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Proposed Committee Substitute by the Committee on Appropriations  
(Appropriations Subcommittee on the Environment and Natural  
Resources)

A bill to be entitled

An act relating to water resources; providing a short title; amending s. 201.15, F.S.; requiring that the debt service on certain bonds be paid first from amounts on deposit in the Land Acquisition Trust Fund; creating s. 215.613, F.S.; authorizing water resource protection and development bonds to be issued; providing a cap on such bonds; establishing certain covenants with regard to such bonds; specifying that the bonds do not constitute a general obligation of, or a pledge of the full faith and credit of, the state and are secured on a parity basis with certain other bonds; requiring the Department of Environmental Protection to distribute bond proceeds through the Land Acquisition Trust Fund; prohibiting certain property transactions and uses that would have specified tax impacts; specifying certain validation requirements; amending s. 215.618, F.S.; reducing the bonding authority for Florida Forever bonds; creating s. 373.4598, F.S.; providing legislative findings and intent; defining terms; requiring the South Florida Water Management District to seek proposals from willing sellers of property within the Everglades Agricultural Area for land that is suitable for the reservoir project; clarifying that all appraisal reports, offers, and counteroffers are confidential



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27 and exempt from public records requirements; requiring  
28 the district to assign the Entire Option Property Non-  
29 Exclusive Option of a specified agreement to the Board  
30 of Trustees of the Internal Improvement Trust Fund  
31 under certain circumstances; requiring the district to  
32 retain the agreement's option under certain  
33 circumstances; requiring the board or the district, as  
34 applicable, to exercise the specified option by a  
35 certain date under certain circumstances; providing  
36 requirements for the Proposed Option Property Purchase  
37 Price; authorizing the disposal or exchange of certain  
38 land or interests in land for certain purposes;  
39 requiring the district to begin, seek permitting for,  
40 and construct the reservoir project under certain  
41 circumstances; requiring the district, in coordination  
42 with the United States Army Corps of Engineers, to  
43 begin the planning study for the reservoir project by  
44 a specified date under certain circumstances;  
45 requiring the district to identify specified lands  
46 under certain circumstances; providing requirements  
47 for the planning study; requiring the district, in  
48 coordination with the United States Army Corps of  
49 Engineers, to seek Congressional authorization for the  
50 reservoir project under certain circumstances;  
51 authorizing certain costs to be funded using water  
52 resource protection and development bond proceeds  
53 under certain circumstances; specifying how such bond  
54 proceeds shall be deposited; authorizing the use of  
55 state funds for the reservoir project; requiring the



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56 district to seek additional sources of funding;  
57 requiring the district to seek federal credits under  
58 certain circumstances; requiring the district to  
59 request the United States Army Corps of Engineers, in  
60 the Corps' review of the regulation schedule, to  
61 consider any repairs to the Herbert Hoover Dike or  
62 increase in southern outlet capacity of Lake  
63 Okeechobee; creating s. 373.475, F.S.; providing  
64 legislative findings and intent; requiring the  
65 department to distribute certain bond proceeds for the  
66 purposes of financing water resource protection and  
67 development projects; requiring proceeds to be  
68 expended in a fiscally responsible manner; creating s.  
69 373.478, F.S.; providing legislative findings and  
70 intent; defining terms; requiring the state through  
71 the department to provide certain funding assistance  
72 to local governments and water supply entities for the  
73 development and construction of water storage  
74 facilities; requiring the department to adopt rules;  
75 specifying required documentation for local government  
76 or water supply entities; specifying that recipients  
77 need not request certain advance payment; authorizing  
78 technical assistance; specifying certain loan funding  
79 maximums, minimums, and term requirements; requiring a  
80 report; authorizing certain audits and servicing fees;  
81 providing that the Water Protection and Sustainability  
82 Program Trust Fund shall be used to carry out the  
83 purposes of the revolving loan fund; specifying  
84 certain default and compliance provisions; amending s.



