or local governmental agencies or
 2143 private entities designated to manage lands under this section
 2144 shall develop and adopt, with the approval of the board ~~of~~
 2145 ~~trustees~~, an individual management plan for each project
 2146 designed to conserve and protect such lands and their associated
 2147 natural resources. Private sector involvement in management plan
 2148 development may be used to expedite the planning process.

2149 (b) Individual management plans required by s. 253.034(5),
 2150 for parcels over 160 acres, shall be developed with input from
 2151 an advisory group. Members of this advisory group shall include,
 2152 at a minimum, representatives of the lead land managing agency,
 2153 comanaging entities, local private property owners, the
 2154 appropriate soil and water conservation district, a local
 2155 conservation organization, and a local elected official. If
 2156 habitat or potentially restorable habitat for imperiled species
 2157 is located on state lands, the Fish and Wildlife Conservation
 2158 Commission and the Department of Agriculture and Consumer

2159 Services shall be included on any advisory group required under
2160 chapter 253, and the short-term and long-term management goals
2161 required under chapter 253 must advance the goals and objectives
2162 of imperiled species management without restricting other uses
2163 identified in the management plan. The advisory group shall
2164 conduct at least one public hearing within the county in which
2165 the parcel or project is located. For those parcels or projects
2166 that are within more than one county, at least one areawide
2167 public hearing shall be acceptable and the lead managing agency
2168 shall invite a local elected official from each county. The
2169 areawide public hearing shall be held in the county in which the
2170 core parcels are located. Notice of such public hearing shall be
2171 posted on the parcel or project designated for management,
2172 advertised in a paper of general circulation, and announced at a
2173 scheduled meeting of the local governing body before the actual
2174 public hearing. The management prospectus required pursuant to
2175 paragraph (7) (c) ~~(7) (d)~~ shall be available to the public for a
2176 period of 30 days before ~~prior to~~ the public hearing.

2177 (c) Once a plan is adopted, the managing agency or entity
2178 shall update the plan at least every 10 years in a form and
2179 manner adopted ~~prescribed~~ by rule of the board ~~of trustees~~. Such
2180 updates, for parcels over 160 acres, shall be developed with
2181 input from an advisory group. Such plans may include transfers
2182 of leasehold interests to appropriate conservation organizations
2183 or governmental entities designated by the ~~Land Acquisition and~~
2184 ~~Management Advisory council or its successor,~~ for uses

2185 consistent with the purposes of the organizations and the
 2186 protection, preservation, conservation, restoration, and proper
 2187 management of the lands and their resources. Volunteer
 2188 management assistance is encouraged, including, but not limited
 2189 to, assistance by youths participating in programs sponsored by
 2190 state or local agencies, by volunteers sponsored by
 2191 environmental or civic organizations, and by individuals
 2192 participating in programs for committed delinquents and adults.

2193 (d)~~1~~. For each project for which lands are acquired after
 2194 July 1, 1995, an individual management plan shall be adopted and
 2195 in place no later than 1 year after the essential parcel or
 2196 parcels identified in the priority list developed pursuant to s.
 2197 259.105 have been acquired. The department ~~of Environmental~~
 2198 ~~Protection~~ shall distribute only 75 percent of the acquisition
 2199 funds to which a budget entity or water management district
 2200 would otherwise be entitled to any budget entity or any water
 2201 management district that has more than one-third of its
 2202 management plans overdue.

2203 ~~2. The requirements of subparagraph 1. do not apply to the~~
 2204 ~~individual management plan for the Babcock Crescent B Ranch~~
 2205 ~~being acquired pursuant to s. 259.1052. The management plan for~~
 2206 ~~the ranch shall be adopted and in place no later than 2 years~~
 2207 ~~following the date of acquisition by the state.~~

2208 (e) Individual management plans shall conform to the
 2209 appropriate policies and guidelines of the state land management
 2210 plan and shall include, but not be limited to:

2211 1. A statement of the purpose for which the lands were
 2212 acquired, the projected use or uses as defined in s. 253.034,
 2213 and the statutory authority for such use or uses.

2214 2. Key management activities necessary to achieve the
 2215 desired outcomes, including, but not limited to, providing
 2216 public access, preserving and protecting natural resources,
 2217 protecting cultural and historical resources, restoring habitat,
 2218 protecting threatened and endangered species, controlling the
 2219 spread of nonnative plants and animals, performing prescribed
 2220 fire activities, and other appropriate resource management.

2221 3. A specific description of how the managing agency plans
 2222 to identify, locate, protect, and preserve, or otherwise use
 2223 fragile, nonrenewable natural and cultural resources.

2224 4. A priority schedule for conducting management
 2225 activities, ~~based on the purposes for which the lands were~~
 2226 ~~acquired.~~

2227 5. A cost estimate for conducting priority management
 2228 activities, to include recommendations for cost-effective
 2229 methods of accomplishing those activities.

2230 6. A cost estimate for conducting other management
 2231 activities which would enhance the natural resource value or
 2232 public recreation value ~~for which the lands were acquired.~~ The
 2233 cost estimate shall include recommendations for cost-effective
 2234 methods of accomplishing those activities.

2235 7. A determination of the public uses and public access
 2236 that would be compatible with conservation, recreation, or both

2237 ~~that would be consistent with the purposes for which the lands~~
 2238 ~~were acquired.~~

2239 (f) The Division of State Lands shall submit a copy of
 2240 each individual management plan for parcels which exceed 160
 2241 acres in size to each member of the ~~Acquisition and Restoration~~
 2242 council, which shall:

2243 1. Within 60 days after receiving a plan from the Division
 2244 of State Lands, review each plan for compliance with the
 2245 requirements of this subsection and with the requirements of the
 2246 rules adopted ~~established~~ by the board pursuant to this
 2247 subsection.

2248 2. Consider the propriety of the recommendations of the
 2249 managing agency with regard to the future use or protection of
 2250 the property.

2251 3. After its review, submit the plan, along with its
 2252 recommendations and comments, to the board ~~of trustees~~, with
 2253 recommendations as to whether to approve the plan as submitted,
 2254 approve the plan with modifications, or reject the plan.

2255 (g) The board ~~of trustees~~ shall consider the individual
 2256 management plan submitted by each state agency and the
 2257 recommendations of the ~~Acquisition and Restoration~~ council and
 2258 the department ~~Division of State Lands~~ and shall approve the
 2259 plan with or without modification or reject such plan. The use
 2260 or possession of any lands owned by the board ~~of trustees~~ which
 2261 is not in accordance with an approved individual management plan
 2262 is subject to termination by the board ~~of trustees~~.

2263
 2264 By July 1 of each year, each governmental agency and each
 2265 private entity designated to manage lands shall report to the
 2266 Secretary of Environmental Protection on the progress of
 2267 funding, staffing, and resource management of every project for
 2268 which the agency or entity is responsible.

2269 (9) (a) The Legislature recognizes that acquiring lands
 2270 pursuant to this chapter serves the public interest by
 2271 protecting land, air, and water resources which contribute to
 2272 the public health and welfare, providing areas for natural
 2273 resource based recreation, and ensuring the survival of unique
 2274 and irreplaceable plant and animal species. The Legislature
 2275 intends for these lands to be managed and maintained in a manner
 2276 that is compatible with conservation, recreation, or both,
 2277 consistent with the land management plan ~~for the purposes for~~
 2278 ~~which they were acquired~~ and for the public to have access to
 2279 and use of these lands if public access ~~where it is consistent~~
 2280 ~~with acquisition purposes~~ and would not harm the resources the
 2281 state is seeking to protect on the public's behalf.

2282 (d) Up to one-fifth of the funds appropriated for the
 2283 purposes identified in paragraph (b) shall be reserved by the
 2284 board ~~of trustees~~ for interim management of acquisitions and for
 2285 associated contractual services, to ensure the conservation and
 2286 protection of natural resources on project sites and to allow
 2287 limited public recreational use of lands. Interim management
 2288 activities may include, but not be limited to, resource

2289 assessments, control of invasive, nonnative species, habitat
 2290 restoration, fencing, law enforcement, controlled burning, and
 2291 public access consistent with preliminary determinations made
 2292 pursuant to paragraph (7)(f) ~~(7)(g)~~. The board ~~of trustees~~ shall
 2293 make these interim funds available immediately upon purchase.

2294 Section 15. Subsection (3) and paragraph (a) of subsection
 2295 (4) of section 259.035, Florida Statutes, are amended to read:

2296 259.035 Acquisition and Restoration Council.—

2297 (3) The council shall provide assistance to the board ~~of~~
 2298 ~~trustees~~ in reviewing the recommendations and plans for state-
 2299 owned conservation lands required under s. 253.034 and this
 2300 chapter. The council shall, in reviewing such ~~recommendations~~
 2301 ~~and plans~~, consider the optimization of multiple-use and
 2302 conservation strategies to accomplish the provisions funded
 2303 pursuant to former s. 259.101(3)(a), Florida Statutes 2014, and
 2304 to s. 259.105(3)(b).

2305 (4)(a) By December 1, 2016, the ~~Acquisition and~~
 2306 ~~Restoration~~ council shall develop rules defining specific
 2307 criteria and numeric performance measures needed for lands that
 2308 are to be acquired for public purpose under the Florida Forever
 2309 program pursuant to s. 259.105 or with funds deposited into the
 2310 Land Acquisition Trust Fund pursuant to s. 28(a), Art. X of the
 2311 State Constitution. These rules shall be reviewed and adopted by
 2312 the board, then submitted to the Legislature for consideration
 2313 by February 1, 2017. The Legislature may reject, modify, or take
 2314 no action relative to the proposed rules. If no action is taken,

2315 the rules shall be implemented. Subsequent to their approval,
 2316 each recipient of funds from the Land Acquisition Trust Fund
 2317 shall annually report to the department ~~Division of State Lands~~
 2318 on each of the numeric performance measures accomplished during
 2319 the previous fiscal year.

