

By Senator Simpson

18-00925-16

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1 A bill to be entitled
2 An act relating to local government environmental
3 financing; providing a short title; amending s.
4 212.055, F.S.; expanding the use of local government
5 infrastructure surtaxes to include acquiring any
6 interest in land for public recreation, conservation,
7 or protection of natural resources or to reduce
8 impacts of new development on hurricane evacuation
9 clearance times; revising definitions for purposes of
10 using surtax proceeds; amending s. 215.619, F.S.;
11 expanding the use of Everglades restoration bonds to
12 include the City of Key West Area of Critical State
13 Concern; expanding the types of water management
14 projects eligible for funding; revising the dates for
15 issuance and maturity of Everglades restoration bonds;
16 reducing the annual appropriation amount dedicated to
17 fund the Florida Keys Area of Critical State Concern
18 protection program; authorizing bond proceeds to be
19 spent on the City of Key West Area of Critical State
20 Concern; expanding projects that may be funded by bond
21 proceeds; specifying procedures for certain lands that
22 are no longer needed for certain restoration purposes;
23 amending s. 259.045, F.S.; requiring the Department of
24 Environmental Protection to annually consider certain
25 recommendations to buy specific lands within and
26 outside an area of critical state concern; authorizing
27 certain local governments and special districts to
28 recommend additional lands for purchase; amending s.
29 259.105, F.S.; revising Florida Forever provisions to

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30 recognize the diminishment of coral reefs; requiring
31 specific Florida Forever appropriations to be used for
32 the purchase of lands in the Florida Keys Area of
33 Critical State Concern; amending s. 380.0552, F.S.;
34 revising legislative intent regarding the Florida Keys
35 Area of Critical State Concern; specifying that plan
36 amendments in the Florida Keys must also be consistent
37 with protecting and improving specified water quality
38 and water supply projects; amending s. 380.0666, F.S.;
39 expanding powers of a land authority to include
40 acquiring lands to reduce impacts of new development
41 on hurricane evacuation clearance times and contribute
42 funds for certain land purchases by the department;
43 providing a contingent appropriation; providing an
44 effective date.

45
46 Be It Enacted by the Legislature of the State of Florida:

47
48 Section 1. This act may be cited as the "Florida Keys
49 Stewardship Act."

50 Section 2. Paragraph (d) of subsection (2) of section
51 212.055, Florida Statutes, is amended to read:

52 212.055 Discretionary sales surtaxes; legislative intent;
53 authorization and use of proceeds.—It is the legislative intent
54 that any authorization for imposition of a discretionary sales
55 surtax shall be published in the Florida Statutes as a
56 subsection of this section, irrespective of the duration of the
57 levy. Each enactment shall specify the types of counties
58 authorized to levy; the rate or rates which may be imposed; the

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59 maximum length of time the surtax may be imposed, if any; the
60 procedure which must be followed to secure voter approval, if
61 required; the purpose for which the proceeds may be expended;
62 and such other requirements as the Legislature may provide.
63 Taxable transactions and administrative procedures shall be as
64 provided in s. 212.054.

65 (2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

66 (d) The proceeds of the surtax authorized by this
67 subsection and any accrued interest shall be expended by the
68 school district, within the county and municipalities within the
69 county, or, in the case of a negotiated joint county agreement,
70 within another county, to finance, plan, and construct
71 infrastructure; to acquire any interest in land for public
72 recreation, conservation, or protection of natural resources; or
73 to reduce the impacts of additional development on hurricane
74 evacuation clearance times; to provide loans, grants, or rebates
75 to residential or commercial property owners who make energy
76 efficiency improvements to their residential or commercial
77 property, if a local government ordinance authorizing such use
78 is approved by referendum; or to finance the closure of county-
79 owned or municipally owned solid waste landfills that have been
80 closed or are required to be closed by order of the Department
81 of Environmental Protection. Any use of the proceeds or interest
82 for purposes of landfill closure before July 1, 1993, is
83 ratified. The proceeds and any interest may not be used for the
84 operational expenses of infrastructure, except that a county
85 that has a population of fewer than 75,000 and that is required
86 to close a landfill may use the proceeds or interest for long-
87 term maintenance costs associated with landfill closure.