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85 375.041, F.S.; requiring certain distributions to be  
86 made from the Land Acquisition Trust Fund; amending s.  
87 375.041, F.S.; contingently increasing the minimum  
88 annual funding for certain Everglades projects;  
89 creating s. 403.0878, F.S.; requiring the department  
90 to establish a water reuse grant program; providing  
91 requirements for such program; requiring the  
92 department to adopt rules; requiring certain review of  
93 grants; authorizing a certain percentage of grant  
94 funds to be used for program administration;  
95 specifying that recipients need not request certain  
96 advance payment; providing legislative findings;  
97 amending s. 215.44, F.S.; requiring the Board of  
98 Administration to include a summary of potential water  
99 supply investments in its annual report to the  
100 Legislature; amending s. 403.890, F.S.; revising the  
101 purposes for which distributions may be made from and  
102 to the Water Protection and Sustainability Program  
103 Trust Fund; requiring the district and the board to  
104 notify the Division of Law Revision and Information by  
105 a certain date of specified land acquisitions;  
106 providing a directive to the division; providing  
107 contingent appropriations; providing effective dates,  
108 one of which is contingent.

109  
110 Be It Enacted by the Legislature of the State of Florida:

111  
112 Section 1. This act may be cited as the "Coast-to-Coast  
113 Comprehensive Water Resources Program."



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114 Section 2. Section 201.15, Florida Statutes, is amended to  
115 read:

116 201.15 Distribution of taxes collected.—All taxes collected  
117 under this chapter are hereby pledged and shall be first made  
118 available to make payments when due on bonds issued pursuant to  
119 s. 215.613, s. 215.618, or s. 215.619, or any other bonds  
120 authorized to be issued on a parity basis with such bonds. Such  
121 pledge and availability for the payment of these bonds shall  
122 have priority over any requirement for the payment of service  
123 charges or costs of collection and enforcement under this  
124 section. All taxes collected under this chapter, except taxes  
125 distributed to the Land Acquisition Trust Fund pursuant to  
126 subsections (1) and (2), are subject to the service charge  
127 imposed in s. 215.20(1). Before distribution pursuant to this  
128 section, the Department of Revenue shall deduct amounts  
129 necessary to pay the costs of the collection and enforcement of  
130 the tax levied by this chapter. The costs and service charge may  
131 not be levied against any portion of taxes pledged to debt  
132 service on bonds to the extent that the costs and service charge  
133 are required to pay any amounts relating to the bonds. All of  
134 the costs of the collection and enforcement of the tax levied by  
135 this chapter and the service charge shall be available and  
136 transferred to the extent necessary to pay debt service and any  
137 other amounts payable with respect to bonds authorized before  
138 January 1, 2017, secured by revenues distributed pursuant to  
139 this section. All taxes remaining after deduction of costs shall  
140 be distributed as follows:

141 (1) Amounts necessary to make payments on bonds issued  
142 pursuant to s. 215.613, s. 215.618, or s. 215.619, as provided



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143 under paragraphs (3) (a), ~~and (b)~~, and (c) or on any other bonds  
144 authorized to be issued on a parity basis with such bonds shall  
145 be deposited into the Land Acquisition Trust Fund.

146 (2) If the amounts deposited pursuant to subsection (1) are  
147 less than 33 percent of all taxes collected after first  
148 deducting the costs of collection, an amount equal to 33 percent  
149 of all taxes collected after first deducting the costs of  
150 collection, minus the amounts deposited pursuant to subsection  
151 (1), shall be deposited into the Land Acquisition Trust Fund.

152 (3) Amounts on deposit in the Land Acquisition Trust Fund  
153 shall be used in the following order:

154 (a) Payment of debt service or funding of debt service  
155 reserve funds, rebate obligations, or other amounts payable with  
156 respect to water resource protection and development bonds  
157 issued pursuant to s. 215.613. The amount used for such purposes  
158 may not exceed \$300 million in each fiscal year.