2320 Section 16. Subsections (1), (2), (4), and (5) of section
 2321 259.036, Florida Statutes, are amended to read:

2322 259.036 Management review teams.—

2323 (1) To determine whether conservation, preservation, and
 2324 recreation lands titled in the name of the board ~~of Trustees of~~
 2325 ~~the Internal Improvement Trust Fund~~ are being managed for ~~the~~
 2326 purposes that are compatible with conservation, preservation, or
 2327 recreation ~~for which they were acquired and~~ in accordance with a
 2328 land management plan adopted pursuant to s. 259.032, the board
 2329 ~~of trustees~~, acting through the department ~~of Environmental~~
 2330 ~~Protection~~, shall cause periodic management reviews to be
 2331 conducted as follows:

2332 (a) The department shall establish a regional land
 2333 management review team composed of the following members:

2334 1. One individual who is from the county or local
 2335 community in which the parcel or project is located and who is
 2336 selected by the county commission in the county which is most
 2337 impacted by the acquisition.

2338 2. One individual from the Division of Recreation and
 2339 Parks of the department.

2340 3. One individual from the Florida Forest Service of the

2341 Department of Agriculture and Consumer Services.

2342 4. One individual from the Fish and Wildlife Conservation

2343 Commission.

2344 5. One individual from the department's district office in

2345 which the parcel is located.

2346 6. A private land manager, preferably from the local

2347 community, mutually agreeable to the state agency

2348 representatives.

2349 7. A member or staff from the jurisdictional water

2350 management district or ~~of the~~ local soil and water conservation

2351 district board of supervisors.

2352 8. A member of a conservation organization.

2353 (b) The department ~~staff of the Division of State Lands~~

2354 shall act as the review team coordinator for the purposes of

2355 establishing schedules for the reviews and other staff

2356 functions. The Legislature shall appropriate funds necessary to

2357 implement land management review team functions.

2358 (2) The land management review team shall review select

2359 management areas before ~~prior to~~ the date the manager is

2360 required to submit a 10-year land management plan update. For

2361 management areas that exceed 1,000 acres in size, the department

2362 ~~Division of State Lands~~ shall schedule a land management review

2363 at least every 5 years. A copy of the review shall be provided

2364 to the manager, the department ~~Division of State Lands~~, and the

2365 ~~Acquisition and Restoration~~ council. The manager shall consider

2366 the findings and recommendations of the land management review

2367 team in finalizing the required 10-year update of its management
 2368 plan.

2369 (4) In the event a land management plan has not been
 2370 adopted within the timeframes specified in s. 259.032(8), the
 2371 department may direct a management review of the property, to be
 2372 conducted by the land management review team. The review shall
 2373 consider the extent to which the land is being managed in a
 2374 manner that is compatible with conservation, recreation, or both
 2375 ~~for the purposes for which it was acquired~~ and the degree to
 2376 which actual management practices are in compliance with the
 2377 management policy statement and management prospectus for that
 2378 property.

2379 (5) If the land management review team determines that
 2380 reviewed lands are not being managed in a manner that is
 2381 compatible with conservation, recreation, or both, consistent
 2382 ~~for the purposes for which they were acquired or in compliance~~
 2383 with the adopted land management plan, management policy
 2384 statement, or management prospectus, or if the managing agency
 2385 fails to address the review findings in the updated management
 2386 plan, the department shall provide the review findings to the
 2387 board, and the managing agency must report to the board its
 2388 reasons for managing the lands as it has.

2389 Section 17. Section 259.037, Florida Statutes, is amended
 2390 to read:

2391 259.037 Land Management Uniform Accounting Council.-

2392 (1) The Land Management Uniform Accounting Council (LMUAC)

2393 is created within the Department of Environmental Protection and
 2394 shall consist of the director of the Division of State Lands,
 2395 the director of the Division of Recreation and Parks, and the
 2396 director of the Office of Coastal and Aquatic Managed Areas, ~~and~~
 2397 ~~the director of the Office of Greenways and Trails of the~~
 2398 ~~department of Environmental Protection;~~ the director of the
 2399 Florida Forest Service of the Department of Agriculture and
 2400 Consumer Services; the executive director of the Fish and
 2401 Wildlife Conservation Commission; and the director of the
 2402 Division of Historical Resources of the Department of State, or
 2403 their respective designees. Each state agency represented on the
 2404 LMUAC ~~council~~ shall have one vote. The chair of the LMUAC
 2405 ~~council~~ shall rotate annually in the foregoing order of state
 2406 agencies. The agency of the representative serving as chair ~~of~~
 2407 ~~the council~~ shall provide staff support for the LMUAC ~~council~~.
 2408 The Division of State Lands shall serve as the recipient of and
 2409 repository for the LMUAC's ~~council's~~ documents. The LMUAC
 2410 ~~council~~ shall meet at the request of the chair.

2411 (2) The Auditor General and the director of the Office of
 2412 Program Policy Analysis and Government Accountability, or their
 2413 designees, shall advise the LMUAC ~~council~~ to ensure that
 2414 appropriate accounting procedures are used ~~utilized~~ and that a
 2415 uniform method of collecting and reporting accurate costs of
 2416 land management activities are created and can be used by all
 2417 agencies.

2418 (3) (a) All land management activities and costs must be

2419 assigned to a specific category, and any single activity or cost
 2420 may not be assigned to more than one category. Administrative
 2421 costs, such as planning or training, shall be segregated from
 2422 other management activities. Specific management activities and
 2423 costs must initially be grouped, at a minimum, within the
 2424 following categories:

- 2425 1. Resource management.
- 2426 2. Administration.
- 2427 3. Support.
- 2428 4. Capital improvements.
- 2429 5. Recreation visitor services.
- 2430 6. Law enforcement activities.

2431
 2432 Upon adoption of the initial list of land management categories
 2433 by the LMUAC ~~council~~, agencies assigned to manage conservation
 2434 or recreation lands shall, ~~on July 1, 2000, begin to~~ account for
 2435 land management costs in accordance with the category to which
 2436 an expenditure is assigned.

2437 (b) Each reporting agency shall also:

2438 1. Include a report of the available public use
 2439 opportunities for each management unit of state land, the total
 2440 management cost for public access and public use, and the cost
 2441 associated with each use option.

2442 2. List the acres of land requiring minimal management
 2443 effort, moderate management effort, and significant management
 2444 effort pursuant to s. 259.032(9)(c). For each category created

2445 in paragraph (a), the reporting agency shall include the amount
 2446 of funds requested, the amount of funds received, and the amount
 2447 of funds expended for land management.

2448 3. List acres managed and cost of management for each
 2449 park, preserve, forest, reserve, or management area.

2450 4. List acres managed, cost of management, and lead
 2451 manager for each state lands management unit for which secondary
 2452 management activities were provided.

2453 5. Include a report of the estimated calculable financial
 2454 benefits to the public for the ecosystem services provided by
 2455 conservation lands, based on the best readily available
 2456 information or science that provides a standard measurement
 2457 methodology to be consistently applied by the land managing
 2458 agencies. Such information may include, but need not be limited
 2459 to, the value of natural lands for protecting the quality and
 2460 quantity of drinking water through natural water filtration and
 2461 recharge, contributions to protecting and improving air quality,
 2462 benefits to agriculture through increased soil productivity and
 2463 preservation of biodiversity, and savings to property and lives
 2464 through flood control.

2465 (4) The LMUAC ~~council~~ shall provide a report of the
 2466 agencies' expenditures pursuant to the adopted categories to the
 2467 Acquisition and Restoration Council and the Division of State
 2468 Lands for inclusion in its annual report required pursuant to s.
 2469 259.036.

2470 (5) Should the LMUAC ~~council~~ determine that the list of

2471 land management categories needs to be revised, it shall meet
2472 upon the call of the chair.

2473 (6) Biennially, each reporting agency shall also submit an
2474 operational report for each management area along with an
2475 approved management plan. The report should assess the progress
2476 toward achieving short-term and long-term management goals of
2477 the approved management plan, including all land management
2478 activities, and identify any deficiencies in management and
2479 corrective actions to address identified deficiencies as
2480 appropriate. This report shall be submitted to the Acquisition
2481 and Restoration Council and the Division of State Lands for
2482 inclusion in its annual report required pursuant to s. 259.036.

2483 Section 18. Subsections (1) through (6) and (8) through
2484 (19) of section 259.041, Florida Statutes, are repealed.

2485 Section 19. Subsection (2) of section 259.047, Florida
2486 Statutes, is amended to read:

2487 259.047 Acquisition of land on which an agricultural lease
2488 exists.—

2489 (2) If ~~where~~ consistent with the purposes of conservation
2490 and recreation ~~for which the property was acquired~~, the state or
2491 acquiring entity shall make reasonable efforts to keep lands in
2492 agricultural production which are in agricultural production at
2493 the time of acquisition.

2494 Section 20. Subsection (8) of section 259.101, Florida
2495 Statutes, is renumbered as subsection (7), and subsection (5),
2496 paragraph (a) of subsection (6), and present subsection (7) of

2497 that section are amended, to read:

2498 259.101 Florida Preservation 2000 Act.—

2499 (5) DISPOSITION OF LANDS.—

2500 (a) Any lands acquired pursuant to former paragraphs
 2501 (3) (a), (3) (c), (3) (d), (3) (e), (3) (f), or (3) (g) of this
 2502 section, Florida Statutes 2014, if title to such lands is vested
 2503 in the board ~~of Trustees of the Internal Improvement Trust Fund,~~
 2504 may be disposed of by the board ~~of Trustees of the Internal~~
 2505 ~~Improvement Trust Fund~~ in accordance with the provisions and
 2506 procedures set forth in s. 253.0341 ~~253.034(6)~~, and lands
 2507 acquired pursuant to former paragraph (3) (b) of this section,
 2508 Florida Statutes 2014, may be disposed of by the owning water
 2509 management district in accordance with the procedures and
 2510 provisions set forth in ss. 373.056 and 373.089 provided such
 2511 disposition also shall satisfy the requirements of paragraphs
 2512 (b) and (c).