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88 Counties, as defined in s. 125.011, and charter counties may, in
89 addition, use the proceeds or interest to retire or service
90 indebtedness incurred for bonds issued before July 1, 1987, for
91 infrastructure purposes, and for bonds subsequently issued to
92 refund such bonds. Any use of the proceeds or interest for
93 purposes of retiring or servicing indebtedness incurred for
94 refunding bonds before July 1, 1999, is ratified.

95 1. For the purposes of this paragraph, the term
96 "infrastructure" means:

97 a. Any fixed capital expenditure or fixed capital outlay
98 associated with the construction, reconstruction, or improvement
99 of public facilities that have a life expectancy of 5 or more
100 years, ~~and~~ any related land acquisition, land improvement,
101 design, and engineering costs, and all other professional and
102 related costs required to bring the public facilities into
103 service. For purposes of this sub-subparagraph, the term "public
104 facility" means a facility as defined in s. 163.3164(38), s.
105 163.3221(13), or s. 189.012(5), regardless of whether the
106 facility is owned by the local taxing authority or another
107 governmental entity.

108 b. A fire department vehicle, an emergency medical service
109 vehicle, a sheriff's office vehicle, a police department
110 vehicle, or any other vehicle, and the equipment necessary to
111 outfit the vehicle for its official use or equipment that has a
112 life expectancy of at least 5 years.

113 c. Any expenditure for the construction, lease, or
114 maintenance of, or provision of utilities or security for,
115 facilities, as defined in s. 29.008.

116 d. Any fixed capital expenditure or fixed capital outlay

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117 associated with the improvement of private facilities that have
118 a life expectancy of 5 or more years and that the owner agrees
119 to make available for use on a temporary basis as needed by a
120 local government as a public emergency shelter or a staging area
121 for emergency response equipment during an emergency officially
122 declared by the state or by the local government under s.
123 252.38. Such improvements are limited to those necessary to
124 comply with current standards for public emergency evacuation
125 shelters. The owner must enter into a written contract with the
126 local government providing the improvement funding to make the
127 private facility available to the public for purposes of
128 emergency shelter at no cost to the local government for a
129 minimum of 10 years after completion of the improvement, with
130 the provision that the obligation will transfer to any
131 subsequent owner until the end of the minimum period.

132 e. Any land acquisition expenditure for a residential
133 housing project in which at least 30 percent of the units are
134 affordable to individuals or families whose total annual
135 household income does not exceed 120 percent of the area median
136 income adjusted for household size, if the land is owned by a
137 local government or by a special district that enters into a
138 written agreement with the local government to provide such
139 housing. The local government or special district may enter into
140 a ground lease with a public or private person or entity for
141 nominal or other consideration for the construction of the
142 residential housing project on land acquired pursuant to this
143 sub-subparagraph.

144 2. For the purposes of this paragraph, the term "energy
145 efficiency improvement" means any energy conservation and

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146 efficiency improvement that reduces consumption through
147 conservation or a more efficient use of electricity, natural
148 gas, propane, or other forms of energy on the property,
149 including, but not limited to, air sealing; installation of
150 insulation; installation of energy-efficient heating, cooling,
151 or ventilation systems; installation of solar panels; building
152 modifications to increase the use of daylight or shade;
153 replacement of windows; installation of energy controls or
154 energy recovery systems; installation of electric vehicle
155 charging equipment; installation of systems for natural gas fuel
156 as defined in s. 206.9951; and installation of efficient
157 lighting equipment.