159 ~~(b)(a)~~ Payment of debt service or funding of debt service  
160 reserve funds, rebate obligations, or other amounts payable with  
161 respect to Florida Forever bonds issued pursuant to s. 215.618.  
162 The amount used for such purposes may not exceed \$300 million in  
163 each fiscal year. It is the intent of the Legislature that all  
164 bonds issued to fund the Florida Forever Act be retired by  
165 December 31, 2040. Except for bonds issued to refund previously  
166 issued bonds, no series of bonds may be issued pursuant to this  
167 paragraph unless such bonds are approved and the debt service  
168 for the remainder of the fiscal year in which the bonds are  
169 issued is specifically appropriated in the General  
170 Appropriations Act.

171 ~~(c)(b)~~ Payment of debt service or funding of debt service



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172 reserve funds, rebate obligations, or other amounts due with  
173 respect to Everglades restoration bonds issued pursuant to s.  
174 215.619. Taxes distributed under paragraph (a), paragraph (b),  
175 and this paragraph must be collectively distributed on a pro  
176 rata basis when the available moneys under this subsection are  
177 not sufficient to cover the amounts required under paragraph  
178 (a), paragraph (b), and this paragraph.

179

180 Bonds issued pursuant to s. 215.613, s. 215.618, or s. 215.619  
181 are equally and ratably secured by moneys distributable to the  
182 Land Acquisition Trust Fund.

183 (4) After the required distributions to the Land  
184 Acquisition Trust Fund pursuant to subsections (1) and (2) and  
185 deduction of the service charge imposed pursuant to s.  
186 215.20(1), the remainder shall be distributed as follows:

187 (a) The lesser of 24.18442 percent of the remainder or  
188 \$541.75 million in each fiscal year shall be paid into the State  
189 Treasury to the credit of the State Transportation Trust Fund.  
190 Of such funds, \$75 million for each fiscal year shall be  
191 transferred to the State Economic Enhancement and Development  
192 Trust Fund within the Department of Economic Opportunity.  
193 Notwithstanding any other law, the remaining amount credited to  
194 the State Transportation Trust Fund shall be used for:

195 1. Capital funding for the New Starts Transit Program,  
196 authorized by Title 49, U.S.C. s. 5309 and specified in s.  
197 341.051, in the amount of 10 percent of the funds;

198 2. The Small County Outreach Program specified in s.  
199 339.2818, in the amount of 10 percent of the funds;

200 3. The Strategic Intermodal System specified in ss. 339.61,



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201 339.62, 339.63, and 339.64, in the amount of 75 percent of the  
202 funds after deduction of the payments required pursuant to  
203 subparagraphs 1. and 2.; and

204 4. The Transportation Regional Incentive Program specified  
205 in s. 339.2819, in the amount of 25 percent of the funds after  
206 deduction of the payments required pursuant to subparagraphs 1.  
207 and 2. The first \$60 million of the funds allocated pursuant to  
208 this subparagraph shall be allocated annually to the Florida  
209 Rail Enterprise for the purposes established in s. 341.303(5).

210 (b) The lesser of 0.1456 percent of the remainder or \$3.25  
211 million in each fiscal year shall be paid into the State  
212 Treasury to the credit of the Grants and Donations Trust Fund in  
213 the Department of Economic Opportunity to fund technical  
214 assistance to local governments.

215  
216 Moneys distributed pursuant to paragraphs (a) and (b) may not be  
217 pledged for debt service unless such pledge is approved by  
218 referendum of the voters.

219 (c) Eleven and twenty-four hundredths percent of the  
220 remainder in each fiscal year shall be paid into the State  
221 Treasury to the credit of the State Housing Trust Fund. Of such  
222 funds, the first \$35 million shall be transferred annually,  
223 subject to any distribution required under subsection (5), to  
224 the State Economic Enhancement and Development Trust Fund within  
225 the Department of Economic Opportunity. The remainder shall be  
226 used as follows:

227 1. Half of that amount shall be used for the purposes for  
228 which the State Housing Trust Fund was created and exists by  
229 law.





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230           2. Half of that amount shall be paid into the State  
231 Treasury to the credit of the Local Government Housing Trust  
232 Fund and used for the purposes for which the Local Government  
233 Housing Trust Fund was created and exists by law.