2513 (b) Before land acquired with Preservation 2000 funds may
 2514 be surplusd as required by s. 253.0341 ~~253.034(6)~~ or determined
 2515 to be no longer required for its purposes under s. 373.056(4),
 2516 as applicable, there shall first be a determination by the board
 2517 ~~of Trustees of the Internal Improvement Trust Fund,~~ or, in the
 2518 case of water management district lands, by the owning water
 2519 management district, that such land no longer needs to be
 2520 preserved in furtherance of the intent of the Florida
 2521 Preservation 2000 Act. Any lands eligible to be disposed of
 2522 under this procedure also may be used to acquire other lands

2523 through an exchange of lands if such lands obtained in an
2524 exchange are described in the same paragraph of former
2525 subsection (3) of this section, Florida Statutes 2014, as the
2526 lands disposed.

2527 (c) Revenue derived from the disposal of lands acquired
2528 with Preservation 2000 funds may not be used for any purpose
2529 except for deposit into the Florida Forever Trust Fund within
2530 the department ~~of Environmental Protection~~, for recredit to the
2531 share held under former subsection (3) of this section, Florida
2532 Statutes 2014, in which such disposed land is described.

2533 (6) ALTERNATE USES OF ACQUIRED LANDS.—

2534 (a) The board ~~of Trustees of the Internal Improvement~~
2535 ~~Trust Fund~~, or, in the case of water management district lands,
2536 the owning water management district, may authorize the granting
2537 of a lease, easement, or license for the use of any lands
2538 acquired pursuant to former subsection (3) of this section,
2539 Florida Statutes 2014, for any governmental use permitted by s.
2540 17, Art. IX of the State Constitution of 1885, as adopted by s.
2541 9(a), Art. XII of the State Constitution, and any other
2542 incidental public or private use that is determined by the board
2543 or the owning water management district to be compatible with
2544 conservation, preservation, or recreation ~~the purposes for which~~
2545 ~~such lands were acquired.~~

2546 ~~(7) ALTERNATIVES TO FEE SIMPLE ACQUISITION.—~~

2547 ~~(a) The Legislature finds that, with the increasing~~
2548 ~~pressures on the natural areas of this state, the state must~~

2549 ~~develop creative techniques to maximize the use of acquisition~~
2550 ~~and management moneys. The Legislature finds that the state's~~
2551 ~~environmental land buying agencies should be encouraged to~~
2552 ~~augment their traditional, fee simple acquisition programs with~~
2553 ~~the use of alternatives to fee simple acquisition techniques.~~
2554 ~~The Legislature also finds that using alternatives to fee simple~~
2555 ~~acquisition by public land buying agencies will achieve the~~
2556 ~~following public policy goals:~~

2557 ~~1. Allow more lands to be brought under public protection~~
2558 ~~for preservation, conservation, and recreational purposes at~~
2559 ~~less expense using public funds.~~

2560 ~~2. Retain, on local government tax rolls, some portion of~~
2561 ~~or interest in lands that are under public protection.~~

2562 ~~3. Reduce long-term management costs by allowing private~~
2563 ~~property owners to continue acting as stewards of the land, as~~
2564 ~~appropriate.~~

2565

2566 ~~Therefore, it is the intent of the Legislature that public land-~~
2567 ~~buying agencies develop programs to pursue alternatives to fee~~
2568 ~~simple acquisition and to educate private landowners about such~~
2569 ~~alternatives and the benefits of such alternatives. It also is~~
2570 ~~the intent of the Legislature that the department and the water~~
2571 ~~management districts spend a portion of their shares of~~
2572 ~~Preservation 2000 bond proceeds to purchase eligible properties~~
2573 ~~using alternatives to fee simple acquisition. Finally, it is the~~
2574 ~~intent of the Legislature that public agencies acquire lands in~~

2575 ~~fee simple for public access and recreational activities. Lands~~
2576 ~~protected using alternatives to fee simple acquisition~~
2577 ~~techniques may not be accessible to the public unless such~~
2578 ~~access is negotiated with and agreed to by the private~~
2579 ~~landowners who retain interests in such lands.~~

2580 ~~(b) The Land Acquisition Advisory Council and the water~~
2581 ~~management districts shall identify, within their 1997~~
2582 ~~acquisition plans, those projects that require a full fee simple~~
2583 ~~interest to achieve the public policy goals, along with the~~
2584 ~~reasons why full title is determined to be necessary. The~~
2585 ~~council and the water management districts may use alternatives~~
2586 ~~to fee simple acquisition to bring the remaining projects in~~
2587 ~~their acquisition plans under public protection. For the~~
2588 ~~purposes of this subsection, the term "alternatives to fee~~
2589 ~~simple acquisition" includes the purchase of development rights;~~
2590 ~~conservation easements; flowage easements; the purchase of~~
2591 ~~timber rights, mineral rights, or hunting rights; the purchase~~
2592 ~~of agricultural interests or silvicultural interests; land~~
2593 ~~protection agreements; fee simple acquisitions with~~
2594 ~~reservations; or any other acquisition technique that achieves~~
2595 ~~the public policy goals identified in paragraph (a). It is~~
2596 ~~presumed that a private landowner retains the full range of uses~~
2597 ~~for all the rights or interests in the landowner's land which~~
2598 ~~are not specifically acquired by the public agency. Life estates~~
2599 ~~and fee simple acquisitions with leaseback provisions do not~~
2600 ~~qualify as an alternative to fee simple acquisition under this~~

2601 ~~subsection, although the department and the districts are~~
2602 ~~encouraged to use such techniques if appropriate.~~

2603 ~~(c) The department and each water management district~~
2604 ~~shall implement initiatives to use alternatives to fee simple~~
2605 ~~acquisition and to educate private landowners about such~~
2606 ~~alternatives. These initiatives must include at least two~~
2607 ~~acquisitions a year by the department and each water management~~
2608 ~~district utilizing alternatives to fee simple.~~

2609 ~~(d) The Legislature finds that the lack of direct sales~~
2610 ~~comparison information has served as an impediment to successful~~
2611 ~~implementation of alternatives to fee simple acquisition. It is~~
2612 ~~the intent of the Legislature that, in the absence of direct~~
2613 ~~comparable sales information, appraisals of alternatives to fee~~
2614 ~~simple acquisitions be based on the difference between the full~~
2615 ~~fee simple valuation and the value of the interests remaining~~
2616 ~~with the seller after acquisition.~~

2617 ~~(e) The public agency that has been assigned management~~
2618 ~~responsibility shall inspect and monitor any less than fee-~~
2619 ~~simple interest according to the terms of the purchase agreement~~
2620 ~~relating to such interest.~~

2621 ~~(f) The department and the water management districts may~~
2622 ~~enter into joint acquisition agreements to jointly fund the~~
2623 ~~purchase of lands using alternatives to fee simple techniques.~~

2624 Section 21. Paragraph (a) of subsection (2), paragraphs
2625 (i) and (l) of subsection (3), subsections (10) and (13),
2626 paragraph (i) of subsection (15), and subsection (19) of section

2627 259.105, Florida Statutes, are amended to read:

2628 259.105 The Florida Forever Act.—

2629 (2) (a) The Legislature finds and declares that:

2630 1. Land acquisition programs have provided tremendous
 2631 financial resources for purchasing environmentally significant
 2632 lands to protect those lands from imminent development or
 2633 alteration, thereby ensuring present and future generations'
 2634 access to important waterways, open spaces, and recreation and
 2635 conservation lands.

2636 2. The continued alteration and development of the state's
 2637 ~~Florida's~~ natural and rural areas to accommodate the state's
 2638 growing population have contributed to the degradation of water
 2639 resources, the fragmentation and destruction of wildlife
 2640 habitats, the loss of outdoor recreation space, and the
 2641 diminishment of wetlands, forests, working landscapes, and
 2642 coastal open space.

2643 3. The potential development of the state's ~~Florida's~~
 2644 remaining natural areas and escalation of land values require
 2645 government efforts to restore, bring under public protection, or
 2646 acquire lands and water areas to preserve the state's essential
 2647 ecological functions and invaluable quality of life.

2648 4. It is essential to protect the state's ecosystems by
 2649 promoting a more efficient use of land, to ensure opportunities
 2650 for viable agricultural activities on working lands, and to
 2651 promote vital rural and urban communities that support and
 2652 produce development patterns consistent with natural resource

2653 protection.

2654 5. The state's ~~Florida's~~ groundwater, surface waters, and
2655 springs are under tremendous pressure due to population growth
2656 and economic expansion and require special protection and
2657 restoration efforts, including the protection of uplands and
2658 springsheds that provide vital recharge to aquifer systems and
2659 are critical to the protection of water quality and water
2660 quantity of the aquifers and springs. To ensure that sufficient
2661 quantities of water are available to meet the current and future
2662 needs of the natural systems and citizens of the state, and
2663 assist in achieving the planning goals of the department and the
2664 water management districts, water resource development projects
2665 on public lands, if ~~where~~ compatible with the resource values of
2666 and management objectives for the lands, are appropriate.

2667 6. The needs of urban, suburban, and small communities in
2668 the state ~~Florida~~ for high-quality outdoor recreational
2669 opportunities, greenways, trails, and open space have not been
2670 fully met by previous acquisition programs. Through such
2671 programs as the Florida Communities Trust and the Florida
2672 Recreation Development Assistance Program, the state shall place
2673 additional emphasis on acquiring, protecting, preserving, and
2674 restoring open space, ecological greenways, and recreation
2675 properties within urban, suburban, and rural areas where
2676 pristine natural communities or water bodies no longer exist
2677 because of the proximity of developed property.

2678 7. Many of the state's ~~Florida's~~ unique ecosystems, such

2679 as the Florida Everglades, are facing ecological collapse due to
2680 the state's ~~Florida's~~ burgeoning population growth and other
2681 economic activities. To preserve these valuable ecosystems for
2682 future generations, essential parcels of land must be acquired
2683 to facilitate ecosystem restoration.

2684 8. Access to public lands to support a broad range of
2685 outdoor recreational opportunities and the development of
2686 necessary infrastructure, if ~~where~~ compatible with the resource
2687 values of and management objectives for such lands, promotes an
2688 appreciation for the state's ~~Florida's~~ natural assets and
2689 improves the quality of life.