158 3. Notwithstanding any other provision of this subsection,
159 a local government infrastructure surtax imposed or extended
160 after July 1, 1998, may allocate up to 15 percent of the surtax
161 proceeds for deposit into a trust fund within the county's
162 accounts created for the purpose of funding economic development
163 projects having a general public purpose of improving local
164 economies, including the funding of operational costs and
165 incentives related to economic development. The ballot statement
166 must indicate the intention to make an allocation under the
167 authority of this subparagraph.

168 Section 3. Subsection (1) of section 215.619, Florida
169 Statutes, is amended, subsections (7) and (8) are renumbered as
170 subsections (8) and (9), respectively, and a new subsection (7)
171 is added to that section, to read:

172 215.619 Bonds for Everglades restoration.—

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

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175 land, water areas, and related property interests and resources
176 for the purpose of implementing the Comprehensive Everglades
177 Restoration Plan under s. 373.470, the Lake Okeechobee Watershed
178 Protection Plan under s. 373.4595, the Caloosahatchee River
179 Watershed Protection Plan under s. 373.4595, the St. Lucie River
180 Watershed Protection Plan under s. 373.4595, the City of Key
181 West Area of Critical State Concern as designated by the
182 Administration Commission under s. 380.05, and the Florida Keys
183 Area of Critical State Concern protection program under ss.
184 380.05 and 380.0552 in order to restore and conserve natural
185 systems through ~~the~~ implementation of water management projects,
186 including projects that protect, restore, or enhance nearshore
187 water quality and fisheries, such as stormwater or canal
188 restoration projects, projects to protect and enhance water
189 supply to the Florida Keys, including alternative water supplies
190 such as reverse osmosis and reclaimed water systems, and
191 wastewater management projects identified in the Keys Wastewater
192 Plan, dated November 2007, and submitted to the Florida House of
193 Representatives on December 4, 2007, is authorized in accordance
194 with s. 11(e), Art. VII of the State Constitution.

195 (a) Everglades restoration bonds, except refunding bonds,
196 may be issued only in fiscal years 2002-2003 through 2026-2027
197 ~~2019-2020~~ and may not be issued in an amount exceeding \$100
198 million per fiscal year unless:

199 1. The Department of Environmental Protection has requested
200 additional amounts in order to achieve cost savings or
201 accelerate the purchase of land; or

202 2. Beginning in fiscal year 2016-2017, the Legislature
203 authorizes an additional amount of bonds not to exceed \$200

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204 million, and limited to \$20 ~~\$50~~ million per fiscal year,
205 specifically for the purpose of funding the Florida Keys Area of
206 Critical State Concern protection program. Proceeds from the
207 bonds shall be managed by the Department of Environmental
208 Protection for the purpose of entering into financial assistance
209 agreements with local governments located in the Florida Keys
210 Area of Critical State Concern or the City of Key West Area of
211 Critical State Concern to finance or refinance the cost of
212 constructing sewage collection, treatment, and disposal
213 facilities or building projects that protect, restore, or
214 enhance nearshore water quality and fisheries, such as
215 stormwater or canal restoration projects and projects to protect
216 and enhance water supply to the Florida Keys, including
217 alternative water supplies such as reverse osmosis and reclaimed
218 water systems.

219 (b) The duration of Everglades restoration bonds may not
220 exceed 20 annual maturities and must mature by December 31, 2056
221 ~~2040~~. Except for refunding bonds, a series of bonds may not be
222 issued unless an amount equal to the debt service coming due in
223 the year of issuance has been appropriated by the Legislature.
224 Not more than 58.25 percent of documentary stamp taxes collected
225 may be taken into account for the purpose of satisfying an
226 additional bonds test set forth in any authorizing resolution
227 for bonds issued on or after July 1, 2015. Beginning July 1,
228 2010, the Legislature shall analyze the ratio of the state's
229 debt to projected revenues before authorizing the issuance of
230 bonds under this section.