234           (d) Twelve and ninety-three hundredths percent of the  
235 remainder in each fiscal year shall be paid into the State  
236 Treasury to the credit of the State Housing Trust Fund. Of such  
237 funds, the first \$40 million shall be transferred annually,  
238 subject to any distribution required under subsection (5), to  
239 the State Economic Enhancement and Development Trust Fund within  
240 the Department of Economic Opportunity. The remainder shall be  
241 used as follows:

242           1. Twelve and one-half percent of that amount shall be  
243 deposited into the State Housing Trust Fund and expended by the  
244 Department of Economic Opportunity and the Florida Housing  
245 Finance Corporation for the purposes for which the State Housing  
246 Trust Fund was created and exists by law.

247           2. Eighty-seven and one-half percent of that amount shall  
248 be distributed to the Local Government Housing Trust Fund and  
249 used for the purposes for which the Local Government Housing  
250 Trust Fund was created and exists by law. Funds from this  
251 category may also be used to provide for state and local  
252 services to assist the homeless.

253           (e) The lesser of 0.017 percent of the remainder or  
254 \$300,000 in each fiscal year shall be paid into the State  
255 Treasury to the credit of the General Inspection Trust Fund to  
256 be used to fund oyster management and restoration programs as  
257 provided in s. 379.362(3).

258           (5) Distributions to the State Housing Trust Fund pursuant



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259 to paragraphs (4) (c) and (d) must be sufficient to cover amounts  
260 required to be transferred to the Florida Affordable Housing  
261 Guarantee Program's annual debt service reserve and guarantee  
262 fund pursuant to s. 420.5092(6) (a) and (b) up to the amount  
263 required to be transferred to such reserve and fund based on the  
264 percentage distribution of documentary stamp tax revenues to the  
265 State Housing Trust Fund which is in effect in the 2004-2005  
266 fiscal year.

267 (6) After the distributions provided in the preceding  
268 subsections, any remaining taxes shall be paid into the State  
269 Treasury to the credit of the General Revenue Fund.

270 Section 3. Section 215.613, Florida Statutes, is created to  
271 read:

272 215.613 Bonds for water resource protection and  
273 development.—

274 (1) The issuance of water resource protection and  
275 development bonds, not to exceed \$3.3 billion, to finance or  
276 refinance the cost of acquisition and improvement of land, water  
277 areas, or related property interests for the purposes of water  
278 resource protection and development, and for capital  
279 improvements to land or water areas which facilitate water  
280 resource protection and development is authorized, subject to s.  
281 373.475 and pursuant to s. 11(e), Art. VII of the State  
282 Constitution. The \$3.3 billion limitation on the issuance of  
283 water resource protection and development bonds does not apply  
284 to refunding bonds. The duration of each series of bonds issued  
285 may not exceed 20 annual maturities. No more than 58.25 percent  
286 of documentary stamp taxes collected may be taken into account  
287 for the purpose of satisfying an additional bonds test set forth



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288 in any authorizing resolution for bonds issued on or after July  
289 1, 2017.

290 (2) The state covenants with the holders of water resource  
291 protection and development bonds that it will not take any  
292 action that will materially and adversely affect the rights of  
293 such holders so long as such bonds are outstanding, including,  
294 but not limited to, a reduction in the portion of documentary  
295 stamp taxes distributable to the Land Acquisition Trust Fund for  
296 payment of debt service on water resource protection and  
297 development bonds.

298 (3) In accordance with s. 28, Art. X of the State  
299 Constitution, bonds issued pursuant to this section are payable  
300 from taxes distributable to the Land Acquisition Trust Fund  
301 pursuant to s. 201.15. Bonds issued pursuant to this section do  
302 not constitute a general obligation of, or a pledge of the full  
303 faith and credit of, the state. Water resource protection and  
304 development bonds are secured on a parity basis with Florida  
305 Forever bonds issued pursuant to s. 215.618 and Everglades  
306 restoration bonds issued pursuant to s. 215.619.

307 (4) The Department of Environmental Protection shall  
308 request the Division of Bond Finance of the State Board of  
309 Administration to issue the bonds authorized by this section.  
310 The Division of Bond Finance shall issue such bonds pursuant to  
311 the State Bond Act.