2690 9. Acquisition of lands, in fee simple, less than fee
2691 ~~less than fee~~ interest, or other techniques shall be based on a
2692 comprehensive science-based assessment of the state's ~~Florida's~~
2693 natural resources which targets essential conservation lands by
2694 prioritizing all current and future acquisitions based on a
2695 uniform set of data and planned so as to protect the integrity
2696 and function of ecological systems and working landscapes, and
2697 provide multiple benefits, including preservation of fish and
2698 wildlife habitat, recreation space for urban and rural areas,
2699 and the restoration of natural water storage, flow, and
2700 recharge.

2701 10. The state has embraced performance-based program
2702 budgeting as a tool to evaluate the achievements of publicly
2703 funded agencies, build in accountability, and reward those
2704 agencies which are able to consistently achieve quantifiable

2705 | goals. While previous and existing state environmental programs
2706 | have achieved varying degrees of success, few of these programs
2707 | can be evaluated as to the extent of their achievements,
2708 | primarily because performance measures, standards, outcomes, and
2709 | goals were not established at the outset. Therefore, the Florida
2710 | Forever program shall be developed and implemented in the
2711 | context of measurable state goals and objectives.

2712 | 11. The state must play a major role in the recovery and
2713 | management of its imperiled species through the acquisition,
2714 | restoration, enhancement, and management of ecosystems that can
2715 | support the major life functions of such species. It is the
2716 | intent of the Legislature to support local, state, and federal
2717 | programs that result in net benefit to imperiled species habitat
2718 | by providing public and private land owners meaningful
2719 | incentives for acquiring, restoring, managing, and repopulating
2720 | habitats for imperiled species. It is the further intent of the
2721 | Legislature that public lands, both existing and to be acquired,
2722 | identified by the lead land managing agency, in consultation
2723 | with the ~~Florida~~ Fish and Wildlife Conservation Commission for
2724 | animals or the Department of Agriculture and Consumer Services
2725 | for plants, as habitat or potentially restorable habitat for
2726 | imperiled species, be restored, enhanced, managed, and
2727 | repopulated as habitat for such species to advance the goals and
2728 | objectives of imperiled species management for conservation,
2729 | recreation, or both, consistent with the land management plan
2730 | ~~purposes for which such lands are acquired~~ without restricting

2731 other uses identified in the management plan. It is also the
 2732 intent of the Legislature that of the proceeds distributed
 2733 pursuant to subsection (3), additional consideration be given to
 2734 acquisitions that achieve a combination of conservation goals,
 2735 including the restoration, enhancement, management, or
 2736 repopulation of habitat for imperiled species. The ~~Acquisition~~
 2737 ~~and Restoration~~ council, in addition to the criteria in
 2738 subsection (9), shall give weight to projects that include
 2739 acquisition, restoration, management, or repopulation of habitat
 2740 for imperiled species. The term "imperiled species" as used in
 2741 this chapter and chapter 253, means plants and animals that are
 2742 federally listed under the Endangered Species Act, or state-
 2743 listed by the Fish and Wildlife Conservation Commission or the
 2744 Department of Agriculture and Consumer Services.

2745 a. As part of the state's role, all state lands that have
 2746 imperiled species habitat shall include as a consideration in
 2747 management plan development the restoration, enhancement,
 2748 management, and repopulation of such habitats. In addition, the
 2749 lead land managing agency of such state lands may use fees
 2750 received from public or private entities for projects to offset
 2751 adverse impacts to imperiled species or their habitat in order
 2752 to restore, enhance, manage, repopulate, or acquire land and to
 2753 implement land management plans developed under s. 253.034 or a
 2754 land management prospectus developed and implemented under this
 2755 chapter. Such fees shall be deposited into a foundation or fund
 2756 created by each land management agency under s. 379.223, s.

2757 589.012, or s. 259.032(9)(c), to be used solely to restore,
2758 manage, enhance, repopulate, or acquire imperiled species
2759 habitat.

2760 ~~b. Where habitat or potentially restorable habitat for~~
2761 ~~imperiled species is located on state lands, the Fish and~~
2762 ~~Wildlife Conservation Commission and the Department of~~
2763 ~~Agriculture and Consumer Services shall be included on any~~
2764 ~~advisory group required under chapter 253, and the short-term~~
2765 ~~and long-term management goals required under chapter 253 must~~
2766 ~~advance the goals and objectives of imperiled species management~~
2767 ~~consistent with the purposes for which the land was acquired~~
2768 ~~without restricting other uses identified in the management~~
2769 ~~plan.~~

2770 12. There is a need to change the focus and direction of
2771 the state's major land acquisition programs and to extend
2772 funding and bonding capabilities, so that future generations may
2773 enjoy the natural resources of this state.

2774 (3) Less the costs of issuing and the costs of funding
2775 reserve accounts and other costs associated with bonds, the
2776 proceeds of cash payments or bonds issued pursuant to this
2777 section shall be deposited into the Florida Forever Trust Fund
2778 created by s. 259.1051. The proceeds shall be distributed by the
2779 department of Environmental Protection in the following manner:

2780 (i) Three and five-tenths percent to the Department of
2781 Agriculture and Consumer Services for the acquisition of
2782 agricultural lands, through perpetual conservation easements and

2783 other perpetual less than fee ~~less than fee~~ techniques, which
2784 will achieve the objectives of Florida Forever and s. 570.71.
2785 Rules concerning the application, acquisition, and priority
2786 ranking process for such easements shall be developed pursuant
2787 to s. 570.71(10) and as provided by this paragraph. The board
2788 shall ensure that such rules are consistent with the acquisition
2789 process provided for in s. 570.715 ~~259.041~~. ~~Provisions of~~ The
2790 rules developed pursuant to s. 570.71(10), shall also provide
2791 for the following:

2792 1. An annual priority list shall be developed pursuant to
2793 s. 570.71(10), submitted to the ~~Acquisition and Restoration~~
2794 council for review, and approved by the board pursuant to s.
2795 259.04.

2796 2. Terms of easements and acquisitions proposed pursuant
2797 to this paragraph shall be approved by the board and may ~~shall~~
2798 not be delegated by the board to any other entity receiving
2799 funds under this section.

2800 3. All acquisitions pursuant to this paragraph shall
2801 contain a clear statement that they are subject to legislative
2802 appropriation.

2803
2804 ~~No~~ Funds provided under this paragraph may not ~~shall~~ be expended
2805 until final adoption of rules by the board pursuant to s.
2806 570.71.

2807 (1) For the purposes of paragraphs (e), (f), (g), and (h),
2808 the agencies that receive the funds shall develop their

2809 individual acquisition or restoration lists in accordance with
 2810 specific criteria and numeric performance measures developed
 2811 pursuant to s. 259.035(4). Proposed additions may be acquired if
 2812 they are identified within the original project boundary, the
 2813 management plan required pursuant to s. 253.034(5), or the
 2814 management prospectus required pursuant to s. 259.032(7)(c)
 2815 ~~259.032(7)(d)~~. Proposed additions not meeting the requirements
 2816 of this paragraph shall be submitted to the ~~Acquisition and~~
 2817 ~~Restoration~~ council for approval. The council may only approve
 2818 the proposed addition if it meets two or more of the following
 2819 criteria: serves as a link or corridor to other publicly owned
 2820 property; enhances the protection or management of the property;
 2821 would add a desirable resource to the property; would create a
 2822 more manageable boundary configuration; has a high resource
 2823 value that otherwise would be unprotected; or can be acquired at
 2824 less than fair market value.

2825 (10) The ~~Acquisition and Restoration~~ council shall give
 2826 increased priority to:

2827 (a) those Projects for which matching funds are available.

2828 (b) and to Project elements previously identified on an
 2829 acquisition list pursuant to this section that can be acquired
 2830 at 80 percent or less of appraised value.

2831 (c) Projects that can be acquired in less than fee
 2832 ownership, such as a permanent conservation easement.

2833 (d) Projects that contribute to improving the quality and
 2834 quantity of surface water and groundwater.

2835 (e) Projects that contribute to improving the water
 2836 quality and flow of springs.

2837 ~~(f) The council shall also give increased priority to~~
 2838 ~~those Projects~~ for which ~~where~~ the state's land conservation
 2839 plans overlap with the military's need to protect lands, water,
 2840 and habitat to ensure the sustainability of military missions
 2841 including:

2842 1.(a) Protecting habitat on nonmilitary land for any
 2843 species found on military land that is designated as threatened
 2844 or endangered, or is a candidate for such designation under the
 2845 Endangered Species Act or any Florida statute;

2846 2.(b) Protecting areas underlying low-level military air
 2847 corridors or operating areas; and

2848 3.(c) Protecting areas identified as clear zones, accident
 2849 potential zones, and air installation compatible use buffer
 2850 zones delineated by our military partners, and for which federal
 2851 or other funding is available to assist with the project.

2852 (13) An affirmative vote of at least five members of the
 2853 ~~Acquisition and Restoration~~ council shall be required in order
 2854 to place a ~~proposed~~ project submitted pursuant to subsection (7)
 2855 on the proposed project list developed pursuant to subsection
 2856 (8). Any member of the council who by family or a business
 2857 relationship has a connection with any project proposed to be
 2858 ranked shall declare such interest before ~~prior to~~ voting for a
 2859 project's inclusion on the list.

2860 (15) The ~~Acquisition and Restoration~~ council shall submit

2861 to the board ~~of trustees~~, with its list of projects, a report
 2862 that includes, but need ~~shall~~ not be limited to, the following
 2863 information for each project listed:

2864 (i) A management policy statement for the project and a
 2865 management prospectus pursuant to s. 259.032(7)(c)
 2866 ~~259.032(7)(d)~~.