231 (7) If the South Florida Water Management District and the
232 Department of Environmental Protection determine that lands

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233 purchased using bond proceeds within the Florida Keys Area of
234 Critical State Concern, the City of Key West Area of Critical
235 State Concern, or outside the Florida Keys Area of Critical
236 State Concern but which were required to be purchased to
237 preserve and protect the potable water supply to the Florida
238 Keys are no longer needed for the purpose for which they were
239 purchased, the entity owning the lands may dispose of them.
240 However, before the lands can be disposed of, each general-
241 purpose local government within whose boundaries a portion of
242 the land lies must agree to the disposal of lands within its
243 boundaries and must be offered the first right to purchase those
244 lands. If the lands are surplus, they shall either be
245 surplus at not less than appraised value with the proceeds
246 from the sale of such lands being deposited into the Save Our
247 Everglades Trust Fund and used to implement the respective
248 plans, or the South Florida Water Management District shall use
249 a different source of funds to pay for or reimburse the Save Our
250 Everglades Trust Fund for that portion of lands not needed to
251 implement the respective plans.

252 Section 4. Section 259.045, Florida Statutes, is amended to
253 read:

254 259.045 Purchase of lands in areas of critical state
255 concern; recommendations by department and land authorities.—
256 Within 45 days after ~~of the designation by~~ the Administration
257 Commission designates ~~of~~ an area as an area of critical state
258 concern under s. 380.05, and annually thereafter, the Department
259 of Environmental Protection shall consider the recommendations
260 of the state land planning agency pursuant to s. 380.05(1)(a)
261 relating to purchase of lands within an area of critical state

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262 concern or lands outside an area of critical state concern that
263 directly impact an area of critical state concern, which may
264 include lands used to preserve and protect water supply, ~~the~~
265 ~~proposed area~~ and shall make recommendations to the board with
266 respect to the purchase of the fee or any lesser interest in any
267 such lands that are: ~~situated in such area of critical state~~
268 ~~concern as~~

- 269 (1) Environmentally endangered lands; ~~or~~
270 (2) Outdoor recreation lands;
271 (3) Lands that conserve a sensitive habitat;
272 (4) Lands that protect, restore, or enhance nearshore water
273 quality and fisheries;
274 (5) Lands used to protect and enhance water supply to the
275 Florida Keys, including alternative water supplies such as
276 reverse osmosis and reclaimed water systems; or
277 (6) Lands used to prevent or satisfy private property
278 rights claims resulting from limitations imposed by the
279 designation of an area of critical state concern.

280
281 The department, or a local government, special district, or ~~and~~
282 a land authority within an area of critical state concern ~~as~~
283 ~~authorized in chapter 380~~, may make recommendations with respect
284 to additional purchases which were not included in the state
285 land planning agency recommendations.

286 Section 5. Paragraph (a) of subsection (2) and paragraph
287 (b) of subsection (3) of section 259.105, Florida Statutes, are
288 amended to read:

289 259.105 The Florida Forever Act.—

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

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291 1. Land acquisition programs have provided tremendous
292 financial resources for purchasing environmentally significant
293 lands to protect those lands from imminent development or
294 alteration, thereby ensuring present and future generations'
295 access to important waterways, open spaces, and recreation and
296 conservation lands.

297 2. The continued alteration and development of Florida's
298 natural and rural areas to accommodate the state's growing
299 population have contributed to the degradation of water
300 resources, the fragmentation and destruction of wildlife
301 habitats, the loss of outdoor recreation space, and the
302 diminishment of wetlands, forests, working landscapes, ~~and~~
303 coastal open space, and coral reefs as defined in s.
304 403.93345(3).

305 3. The potential development of Florida's remaining natural
306 areas and escalation of land values require government efforts
307 to restore, bring under public protection, or acquire lands and
308 water areas to preserve the state's essential ecological
309 functions and invaluable quality of life.

310 4. It is essential to protect the state's ecosystems by
311 promoting a more efficient use of land, to ensure opportunities
312 for viable agricultural activities on working lands, and to
313 promote vital rural and urban communities that support and
314 produce development patterns consistent with natural resource
315 protection.