312 (5) The proceeds from the sale of bonds issued pursuant to  
313 this section, less the costs of issuance, the costs of funding  
314 reserve accounts, and other costs with respect to the bonds,  
315 shall be deposited into the Land Acquisition Trust Fund. The  
316 bond proceeds deposited into the Land Acquisition Trust Fund



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317 shall be distributed by the Department of Environmental  
318 Protection as provided in s. 373.475.

319 (6) There may not be any sale, disposition, lease,  
320 easement, license, or other use of any land, water areas, or  
321 related property interests acquired or improved with proceeds of  
322 water resource protection and development bonds which would  
323 cause all or any portion of the interest of such bonds to lose  
324 the exclusion from gross income for federal income tax purposes.

325 (7) The initial series of water resource protection and  
326 development bonds shall be validated in addition to any other  
327 bonds required to be validated pursuant to s. 215.82. Any  
328 complaint for validation of bonds issued pursuant to this  
329 section shall be filed only in the circuit court of the county  
330 where the seat of state government is situated, the notice  
331 required to be published by s. 75.06 shall be published only in  
332 the county where the complaint is filed, and the complaint and  
333 order of the circuit court shall be served only on the state  
334 attorney of the circuit in which the action is pending.

335 Section 4. Paragraph (a) of subsection (1) of section  
336 215.618, Florida Statutes, is amended to read:

337 215.618 Bonds for acquisition and improvement of land,  
338 water areas, and related property interests and resources.-

339 (1) (a) The issuance of Florida Forever bonds, not to exceed  
340 \$2 billion ~~\$5.3 billion~~, to finance or refinance the cost of  
341 acquisition and improvement of land, water areas, and related  
342 property interests and resources, in urban and rural settings,  
343 for the purposes of restoration, conservation, recreation, water  
344 resource development, or historical preservation, and for  
345 capital improvements to lands and water areas that accomplish



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346 environmental restoration, enhance public access and  
347 recreational enjoyment, promote long-term management goals, and  
348 facilitate water resource development is hereby authorized,  
349 subject to s. 259.105 and pursuant to s. 11(e), Art. VII of the  
350 State Constitution and, on or after July 1, 2015, to also  
351 finance or refinance the acquisition and improvement of land,  
352 water areas, and related property interests as provided in s.  
353 28, Art. X of the State Constitution. The \$2 billion ~~\$5.3~~  
354 ~~billion~~ limitation on the issuance of Florida Forever bonds does  
355 not apply to refunding bonds. The duration of each series of  
356 Florida Forever bonds issued may not exceed 20 annual  
357 maturities. Not more than 58.25 percent of documentary stamp  
358 taxes collected may be taken into account for the purpose of  
359 satisfying an additional bonds test set forth in any authorizing  
360 resolution for bonds issued on or after July 1, 2015.

361 Section 5. Section 373.4598, Florida Statutes, is created  
362 to read:

363 373.4598 Reservoir project in the Everglades Agricultural  
364 Area.-

365 (1) LEGISLATIVE FINDINGS AND INTENT.-

366 (a) The Legislature declares that an emergency exists  
367 regarding the St. Lucie and Caloosahatchee estuaries due to the  
368 harmful freshwater discharges east and west of the lake. Such  
369 discharges have manifested in widespread algae blooms, public  
370 health impacts, and extensive environmental harm to wildlife and  
371 the aquatic ecosystem. These conditions threaten the ecological  
372 integrity of the estuaries and the economic viability of the  
373 state and affected communities.

374 (b) The Legislature finds that the acquisition of



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375 strategically located lands south of the lake and the  
376 construction of the reservoir project will increase the  
377 availability of water storage and reduce the harmful freshwater  
378 discharges. Additionally, water storage south of the lake will  
379 increase the availability of water for the Everglades and to  
380 meet irrigation demands for the Everglades Agricultural Area;  
381 restore the hydrological connection to the Everglades; and  
382 provide flood protection by reducing, through additional storage  
383 capacity, some of the demands on the Herbert Hoover Dike.