2867 (19) ~~The Acquisition and Restoration~~ council shall
 2868 recommend adoption of rules by the board ~~of trustees~~ necessary
 2869 to implement ~~the provisions of~~ this section relating to:
 2870 solicitation, scoring, selecting, and ranking of Florida Forever
 2871 project proposals; disposing of or leasing lands or water areas
 2872 selected for funding through the Florida Forever program; and
 2873 the process of reviewing and recommending for approval or
 2874 rejection the land management plans associated with publicly
 2875 owned properties. ~~Rules promulgated pursuant to this subsection~~
 2876 ~~shall be submitted to the President of the Senate and the~~
 2877 ~~Speaker of the House of Representatives, for review by the~~
 2878 ~~Legislature, no later than 30 days prior to the 2010 Regular~~
 2879 ~~Session and shall become effective only after legislative~~
 2880 ~~review. In its review, the Legislature may reject, modify, or~~
 2881 ~~take no action relative to such rules. The board of trustees~~
 2882 ~~shall conform such rules to changes made by the Legislature, or,~~
 2883 ~~if no action was taken by the Legislature, such rules shall~~
 2884 ~~become effective.~~

2885 Section 22. Subsections (6) and (7) of section 259.1052,
 2886 Florida Statutes, are amended to read:

2887 259.1052 Babcock Crescent B Ranch Florida Forever
 2888 acquisition; conditions for purchase.-

2889 ~~(6) In addition to distributions authorized under s.~~
 2890 ~~259.105(3), the Department of Environmental Protection is~~
 2891 ~~authorized to distribute \$310 million in revenues from the~~
 2892 ~~Florida Forever Trust Fund. This distribution shall represent~~
 2893 ~~payment in full for the portion of the Babcock Crescent B Ranch~~
 2894 ~~to be acquired by the state under this section.~~

2895 ~~(7) As used in this section, the term "state's portion of~~
 2896 ~~the Babcock Crescent B Ranch" comprises those lands to be~~
 2897 ~~conveyed by special warranty deed to the Board of Trustees of~~
 2898 ~~the Internal Improvement Trust Fund under the provisions of the~~
 2899 ~~agreement for sale and purchase executed by the Board of~~
 2900 ~~Trustees of the Internal Improvement Trust Fund, the Fish and~~
 2901 ~~Wildlife Conservation Commission, the Department of Agriculture~~
 2902 ~~and Consumer Services, and the participating local government,~~
 2903 ~~as purchaser, and MSKP, III, a Florida corporation, as seller.~~

2904 Section 23. Section 570.715, Florida Statutes, is created,
 2905 and subsection (7) of section 259.041, Florida Statutes, is
 2906 transferred, renumbered as subsection (5) of section 570.715,
 2907 Florida Statutes, and amended, to read:

2908 570.715 Conservation easement acquisition procedures.-

2909 (1) For less than fee simple acquisitions pursuant to s.
 2910 570.71, the Department of Agriculture and Consumer Services
 2911 shall comply with the following acquisition procedures:

2912 (a) Before conveyance of title by the department, evidence

2913 of marketable title in the form of a commitment for title
2914 insurance or an abstract of title with a title opinion shall be
2915 obtained.

2916 (b) Before approval by the board of trustees of an
2917 agreement to purchase less than fee simple title to land
2918 pursuant to s. 570.71, an appraisal of the parcel shall be
2919 required as follows:

2920 1. Each parcel to be acquired shall have at least one
2921 appraisal. Two appraisals are required when the estimated value
2922 of the parcel exceeds \$1 million. However, when both appraisals
2923 exceed \$1 million and differ significantly, a third appraisal
2924 may be obtained.

2925 2. Appraisal fees and associated costs shall be paid by
2926 the department. All appraisals used for the acquisition of less
2927 than fee simple interest in lands pursuant to this section shall
2928 be prepared by a state-certified appraiser who meets the
2929 standards and criteria established by rule of the board of
2930 trustees. Each appraiser selected to appraise a particular
2931 parcel shall, before contracting with the department or a
2932 participant in a multiparty agreement, submit to the department
2933 or participant an affidavit substantiating that he or she has no
2934 vested or fiduciary interest in such parcel.

2935 (c) A certified survey must be made that meets the minimum
2936 requirements for upland parcels established in the Standards of
2937 Practice for Land Surveying in Florida published by the
2938 department and that accurately portrays, to the greatest extent

2939 practicable, the condition of the parcel as it currently exists.
2940 The requirement for a certified survey may, in whole or in part,
2941 be waived by the board of trustees any time before acquisition
2942 of the less than fee simple interest. If an existing boundary
2943 map and description of a parcel are determined by the department
2944 to be sufficient for appraisal purposes, the department may
2945 temporarily waive the requirement for a survey until any time
2946 before conveyance of title to the parcel.

2947 (d) On behalf of the board of trustees and before the
2948 appraisal of parcels approved for purchase under s.
2949 259.105(3)(i) and s. 570.71, the department may enter into
2950 option contracts to buy less than fee simple interest in such
2951 parcels. Any such option contract shall state that the final
2952 purchase price is subject to approval by the board of trustees
2953 and that the final purchase price may not exceed the maximum
2954 offer authorized by law. Any such option contract presented to
2955 the board of trustees for final purchase price approval shall
2956 explicitly state that payment of the final purchase price is
2957 subject to an appropriation by the Legislature. The
2958 consideration for any such option contract may not exceed \$1,000
2959 or 0.01 percent of the estimate by the department of the value
2960 of the parcel, whichever amount is greater.

2961 (e) A final offer shall be in the form of an option
2962 contract or agreement for purchase of the less than fee simple
2963 interest and shall be signed and attested to by the owner and
2964 the department. Before the department signs the agreement for

2965 purchase of the less than fee simple interest or exercises the
 2966 option contract, the requirements of s. 286.23 shall be complied
 2967 with.

2968 (f) The procedures provided in s. 253.025(9)(a)-(d) and
 2969 (10) shall be followed.

2970 (2) If the public's interest is reasonably protected, the
 2971 board of trustees may:

2972 (a) Waive any requirement of this section.

2973 (b) Waive any rules adopted pursuant to s. 570.71,
 2974 notwithstanding chapter 120.

2975 (c) Substitute any other reasonably prudent procedures,
 2976 including federally mandated acquisition procedures, for the
 2977 procedures in this section, if federal funds are available and
 2978 will be used for the purchase of a less than fee simple interest
 2979 in lands, title to which will vest in the board of trustees, and
 2980 qualification for such federal funds requires compliance with
 2981 federally mandated acquisition procedures.

2982 (3) The less than fee simple land acquisition procedures
 2983 provided in this section are for voluntary, negotiated
 2984 acquisitions.

2985 (4) For purposes of this section, the term "negotiations"
 2986 does not include preliminary contacts with the property owner to
 2987 determine availability or eligibility of the property, existing
 2988 appraisal data, existing abstracts, and surveys.

2989 ~~(5)-(7) Prior to approval by the board of trustees or, when~~
 2990 ~~applicable, the Department of Environmental Protection, of any~~

2991 ~~agreement to purchase land pursuant to this chapter, chapter~~
 2992 ~~260, or chapter 375, and prior to negotiations with the parcel~~
 2993 ~~owner to purchase any other land, title to which will vest in~~
 2994 ~~the board of trustees, an appraisal of the parcel shall be~~
 2995 ~~required as follows:~~

2996 ~~(a) The board of trustees shall adopt by rule the method~~
 2997 ~~for determining the value of parcels sought to be acquired by~~
 2998 ~~state agencies pursuant to this section.~~

2999 ~~(b) Each parcel to be acquired shall have at least one~~
 3000 ~~appraisal. Two appraisals are required when the estimated value~~
 3001 ~~of the parcel exceeds \$1 million. However, when both appraisals~~
 3002 ~~exceed \$1 million and differ significantly, a third appraisal~~
 3003 ~~may be obtained. When a parcel is estimated to be worth \$100,000~~
 3004 ~~or less and the director of the Division of State Lands finds~~
 3005 ~~that the cost of obtaining an outside appraisal is not~~
 3006 ~~justified, an appraisal prepared by the division may be used.~~

3007 ~~(c) Appraisal fees and associated costs shall be paid by~~
 3008 ~~the agency proposing the acquisition. The board of trustees~~
 3009 ~~shall approve qualified fee appraisal organizations. All~~
 3010 ~~appraisals used for the acquisition of lands pursuant to this~~
 3011 ~~section shall be prepared by a member of an approved appraisal~~
 3012 ~~organization or by a state-certified appraiser who meets the~~
 3013 ~~standards and criteria established in rule by the board of~~
 3014 ~~trustees. Each fee appraiser selected to appraise a particular~~
 3015 ~~parcel shall, prior to contracting with the agency or a~~
 3016 ~~participant in a multiparty agreement, submit to that agency or~~

3017 ~~participant an affidavit substantiating that he or she has no~~
 3018 ~~vested or fiduciary interest in such parcel.~~

3019 ~~(d) The fee appraiser and the review appraiser for the~~
 3020 ~~agency shall not act in any way that may be construed as~~
 3021 ~~negotiating with the property owner.~~

3022 ~~(e) Generally,~~ Appraisal reports are confidential and
 3023 exempt from ~~the provisions of s. 119.07(1),~~ for use by the
 3024 department ~~agency~~ and the board of trustees, until an option
 3025 contract is executed or, if an ~~no~~ option contract is not
 3026 executed, until 2 weeks before a contract or agreement for
 3027 purchase is considered for approval by the board of trustees.
 3028 However, the department has the authority, at its discretion, to
 3029 disclose appraisal reports to private landowners during
 3030 negotiations for acquisitions using alternatives to fee simple
 3031 techniques, if the department determines that disclosure of such
 3032 reports will bring the proposed acquisition to closure. The
 3033 department ~~Division of State Lands~~ may also disclose appraisal
 3034 information to public agencies or nonprofit organizations that
 3035 agree to maintain the confidentiality of the reports or
 3036 information when joint acquisition of property is contemplated,
 3037 or when a public agency or nonprofit organization enters into a
 3038 written multiparty agreement with the department ~~division to~~
 3039 ~~purchase and hold property for subsequent resale to the~~
 3040 ~~division. In addition, the division may use, as its own,~~
 3041 ~~appraisals obtained by a public agency or nonprofit~~
 3042 ~~organization, provided the appraiser is selected from the~~

3043 ~~division's list of appraisers and the appraisal is reviewed and~~
 3044 ~~approved by the division.~~ For the purposes of this subsection
 3045 ~~chapter,~~ the term "nonprofit organization" means an organization
 3046 whose purposes include the preservation of natural resources,
 3047 and which is exempt from federal income tax under s. 501(c)(3)
 3048 of the Internal Revenue Code. The department ~~agency~~ may release
 3049 an appraisal report when the passage of time has rendered the
 3050 conclusions of value in the report invalid or when the
 3051 department ~~acquiring agency~~ has terminated negotiations.