316 5. Florida's groundwater, surface waters, and springs are
317 under tremendous pressure due to population growth and economic
318 expansion and require special protection and restoration
319 efforts, including the protection of uplands and springsheds

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320 that provide vital recharge to aquifer systems and are critical
321 to the protection of water quality and water quantity of the
322 aquifers and springs. To ensure that sufficient quantities of
323 water are available to meet the current and future needs of the
324 natural systems and citizens of the state, and assist in
325 achieving the planning goals of the department and the water
326 management districts, water resource development projects on
327 public lands, where compatible with the resource values of and
328 management objectives for the lands, are appropriate.

329 6. The needs of urban, suburban, and small communities in
330 Florida for high-quality outdoor recreational opportunities,
331 greenways, trails, and open space have not been fully met by
332 previous acquisition programs. Through such programs as the
333 Florida Communities Trust and the Florida Recreation Development
334 Assistance Program, the state shall place additional emphasis on
335 acquiring, protecting, preserving, and restoring open space,
336 ecological greenways, and recreation properties within urban,
337 suburban, and rural areas where pristine natural communities or
338 water bodies no longer exist because of the proximity of
339 developed property.

340 7. Many of Florida's unique ecosystems, such as the Florida
341 Everglades and coral reefs, are facing ecological collapse due
342 to Florida's burgeoning population growth and other economic
343 activities. To preserve these valuable ecosystems for future
344 generations, essential parcels of land must be acquired to
345 facilitate ecosystem restoration.

346 8. Access to public lands to support a broad range of
347 outdoor recreational opportunities and the development of
348 necessary infrastructure, where compatible with the resource

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349 values of and management objectives for such lands, promotes an
350 appreciation for Florida's natural assets and improves the
351 quality of life.

352 9. Acquisition of lands, in fee simple, less-than-fee
353 interest, or other techniques shall be based on a comprehensive
354 science-based assessment of Florida's natural resources which
355 targets essential conservation lands by prioritizing all current
356 and future acquisitions based on a uniform set of data and
357 planned so as to protect the integrity and function of
358 ecological systems and working landscapes, and provide multiple
359 benefits, including preservation of fish and wildlife habitat,
360 recreation space for urban and rural areas, and the restoration
361 of natural water storage, flow, and recharge.

362 10. The state has embraced performance-based program
363 budgeting as a tool to evaluate the achievements of publicly
364 funded agencies, build in accountability, and reward those
365 agencies which are able to consistently achieve quantifiable
366 goals. While previous and existing state environmental programs
367 have achieved varying degrees of success, few of these programs
368 can be evaluated as to the extent of their achievements,
369 primarily because performance measures, standards, outcomes, and
370 goals were not established at the outset. Therefore, the Florida
371 Forever program shall be developed and implemented in the
372 context of measurable state goals and objectives.

373 11. The state must play a major role in the recovery and
374 management of its imperiled species through the acquisition,
375 restoration, enhancement, and management of ecosystems that can
376 support the major life functions of such species. It is the
377 intent of the Legislature to support local, state, and federal

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378 programs that result in net benefit to imperiled species habitat
379 by providing public and private land owners meaningful
380 incentives for acquiring, restoring, managing, and repopulating
381 habitats for imperiled species. It is the further intent of the
382 Legislature that public lands, both existing and to be acquired,
383 identified by the lead land managing agency, in consultation
384 with the Florida Fish and Wildlife Conservation Commission for
385 animals or the Department of Agriculture and Consumer Services
386 for plants, as habitat or potentially restorable habitat for
387 imperiled species, be restored, enhanced, managed, and
388 repopulated as habitat for such species to advance the goals and
389 objectives of imperiled species management consistent with the
390 purposes for which such lands are acquired without restricting
391 other uses identified in the management plan. It is also the
392 intent of the Legislature that of the proceeds distributed
393 pursuant to subsection (3), additional consideration be given to
394 acquisitions that achieve a combination of conservation goals,
395 including the restoration, enhancement, management, or
396 repopulation of habitat for imperiled species. The Acquisition
397 and Restoration Council, in addition to the criteria in
398 subsection (9), shall give weight to projects that include
399 acquisition, restoration, management, or repopulation of habitat
400 for imperiled species. The term "imperiled species" as used in
401 this chapter and chapter 253, means plants and animals that are
402 federally listed under the Endangered Species Act, or state-
403 listed by the Fish and Wildlife Conservation Commission or the
404 Department of Agriculture and Consumer Services.