384 (c) The Legislature recognizes that the reservoir project  
385 is authorized in the Water Resources Development Act of 2000 as  
386 a project component of CERP. Unless other funding is available,  
387 the Legislature directs the district in implementation of the  
388 reservoir project to abide by applicable state and federal law  
389 in order to do that which is required to obtain federal credit  
390 under the CERP. If the district implements the reservoir project  
391 as a project component as defined in s. 373.1501, the district  
392 must abide by all applicable state and federal law relating to  
393 such projects.

394 (d) The Legislature finds that the rate of funding for the  
395 CERP must be increased if restoration will be achieved within  
396 the timeframes originally envisioned and that the delay in  
397 substantial progress toward completing critical elements of  
398 restoration, such as southern storage, will cause irreparable  
399 harm to natural systems and ultimately increase the cost of  
400 restoration. A substantial commitment to the advancement of  
401 projects identified as part of the CERP will reduce ongoing  
402 ecological damage to the St. Lucie and Caloosahatchee estuaries.

403 (e) This section is not intended to diminish the



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404 commitments made by the state in chapter 2016-201, Laws of  
405 Florida.

406 (2) DEFINITIONS.—As used in this section, the term:

407 (a) "Agreement" means the Second Amended and Restated  
408 Agreement for Sale and Purchase between the United States Sugar  
409 Corporation, SBG Farms, Inc., Southern Garden Groves  
410 Corporation, and the South Florida Water Management District,  
411 dated August 12, 2010.

412 (b) "Board" means the Board of Trustees of the Internal  
413 Improvement Trust Fund.

414 (c) "Comprehensive Everglades Restoration Plan" or "CERP"  
415 has the same meaning as the term "comprehensive plan" as defined  
416 in s. 373.470.

417 (d) "District" means the South Florida Water Management  
418 District.

419 (e) "Everglades Agricultural Area" or "EAA" has the same  
420 meaning as defined in s. 373.4592.

421 (f) "Lake" means Lake Okeechobee.

422 (g) "Reservoir project" means a project to construct one or  
423 two above-ground reservoirs that have a total water storage  
424 capacity of approximately 360,000 acre-feet and are located in  
425 the EAA.

426 (3) LAND ACQUISITION.—The Legislature declares that  
427 acquiring land for the reservoir project is in the public  
428 interest and that the governing board of the district and the  
429 board may acquire fee title for the purpose of implementing the  
430 reservoir project. However, the district may not exercise  
431 eminent domain for the purpose of implementing the reservoir  
432 project.



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433 (a) Upon the effective date of this act, the district shall  
434 seek proposals from willing sellers of property within the  
435 Everglades Agricultural Area in order to acquire approximately  
436 60,000 acres of land that is suitable for the reservoir project.  
437 All appraisal reports, offers, and counteroffers are  
438 confidential and exempt from s. 119.07(1), as provided in s.  
439 373.139.

440 (b) If the district does not acquire land pursuant to  
441 paragraph (a) by December 31, 2017:

442 1. The district must assign, by January 31, 2018, the  
443 agreement's Entire Option Property Non-Exclusive Option to the  
444 board, as authorized in, and in accordance with, the agreement.  
445 If, for any reason, the Seller, as defined in the agreement,  
446 does not find the assignment to be reasonably acceptable in form  
447 and substance, the district must retain the Entire Option  
448 Property Non-Exclusive Option;

449 2. The board or the district, whichever holds the option,  
450 must, by March 1, 2018, exercise the option in accordance with  
451 the agreement. The Buyer's Proposed Option Property Purchase  
452 Price, as specified in the agreement, may not be less than the  
453 average of \$7,400 per acre, unless the maximum offer allowed by  
454 law is less than the average of \$7,400 per acre; and

455 3. The board or the district, if applicable, may dispose of  
456 or exchange any land or lease interest in the land that is  
457 acquired pursuant to this paragraph in order to achieve optimal  
458 siting for the reservoir project or to dispose of land that is  
459 not necessary for the reservoir project. Any such exchange or  
460 disposition may not be in violation of the agreement.