3052 ~~(f) The Division of State Lands may use, as its own,~~
 3053 ~~appraisals obtained by a public agency or nonprofit~~
 3054 ~~organization, provided that the appraiser is selected from the~~
 3055 ~~division's list of appraisers and the appraisal is reviewed and~~
 3056 ~~approved by the division. For the purposes of this chapter, the~~
 3057 ~~term "nonprofit organization" means an organization whose~~
 3058 ~~purposes include the preservation of natural resources and which~~
 3059 ~~is exempt from federal income tax under s. 501(c)(3) of the~~
 3060 ~~Internal Revenue Code.~~

3061
 3062 ~~Notwithstanding the provisions of this subsection, on behalf of~~
 3063 ~~the board and before the appraisal of parcels approved for~~
 3064 ~~purchase under this chapter, the Secretary of Environmental~~
 3065 ~~Protection or the director of the Division of State Lands may~~
 3066 ~~enter into option contracts to buy such parcels. Any such option~~
 3067 ~~contract shall state that the final purchase price is subject to~~
 3068 ~~approval by the board or, when applicable, the secretary and~~

3069 ~~that the final purchase price may not exceed the maximum offer~~
 3070 ~~allowed by law. Any such option contract presented to the board~~
 3071 ~~for final purchase price approval shall explicitly state that~~
 3072 ~~payment of the final purchase price is subject to an~~
 3073 ~~appropriation from the Legislature. The consideration for such~~
 3074 ~~an option may not exceed \$1,000 or 0.01 percent of the estimate~~
 3075 ~~by the department of the value of the parcel, whichever amount~~
 3076 ~~is greater.~~

3077 Section 24. Paragraph (d) of subsection (1) of section
 3078 73.015, Florida Statutes, is amended to read:

3079 73.015 Presuit negotiation.—

3080 (1) Effective July 1, 2000, before an eminent domain
 3081 proceeding is brought under this chapter or chapter 74, the
 3082 condemning authority must attempt to negotiate in good faith
 3083 with the fee owner of the parcel to be acquired, must provide
 3084 the fee owner with a written offer and, if requested, a copy of
 3085 the appraisal upon which the offer is based, and must attempt to
 3086 reach an agreement regarding the amount of compensation to be
 3087 paid for the parcel.

3088 (d) Notwithstanding this subsection, with respect to lands
 3089 acquired under s. 253.025 ~~259.041~~, the condemning authority is
 3090 not required to give the fee owner the current appraisal before
 3091 executing an option contract.

3092 Section 25. Paragraph (b) of subsection (1) of section
 3093 125.355, Florida Statutes, is amended to read:

3094 125.355 Proposed purchase of real property by county;

3095 confidentiality of records; procedure.—

3096 (1)

3097 (b) If the exemptions provided in this section are
 3098 utilized, the governing body shall obtain at least one appraisal
 3099 by an appraiser approved pursuant to s. 253.025 ~~253.025(6)(b)~~
 3100 for each purchase in an amount of not more than \$500,000. For
 3101 each purchase in an amount in excess of \$500,000, the governing
 3102 body shall obtain at least two appraisals by appraisers approved
 3103 pursuant to s. 253.025 ~~253.025(6)(b)~~. If the agreed purchase
 3104 price exceeds the average appraised price of the two appraisals,
 3105 the governing body is required to approve the purchase by an
 3106 extraordinary vote. The governing body may, by ordinary vote,
 3107 exempt a purchase in an amount of \$100,000 or less from the
 3108 requirement for an appraisal.

3109 Section 26. Paragraph (b) of subsection (1) of section
 3110 166.045, Florida Statutes, is amended to read:

3111 166.045 Proposed purchase of real property by
 3112 municipality; confidentiality of records; procedure.—

3113 (1)

3114 (b) If the exemptions provided in this section are
 3115 utilized, the governing body shall obtain at least one appraisal
 3116 by an appraiser approved pursuant to s. 253.025 ~~253.025(6)(b)~~
 3117 for each purchase in an amount of not more than \$500,000. For
 3118 each purchase in an amount in excess of \$500,000, the governing
 3119 body shall obtain at least two appraisals by appraisers approved
 3120 pursuant to s. 253.025 ~~253.025(6)(b)~~. If the agreed purchase

3121 price exceeds the average appraised price of the two appraisals,
3122 the governing body is required to approve the purchase by an
3123 extraordinary vote. The governing body may, by ordinary vote,
3124 exempt a purchase in an amount of \$100,000 or less from the
3125 requirement for an appraisal.

3126 Section 27. Subsection (2) of section 215.82, Florida
3127 Statutes, is amended to read:

3128 215.82 Validation; when required.—

3129 (2) Any bonds issued pursuant to this act which are
3130 validated shall be validated in the manner provided by chapter
3131 75. In actions to validate bonds to be issued in the name of the
3132 State Board of Education under s. 9(a) and (d), Art. XII of the
3133 State Constitution and bonds to be issued pursuant to chapter
3134 259, the Land Conservation Program Act ~~of 1972~~, the complaint
3135 shall be filed in the circuit court of the county where the seat
3136 of state government is situated, the notice required to be
3137 published by s. 75.06 shall be published only in the county
3138 where the complaint is filed, and the complaint and order of the
3139 circuit court shall be served only on the state attorney of the
3140 circuit in which the action is pending. In any action to
3141 validate bonds issued pursuant to s. 1010.62 or issued pursuant
3142 to s. 9(a)(1), Art. XII of the State Constitution or issued
3143 pursuant to s. 215.605 or s. 338.227, the complaint shall be
3144 filed in the circuit court of the county where the seat of state
3145 government is situated, the notice required to be published by
3146 s. 75.06 shall be published in a newspaper of general

3147 circulation in the county where the complaint is filed and in
 3148 two other newspapers of general circulation in the state, and
 3149 the complaint and order of the circuit court shall be served
 3150 only on the state attorney of the circuit in which the action is
 3151 pending; provided, however, that if publication of notice
 3152 pursuant to this section would require publication in more
 3153 newspapers than would publication pursuant to s. 75.06, such
 3154 publication shall be made pursuant to s. 75.06.

3155 Section 28. Section 215.965, Florida Statutes, is amended
 3156 to read:

3157 215.965 Disbursement of state moneys.—Except as provided
 3158 in s. 17.076, s. 253.025(17) ~~253.025(14)~~, ~~s. 259.041(18)~~, s.
 3159 717.124(4)(b) and (c), s. 732.107(5), or s. 733.816(5), all
 3160 moneys in the State Treasury shall be disbursed by state
 3161 warrant, drawn by the Chief Financial Officer upon the State
 3162 Treasury and payable to the ultimate beneficiary. This
 3163 authorization shall include electronic disbursement.

3164 Section 29. Subsection (8) of section 253.027, Florida
 3165 Statutes, is amended to read:

3166 253.027 Emergency archaeological property acquisition.—

3167 (8) WAIVER OF APPRAISALS OR SURVEYS.—The Board of Trustees
 3168 of the Internal Improvement Trust Fund may waive or limit any
 3169 appraisal or survey requirements in s. 253.025 ~~259.041~~, if
 3170 necessary to effectuate the purposes of this section. Fee simple
 3171 title is not required to be conveyed if some lesser interest
 3172 will allow the preservation of the archaeological resource.

3173 Properties purchased pursuant to this section shall be
 3174 considered archaeologically unique or significant properties and
 3175 may be purchased under the provisions of s. 253.025(9)
 3176 ~~253.025(7)~~.

3177 Section 30. Section 253.7824, Florida Statutes, is amended
 3178 to read:

3179 253.7824 Sale of products; proceeds.—The Department of
 3180 Environmental Protection may authorize the removal and sale of
 3181 products from the land where environmentally appropriate, the
 3182 proceeds from which shall be deposited into the appropriate
 3183 trust fund in accordance with the same disposition provided
 3184 under s. 253.0341 ~~253.034(6)(k), (l), or (m)~~ applicable to the
 3185 sale of land.

3186 Section 31. Paragraphs (b) and (c) of subsection (2) of
 3187 section 260.015, Florida Statutes, are amended to read:

3188 260.015 Acquisition of land.—

3189 (2) For purposes of the Florida Greenways and Trails
 3190 Program, the board may:

3191 (b) Accept title to abandoned railroad rights-of-way which
 3192 is conveyed by quitclaim deed through purchase, dedication,
 3193 gift, grant, or settlement, notwithstanding s. 253.025
 3194 ~~259.041(1)~~.

3195 (c) Enter into an agreement or, upon delegation, the
 3196 department may enter into an agreement, with a nonprofit
 3197 corporation, as defined in s. 253.025 ~~259.041(7)(e)~~, to assume
 3198 responsibility for acquisition of lands pursuant to this

3199 section. The agreement may transfer responsibility for all
 3200 matters which may be delegated or waived pursuant to s. 253.025
 3201 ~~259.041(1)~~.

3202 Section 32. Paragraph (b) of subsection (3) of section
 3203 260.016, Florida Statutes, is amended to read:

3204 260.016 General powers of the department.—

3205 (3) The department or its designee is authorized to
 3206 negotiate with potentially affected private landowners as to the
 3207 terms under which such landowners would consent to the public
 3208 use of their lands as part of the greenways and trails system.
 3209 The department shall be authorized to agree to incentives for a
 3210 private landowner who consents to this public use of his or her
 3211 lands for conservation or recreational purposes, including, but
 3212 not limited to, the following:

3213 (b) Agreement to exchange, subject to the approval of the
 3214 board ~~of Trustees of the Internal Improvement Trust Fund~~ or
 3215 other applicable unit of government, ownership or other rights
 3216 of use of public lands for the ownership or other rights of use
 3217 of privately owned lands. Any exchange of state-owned lands,
 3218 title to which is vested in the board ~~of Trustees of the~~
 3219 ~~Internal Improvement Trust Fund~~, for privately owned lands shall
 3220 be subject to the requirements of s. 253.025 ~~259.041~~.