405 a. As part of the state's role, all state lands that have
406 imperiled species habitat shall include as a consideration in

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407 management plan development the restoration, enhancement,
408 management, and repopulation of such habitats. In addition, the
409 lead land managing agency of such state lands may use fees
410 received from public or private entities for projects to offset
411 adverse impacts to imperiled species or their habitat in order
412 to restore, enhance, manage, repopulate, or acquire land and to
413 implement land management plans developed under s. 253.034 or a
414 land management prospectus developed and implemented under this
415 chapter. Such fees shall be deposited into a foundation or fund
416 created by each land management agency under s. 379.223, s.
417 589.012, or s. 259.032(9)(c), to be used solely to restore,
418 manage, enhance, repopulate, or acquire imperiled species
419 habitat.

420 b. Where habitat or potentially restorable habitat for
421 imperiled species is located on state lands, the Fish and
422 Wildlife Conservation Commission and the Department of
423 Agriculture and Consumer Services shall be included on any
424 advisory group required under chapter 253, and the short-term
425 and long-term management goals required under chapter 253 must
426 advance the goals and objectives of imperiled species management
427 consistent with the purposes for which the land was acquired
428 without restricting other uses identified in the management
429 plan.

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

434 (3) Less the costs of issuing and the costs of funding
435 reserve accounts and other costs associated with bonds, the

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436 proceeds of cash payments or bonds issued pursuant to this
437 section shall be deposited into the Florida Forever Trust Fund
438 created by s. 259.1051. The proceeds shall be distributed by the
439 Department of Environmental Protection in the following manner:

440 (b) Thirty-five percent to the Department of Environmental
441 Protection for the acquisition of lands and capital project
442 expenditures described in this section. Of the proceeds
443 distributed pursuant to this paragraph, it is the intent of the
444 Legislature that an increased priority be given to those
445 acquisitions which achieve a combination of conservation goals,
446 including protecting Florida's water resources and natural
447 groundwater recharge. At a minimum, 3 percent, and no more than
448 10 percent, of the funds allocated pursuant to this paragraph
449 shall be spent on capital project expenditures identified during
450 the time of acquisition which meet land management planning
451 activities necessary for public access. Beginning in fiscal year
452 2016-2017 and continuing through fiscal year 2026-2027, at least
453 \$5 million of the funds allocated pursuant to this paragraph
454 shall be spent on land acquisition within the Florida Keys Area
455 of Critical State Concern.

456 Section 6. Paragraph (i) of subsection (2) and paragraph
457 (i) of subsection (7) of section 380.0552, Florida Statutes, are
458 amended to read:

459 380.0552 Florida Keys Area; protection and designation as
460 area of critical state concern.—

461 (2) LEGISLATIVE INTENT.—It is the intent of the Legislature
462 to:

463 (i) Protect and improve the nearshore water quality of the
464 Florida Keys through state funding of water quality improvement

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465 projects, including the construction and operation of wastewater
466 management facilities that meet the requirements of ss.
467 381.0065(4)(1) and 403.086(10), as applicable.