461 (4) DESIGN, PERMITTING, AND CONSTRUCTION.-If the district





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462 finds willing sellers of property pursuant to paragraph (3) (a),  
463 the district:

464 (a) Once the land has been agreed upon for purchase, must  
465 immediately begin the reservoir project with the goal of  
466 providing adequate water storage and conveyance south of the  
467 lake to reduce the volume of regulatory discharges of water from  
468 the lake to the east and west;

469 (b) Once the land is acquired, must expeditiously pursue  
470 necessary permitting and begin implementation and construction  
471 of the reservoir project as soon as practicable; and

472 (c) The district shall give preferential consideration to  
473 the hiring of agricultural workers displaced as a result of the  
474 reservoir project, consistent with their qualifications and  
475 abilities, for the construction and operation of the reservoir  
476 project.

477 (5) PLANNING STUDY.—

478 (a) If land is acquired pursuant to paragraph (3) (a) and  
479 other funding is not available, the district must, in  
480 coordination with the United States Army Corps of Engineers,  
481 begin the planning study for the reservoir project by March 1,  
482 2018.

483 (b) If land is not acquired pursuant to paragraph (3) (a) by  
484 December 31, 2017, the district must, in coordination with the  
485 United States Army Corps of Engineers, begin the planning study  
486 for the reservoir project by October 1, 2019.

487 1. If land is acquired pursuant to paragraph (3) (b), the  
488 district must identify which of the acquired land is suitable  
489 for the reservoir project.

490 2. If land is not acquired pursuant to paragraph (3) (b),



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491 the district must identify land that is suitable for the  
492 reservoir project and the best option for securing such land.

493 (c) The district, when developing the planning study, must  
494 focus on the goal of the reservoir project, which is to provide  
495 adequate water storage and conveyance south of the lake to  
496 reduce the volume of regulatory discharges of water from the  
497 lake to the east and west.

498 (d) Upon completion of the planning study and the  
499 finalization of the project implementation report, as defined in  
500 s. 373.470, the district, in coordination with the United States  
501 Army Corps of Engineers, shall seek Congressional authorization  
502 for the reservoir project.

503 (6) FUNDING.—

504 (a) Pursuant to s. 11(e), Art. VII of the State  
505 Constitution, up to \$1.2 billion in state bonds are authorized  
506 under this section to finance or refinance the acquisition and  
507 improvement of land, water areas, and related property interests  
508 and resources for the purposes of conservation, outdoor  
509 recreation, water resource protection and development,  
510 restoration of natural systems, and historic preservation.

511 (b) Any cost related to this section, including, but not  
512 limited to, the costs for land acquisition, planning,  
513 construction, and operation and maintenance, may be funded using  
514 proceeds from water resource protection and development bonds  
515 issued under s. 215.613.

516 (c) The Legislature determines that the authorization and  
517 issuance of such bonds is in the best interest of the state and  
518 determines that the reservoir project should be implemented.

519 (d) Notwithstanding any other provision of law, proceeds



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520 from the sale of such bonds, less the costs of issuance, the  
521 costs of funding reserve accounts, and other costs with respect  
522 to the bonds, shall be distributed in the following manner:

523 1. If land is to be acquired pursuant to paragraph (3)(a),  
524 the amount of up to \$800 million in bond proceeds in the 2017-  
525 2018 fiscal year to the Land Acquisition Trust Fund for the  
526 purposes of this section, and the amount of up to \$400 million  
527 in bond proceeds in the 2018-2019 fiscal year to the Land  
528 Acquisition Trust Fund for the purposes of this section; or

529 2. If land is to be acquired pursuant to paragraph (3)(b),  
530 the amount of up to \$1.2 billion in bond proceeds in the 2018-  
531 2019 fiscal year to the Board of Trustees of the Internal  
532 Improvement Trust Fund, or the Land Acquisition Trust Fund, if  
533 applicable, to be used for the purposes of this section.