3221 Section 33. Subsections (6) and (7) of section 369.317,
 3222 Florida Statutes, are amended to read:

3223 369.317 Wekiva Parkway.—

3224 (6) The Central Florida Expressway Authority is hereby

3225 granted the authority to act as a third-party acquisition agent,
 3226 pursuant to s. 253.025 ~~259.041~~ on behalf of the Board of
 3227 Trustees of the Internal Improvement Trust Fund or chapter 373
 3228 on behalf of the governing board of the St. Johns River Water
 3229 Management District, for the acquisition of all necessary lands,
 3230 property and all interests in property identified herein,
 3231 including fee simple or less than fee ~~less-than-fee~~ simple
 3232 interests. The lands subject to this authority are identified in
 3233 paragraph 10.a., State of Florida, Office of the Governor,
 3234 Executive Order 03-112 of July 1, 2003, and in Recommendation 16
 3235 of the Wekiva Basin Area Task Force created by Executive Order
 3236 2002-259, such lands otherwise known as Neighborhood Lakes, a
 3237 1,587+/-acre parcel located in Orange and Lake Counties within
 3238 Sections 27, 28, 33, and 34 of Township 19 South, Range 28 East,
 3239 and Sections 3, 4, 5, and 9 of Township 20 South, Range 28 East;
 3240 Seminole Woods/Swamp, a 5,353+/-acre parcel located in Lake
 3241 County within Section 37, Township 19 South, Range 28 East; New
 3242 Garden Coal; a 1,605+/-acre parcel in Lake County within
 3243 Sections 23, 25, 26, 35, and 36, Township 19 South, Range 28
 3244 East; Pine Plantation, a 617+/-acre tract consisting of eight
 3245 individual parcels within the Apopka City limits. The Department
 3246 of Transportation, the Department of Environmental Protection,
 3247 the St. Johns River Water Management District, and other land
 3248 acquisition entities shall participate and cooperate in
 3249 providing information and support to the third-party acquisition
 3250 agent. The land acquisition process authorized by this paragraph

3251 shall begin no later than December 31, 2004. Acquisition of the
3252 properties identified as Neighborhood Lakes, Pine Plantation,
3253 and New Garden Coal, or approval as a mitigation bank shall be
3254 concluded no later than December 31, 2010. Department of
3255 Transportation and Central Florida Expressway Authority funds
3256 expended to purchase an interest in those lands identified in
3257 this subsection shall be eligible as environmental mitigation
3258 for road construction related impacts in the Wekiva Study Area.
3259 If any of the lands identified in this subsection are used as
3260 environmental mitigation for road-construction-related impacts
3261 incurred by the Department of Transportation or Central Florida
3262 Expressway Authority, or for other impacts incurred by other
3263 entities, within the Wekiva Study Area or within the Wekiva
3264 parkway alignment corridor, and if the mitigation offsets these
3265 impacts, the St. Johns River Water Management District and the
3266 Department of Environmental Protection shall consider the
3267 activity regulated under part IV of chapter 373 to meet the
3268 cumulative impact requirements of s. 373.414(8)(a).

3269 (a) Acquisition of the land described in this section is
3270 required to provide right-of-way for the Wekiva Parkway, a
3271 limited access roadway linking State Road 429 to Interstate 4,
3272 an essential component in meeting regional transportation needs
3273 to provide regional connectivity, improve safety, accommodate
3274 projected population and economic growth, and satisfy critical
3275 transportation requirements caused by increased traffic volume
3276 growth and travel demands.

3277 (b) Acquisition of the lands described in this section is
 3278 also required to protect the surface water and groundwater
 3279 resources of Lake, Orange, and Seminole counties, otherwise
 3280 known as the Wekiva Study Area, including recharge within the
 3281 springshed that provides for the Wekiva River system. Protection
 3282 of this area is crucial to the long term viability of the Wekiva
 3283 River and springs and the central Florida region's water supply.
 3284 Acquisition of the lands described in this section is also
 3285 necessary to alleviate pressure from growth and development
 3286 affecting the surface and groundwater resources within the
 3287 recharge area.

3288 (c) Lands acquired pursuant to this section that are
 3289 needed for transportation facilities for the Wekiva Parkway
 3290 shall be determined not necessary for conservation purposes
 3291 pursuant to ss. 253.0341 ~~253.034(6)~~ and 373.089(5) and shall be
 3292 transferred to or retained by the Central Florida Expressway
 3293 Authority or the Department of Transportation upon reimbursement
 3294 of the full purchase price and acquisition costs.

3295 (7) The Department of Transportation, the Department of
 3296 Environmental Protection, the St. Johns River Water Management
 3297 District, Central Florida Expressway Authority, and other land
 3298 acquisition entities shall cooperate and establish funding
 3299 responsibilities and partnerships by agreement to the extent
 3300 funds are available to the various entities. Properties acquired
 3301 with Florida Forever funds shall be in accordance with s.
 3302 253.025 ~~259.041~~ or chapter 373. The Central Florida Expressway

3303 Authority shall acquire land in accordance with this section ~~of~~
 3304 ~~law~~ to the extent funds are available from the various funding
 3305 partners; however, the authority is, ~~but shall not be required~~
 3306 or ~~not~~ assumed to fund the land acquisition beyond the agreement
 3307 and funding provided by the various land acquisition entities.

3308 Section 34. Paragraph (a) of subsection (3) of section
 3309 373.139, Florida Statutes, is amended to read:

3310 373.139 Acquisition of real property.—

3311 (3) The initial 5-year work plan and any subsequent
 3312 modifications or additions thereto shall be adopted by each
 3313 water management district after a public hearing. Each water
 3314 management district shall provide at least 14 days' advance
 3315 notice of the hearing date and shall separately notify each
 3316 county commission within which a proposed work plan project or
 3317 project modification or addition is located of the hearing date.

3318 (a) Appraisal reports, offers, and counteroffers are
 3319 confidential and exempt from ~~the provisions of~~ s. 119.07(1)
 3320 until an option contract is executed or, if no option contract
 3321 is executed, until 30 days before a contract or agreement for
 3322 purchase is considered for approval by the governing board.
 3323 However, each district may, at its discretion, disclose
 3324 appraisal reports to private landowners during negotiations for
 3325 acquisitions using alternatives to fee simple techniques, if the
 3326 district determines that disclosure of such reports will bring
 3327 the proposed acquisition to closure. If ~~In the event that~~
 3328 negotiation is terminated by the district, the appraisal report,

3329 offers, and counteroffers shall become available pursuant to s.
 3330 119.07(1). Notwithstanding ~~the provisions of~~ this section and s.
 3331 253.025 ~~259.041~~, a district and the Division of State Lands may
 3332 share and disclose appraisal reports, appraisal information,
 3333 offers, and counteroffers when joint acquisition of property is
 3334 contemplated. A district and the Division of State Lands shall
 3335 maintain the confidentiality of such appraisal reports,
 3336 appraisal information, offers, and counteroffers in conformance
 3337 with this section and s. 253.025 ~~259.041~~, except in those cases
 3338 in which a district and the division have exercised discretion
 3339 to disclose such information. A district may disclose appraisal
 3340 information, offers, and counteroffers to a third party who has
 3341 entered into a contractual agreement with the district to work
 3342 with or on the behalf of or to assist the district in connection
 3343 with land acquisitions. The third party shall maintain the
 3344 confidentiality of such information in conformance with this
 3345 section. In addition, a district may use, as its own, appraisals
 3346 obtained by a third party provided the appraiser is selected
 3347 from the district's list of approved appraisers and the
 3348 appraisal is reviewed and approved by the district.

3349 Section 35. Subsection (8) of section 375.031, Florida
 3350 Statutes, is amended to read:

3351 375.031 Acquisition of land; procedures.—

3352 (8) The department may, if it deems it desirable and in
 3353 the best interest of the program, request the board of trustees
 3354 to sell or otherwise dispose of any lands or water storage areas

3355 | acquired under this act. The board of trustees, when so
 3356 | requested, shall offer the lands or water storage areas, on such
 3357 | terms as the department may determine, first to other state
 3358 | agencies and then, if still available, to the county or
 3359 | municipality in which the lands or water storage areas lie. If
 3360 | not acquired by another state agency or local governmental body
 3361 | for beneficial public purposes, the lands or water storage areas
 3362 | shall then be offered by the board of trustees at public sale,
 3363 | after first giving notice of such sale by publication in a
 3364 | newspaper published in the county or counties in which such
 3365 | lands or water storage areas lie not less than once a week for 3
 3366 | consecutive weeks. All proceeds from the sale or disposition of
 3367 | any lands or water storage areas pursuant to this section shall
 3368 | be deposited into the appropriate trust fund pursuant to s.
 3369 | 253.0341 ~~253.034(6)(k), (l), or (m)~~.

3370 | Section 36. Subsection (2) of section 375.041, Florida
 3371 | Statutes, is amended to read:

3372 | 375.041 Land Acquisition Trust Fund.—

3373 | (2) All moneys and revenue from the sale or other
 3374 | disposition of land, water areas, or related resources acquired
 3375 | on or after July 1, 2015, for the purposes of s. 28, Art. X of
 3376 | the State Constitution shall be deposited into or credited to
 3377 | the Land Acquisition Trust Fund, except as otherwise provided
 3378 | pursuant to s. 253.0341 ~~253.034(6)(l)~~.