468 (7) PRINCIPLES FOR GUIDING DEVELOPMENT.—State, regional,
469 and local agencies and units of government in the Florida Keys
470 Area shall coordinate their plans and conduct their programs and
471 regulatory activities consistent with the principles for guiding
472 development as specified in chapter 27F-8, Florida
473 Administrative Code, as amended effective August 23, 1984, which
474 is adopted and incorporated herein by reference. For the
475 purposes of reviewing the consistency of the adopted plan, or
476 any amendments to that plan, with the principles for guiding
477 development, and any amendments to the principles, the
478 principles shall be construed as a whole and specific provisions
479 may not be construed or applied in isolation from the other
480 provisions. However, the principles for guiding development are
481 repealed 18 months from July 1, 1986. After repeal, any plan
482 amendments must be consistent with the following principles:

483 (i) Protecting and improving water quality by providing for
484 the construction, operation, maintenance, and replacement of
485 stormwater management facilities; central sewage collection;
486 treatment and disposal facilities; ~~and~~ the installation and
487 proper operation and maintenance of onsite sewage treatment and
488 disposal systems; and other water quality and water supply
489 projects, including direct and indirect potable reuse.

490 Section 7. Subsection (3) of section 380.0666, Florida
491 Statutes, is amended to read:

492 380.0666 Powers of land authority.—The land authority shall
493 have all the powers necessary or convenient to carry out and

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494 effectuate the purposes and provisions of this act, including
495 the following powers, which are in addition to all other powers
496 granted by other provisions of this act:

497 (3) To acquire and dispose of real and personal property or
498 any interest therein when such acquisition is necessary or
499 appropriate to protect the natural environment, provide public
500 access or public recreational facilities, preserve wildlife
501 habitat areas, provide affordable housing to families whose
502 income does not exceed 160 percent of the median family income
503 for the area, reduce the impacts of additional development on
504 hurricane evacuation clearance times, or provide access to
505 management of acquired lands; to acquire interests in land by
506 means of land exchanges; to contribute tourist impact tax
507 revenues received pursuant to s. 125.0108 to its most populous
508 municipality or the housing authority of such municipality, at
509 the request of the commission or council of such municipality,
510 for the construction, redevelopment, or preservation of
511 affordable housing in an area of critical state concern within
512 such municipality; to contribute funds to the Department of
513 Environmental Protection for the purchase of lands by the
514 department; and to enter into all alternatives to the
515 acquisition of fee interests in land, including, but not limited
516 to, the acquisition of easements, development rights, life
517 estates, leases, and leaseback arrangements. However, the land
518 authority shall make an ~~such~~ acquisition or contribution only
519 if:

520 (a) Such acquisition or contribution is consistent with
521 land development regulations and local comprehensive plans
522 adopted and approved pursuant to this chapter;

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523 (b) The property acquired is within an area designated as
524 an area of critical state concern at the time of acquisition or
525 is within an area that was designated as an area of critical
526 state concern for at least 20 consecutive years prior to removal
527 of the designation; and

528 (c) The property to be acquired has not been selected for
529 purchase through another local, regional, state, or federal
530 public land acquisition program. Such restriction shall not
531 apply if the land authority cooperates with the other public
532 land acquisition programs which listed the lands for
533 acquisition, to coordinate the acquisition and disposition of
534 such lands. In such cases, the land authority may enter into
535 contractual or other agreements to acquire lands jointly or for
536 eventual resale to other public land acquisition programs.

537 Section 8. Notwithstanding any other provision of law, in
538 fiscal year 2016-2017 through fiscal year 2026-2027, if \$20
539 million in bonds are not authorized to be issued pursuant to s.
540 215.619, Florida Statutes, \$20 million shall be appropriated to
541 the Department of Environmental Protection to be distributed to
542 local governments in the Florida Keys Area of Critical State
543 Concern and the City of Key West Area of Critical State Concern
544 for projects that protect, restore, or enhance nearshore water
545 quality and fisheries and projects to protect and enhance water
546 supply to the Florida Keys, including alternative water supplies
547 such as reverse osmosis and reclaimed water systems.

548 Section 9. This act shall take effect July 1, 2016.