3379 | Section 37. Paragraph (a) of subsection (1) of section
 3380 | 380.05, Florida Statutes, is amended to read:

3381 380.05 Areas of critical state concern.—
 3382 (1) (a) The state land planning agency may from time to
 3383 time recommend to the Administration Commission specific areas
 3384 of critical state concern. In its recommendation, the agency
 3385 shall include recommendations with respect to the purchase of
 3386 lands situated within the boundaries of the proposed area as
 3387 environmentally endangered lands and outdoor recreation lands
 3388 under the Land Conservation Program Act ~~of 1972~~. The agency also
 3389 shall include any report or recommendation of a resource
 3390 planning and management committee appointed pursuant to s.
 3391 380.045; the dangers that would result from uncontrolled or
 3392 inadequate development of the area and the advantages that would
 3393 be achieved from the development of the area in a coordinated
 3394 manner; a detailed boundary description of the proposed area;
 3395 specific principles for guiding development within the area; an
 3396 inventory of lands owned by the state, federal, county, and
 3397 municipal governments within the proposed area; and a list of
 3398 the state agencies with programs that affect the purpose of the
 3399 designation. The agency shall recommend actions which the local
 3400 government and state and regional agencies must accomplish in
 3401 order to implement the principles for guiding development. These
 3402 actions may include, but need ~~shall~~ not be limited to, revisions
 3403 of the local comprehensive plan and adoption of land development
 3404 regulations, density requirements, and special permitting
 3405 requirements.
 3406 Section 38. Paragraph (b) of subsection (5) of section

3407 380.055, Florida Statutes, is amended to read:

3408 380.055 Big Cypress Area.—

3409 (5) ACQUISITION OF BIG CYPRESS NATIONAL PRESERVE.—

3410 (b) The Board of Trustees of the Internal Improvement
 3411 Trust Fund shall set aside from the proceeds of the full faith
 3412 and credit bonds authorized by the Land Conservation Program Act
 3413 ~~of 1972~~, or from other funds authorized, appropriated, or
 3414 allocated for the acquisition of environmentally endangered
 3415 lands, or from both sources, \$40 million for acquisition of the
 3416 area proposed as the Federal Big Cypress National Preserve,
 3417 Florida, or portions thereof.

3418 Section 39. Paragraph (f) of subsection (4) of section
 3419 380.508, Florida Statutes, is amended to read:

3420 380.508 Projects; development, review, and approval.—

3421 (4) Projects or activities which the trust undertakes,
 3422 coordinates, or funds in any manner shall comply with the
 3423 following guidelines:

3424 (f) The trust shall cooperate with local governments,
 3425 state agencies, federal agencies, and nonprofit organizations in
 3426 ensuring the reservation of lands for parks, recreation, fish
 3427 and wildlife habitat, historical preservation, or scientific
 3428 study. If any local government, state agency, federal agency, or
 3429 nonprofit organization is unable, due to limited financial
 3430 resources or other circumstances of a temporary nature, to
 3431 acquire a site for the purposes described in this paragraph, the
 3432 trust may acquire and hold the site for subsequent conveyance to

3433 the appropriate governmental agency or nonprofit organization.
 3434 The trust may provide such technical assistance as required to
 3435 aid local governments, state and federal agencies, and nonprofit
 3436 organizations in completing acquisition and related functions.
 3437 The trust may not reserve lands acquired in accordance with this
 3438 paragraph for more than 5 years from the time of acquisition. A
 3439 local government, federal or state agency, or nonprofit
 3440 organization may acquire the land at any time during this period
 3441 for public purposes. The purchase price shall be based upon the
 3442 trust's cost of acquisition, plus administrative and management
 3443 costs in reserving the land. The payment of the purchase price
 3444 shall be by money, trust-approved property of an equivalent
 3445 value, or a combination of money and trust-approved property.
 3446 If, after the 5-year period, the trust has not sold to a
 3447 governmental agency or nonprofit organization land acquired for
 3448 site reservation, the trust shall dispose of such land at fair
 3449 market value or shall trade it for other land of comparable
 3450 value which will serve to accomplish the purposes of this part.
 3451 Any proceeds from the sale of such land received by the
 3452 department shall be deposited into the appropriate trust fund
 3453 pursuant to s. 253.0341 ~~253.034(6)(k), (l), or (m)~~.

3454
 3455 Project costs may include costs of providing parks, open space,
 3456 public access sites, scenic easements, and other areas and
 3457 facilities serving the public where such features are part of a
 3458 project plan approved according to this part. In undertaking or

3459 coordinating projects or activities authorized by this part, the
3460 trust shall, when appropriate, use and promote the use of
3461 creative land acquisition methods, including the acquisition of
3462 less than fee interest through, among other methods,
3463 conservation easements, transfer of development rights, leases,
3464 and leaseback arrangements. The trust shall assist local
3465 governments in the use of sound alternative methods of financing
3466 for funding projects and activities authorized under this part.
3467 Any funds over and above eligible project costs, which remain
3468 after completion of a project approved according to this part,
3469 shall be transmitted to the state and deposited into the Florida
3470 Forever Trust Fund.

3471 Section 40. Section 589.07, Florida Statutes, is amended
3472 to read:

3473 589.07 Florida Forest Service may acquire lands for forest
3474 purposes.—The Florida Forest Service, on behalf of the state and
3475 subject to the restrictions mentioned in s. 589.08, may acquire
3476 lands, suitable for state forest purposes, by gift, donation,
3477 contribution, purchase, or otherwise and may enter into
3478 agreements with the Federal Government, or other agency, for
3479 acquiring by gift, purchase, or otherwise, such lands as are, in
3480 the judgment of the Florida Forest Service, suitable and
3481 desirable for state forests. The acquisition procedures for
3482 state lands provided in s. 253.025 ~~259.041~~ do not apply to
3483 acquisition of land by the Florida Forest Service.

3484 Section 41. Paragraphs (a) and (b) of subsection (4) of

3485 section 944.10, Florida Statutes, are amended to read:

3486 944.10 Department of Corrections to provide buildings;
 3487 sale and purchase of land; contracts to provide services and
 3488 inmate labor.—

3489 (4) (a) Notwithstanding s. 253.025 or s. 287.057, whenever
 3490 the department finds it to be necessary for timely site
 3491 acquisition, it may contract without the need for competitive
 3492 selection with one or more appraisers whose names are contained
 3493 on the list of approved appraisers maintained by the Division of
 3494 State Lands of the Department of Environmental Protection in
 3495 accordance with s. 253.025(8) ~~253.025(6)(b)~~. In those instances
 3496 in which the department directly contracts for appraisal
 3497 services, it must also contract with an approved appraiser who
 3498 is not employed by the same appraisal firm for review services.

3499 (b) Notwithstanding s. 253.025(8) ~~253.025(6)~~, the
 3500 department may negotiate and enter into an option contract
 3501 before an appraisal is obtained. The option contract must state
 3502 that the final purchase price cannot exceed the maximum value
 3503 allowed by law. The consideration for such an option contract
 3504 may not exceed 10 percent of the estimate obtained by the
 3505 department or 10 percent of the value of the parcel, whichever
 3506 amount is greater.

3507 Section 42. Subsections (6) and (7) of section 957.04,
 3508 Florida Statutes, are amended to read:

3509 957.04 Contract requirements.—

3510 (6) Notwithstanding s. 253.025(9) ~~253.025(7)~~, the Board of

3511 Trustees of the Internal Improvement Trust Fund need not approve
 3512 a lease-purchase agreement negotiated by the Department of
 3513 Management Services if the Department of Management Services
 3514 finds that there is a need to expedite the lease-purchase.

3515 (7) (a) Notwithstanding s. 253.025 or s. 287.057, whenever
 3516 the Department of Management Services finds it to be in the best
 3517 interest of timely site acquisition, it may contract without the
 3518 need for competitive selection with one or more appraisers whose
 3519 names are contained on the list of approved appraisers
 3520 maintained by the Division of State Lands of the Department of
 3521 Environmental Protection in accordance with s. 253.025(8)
 3522 ~~253.025(6)(b)~~. In those instances when the Department of
 3523 Management Services directly contracts for appraisal services,
 3524 it shall also contract with an approved appraiser who is not
 3525 employed by the same appraisal firm for review services.

3526 (b) Notwithstanding s. 253.025(8) ~~253.025(6)~~, the
 3527 Department of Management Services may negotiate and enter into
 3528 lease-purchase agreements before an appraisal is obtained. Any
 3529 such agreement must state that the final purchase price cannot
 3530 exceed the maximum value allowed by law.

3531 Section 43. Paragraphs (a) and (b) of subsection (12) of
 3532 section 985.682, Florida Statutes, are amended to read:

3533 985.682 Siting of facilities; criteria.—

3534 (12) (a) Notwithstanding s. 253.025 or s. 287.057, when the
 3535 department finds it necessary for timely site acquisition, it
 3536 may contract, without using the competitive selection procedure,

3537 with an appraiser whose name is on the list of approved
3538 appraisers maintained by the Division of State Lands of the
3539 Department of Environmental Protection under s. 253.025(8)
3540 ~~253.025(6)(b)~~. When the department directly contracts for
3541 appraisal services, it must contract with an approved appraiser
3542 who is not employed by the same appraisal firm for review
3543 services.

3544 (b) Notwithstanding s. 253.025(8) ~~253.025(6)~~, the
3545 department may negotiate and enter into an option contract
3546 before an appraisal is obtained. The option contract must state
3547 that the final purchase price may not exceed the maximum value
3548 allowed by law. The consideration for such an option contract
3549 may not exceed 10 percent of the estimate obtained by the
3550 department or 10 percent of the value of the parcel, whichever
3551 amount is greater.

3552 Section 44. Paragraph (b) of subsection (1) of section
3553 1013.14, Florida Statutes, is amended to read:

3554 1013.14 Proposed purchase of real property by a board;
3555 confidentiality of records; procedure.—

3556 (1)

3557 (b) Before ~~Prior to~~ acquisition of the property, the board
3558 shall obtain at least one appraisal by an appraiser approved
3559 pursuant to s. 253.025(8) ~~253.025(6)(b)~~ for each purchase in an
3560 amount greater than \$100,000 and not more than \$500,000. For
3561 each purchase in an amount in excess of \$500,000, the board
3562 shall obtain at least two appraisals by appraisers approved

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3563 pursuant to s. 253.025(8) ~~253.025(6)(b)~~. If the agreed to
3564 purchase price exceeds the average appraised value, the board is
3565 required to approve the purchase by an extraordinary vote.

3566 Section 45. For the 2016-2017 fiscal year, the sums of
3567 \$396,040 in recurring funds and \$1,370,528 in nonrecurring funds
3568 from the General Revenue Fund are appropriated to the Department
3569 of Environmental Protection, and four full-time equivalent
3570 positions with associated salary rate of 182,968 are authorized,
3571 for the purpose of implementing the amendments made by this act
3572 to ss. 253.034 and 253.0341, Florida Statutes, and the
3573 provisions of s. 253.87, Florida Statutes, as created by this
3574 act.

3575 Section 46. This act shall take effect July 1, 2016.