534 (e) Notwithstanding s. 373.026(8)(b) or any other provision  
535 of law, the use of state funds is authorized for the reservoir  
536 project.

537 (f) The district shall actively seek additional sources of  
538 funding, including federal funding, for the reservoir project.

539 (g) If the reservoir project receives Congressional  
540 authorization, the district must seek applicable federal credits  
541 toward the state's share of funding the land acquisition and  
542 implementation of the reservoir project.

543 (7) LAKE OKEECHOBEE REGULATION SCHEDULE.—The district shall  
544 request that the United States Army Corps of Engineers pursue  
545 the reevaluation of the Lake Okeechobee Regulation Schedule as  
546 expeditiously as possible taking into consideration the repairs  
547 made to the Herbert Hoover Dike and any increase in outlet  
548 capacity south of the lake which offsets the harmful freshwater



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549 discharges to the St. Lucie and Caloosahatchee estuaries.

550 Section 6. Section 373.475, Florida Statutes, is created to  
551 read:

552 373.475 Water resource protection and development  
553 financing.—

554 (1) The Legislature finds and declares that:

555 (a) The continued alteration and development of the state's  
556 natural and rural areas to accommodate the state's growing  
557 population has contributed to the degradation of water  
558 resources.

559 (b) The state's groundwater, surface waters, and springs  
560 are under tremendous pressure due to population growth and  
561 economic expansion and require special protection and  
562 restoration efforts, including the protection of uplands and  
563 springsheds that provide vital recharge to aquifer systems and  
564 are critical to the protection of water quality and water  
565 quantity of the aquifers and springs.

566 (c) To ensure that sufficient quantities of water are  
567 available to meet the current and future needs of the natural  
568 systems and citizens of the state and to help achieve the  
569 overall goals of the department and the water management  
570 districts, water resource protection and development projects  
571 and capital improvements to land or water areas that facilitate  
572 water resource protection and development are necessary.

573 (d) Many of the state's unique ecosystems, such as the  
574 Everglades, are facing ecological collapse due to the state's  
575 burgeoning population growth and economic activities. To  
576 preserve these valuable ecosystems for future generations,  
577 essential parcels of land must be acquired and improvements to



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578 such lands must be made to facilitate ecosystem restoration.

579 (e) The Legislature recognizes that the acquisition of  
580 lands in fee simple is only one way to achieve water resource  
581 goals. The Legislature encourages the use of alternatives to fee  
582 simple acquisition techniques and the development of  
583 partnerships between governmental agencies and private  
584 landowners.

585 (f) There is a need to change the focus and direction of  
586 the state's major land acquisition programs and to shift funding  
587 and bonding capabilities from land acquisition for conservation  
588 purposes towards land acquisition and improvements to land and  
589 water areas to protect, restore, and develop water resources.

590 (g) Water resource protection and development projects are  
591 necessary to secure water resources to meet current and future  
592 water demands.

593 (2) The department shall distribute bond proceeds from the  
594 Land Acquisition Trust Fund for the purposes of financing water  
595 resource protection and development projects, including projects  
596 pursuant to s. 373.4598.

597 (3) Water resource protection and development bond proceeds  
598 shall be expended in a fiscally responsible manner. Any agency  
599 that receives bond proceeds pursuant to this section may not  
600 maintain a balance of unencumbered funds in its water resource  
601 protection and development subaccount beyond 3 fiscal years from  
602 the date of deposit of funds from each bond issue. All funds  
603 that have not been expended or encumbered after 3 fiscal years  
604 from the date of deposit shall be distributed by the Legislature  
605 during its next regular session for use in the water resource  
606 protection and development program.



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607 Section 7. Section 373.478, Florida Statutes, is created to  
608 read:

609 373.478 Water storage facility revolving loan fund.—

610 (1) (a) In recognition that waters of the state are among  
611 the state's most basic resources, the Legislature declares that  
612 such waters should be managed to conserve and protect water  
613 resources and to realize the full beneficial use of such  
614 resources.

615 (b) As natural storage within the system has been lost due  
616 to development, the Legislature finds that additional water  
617 storage, natural or man-made, is necessary to capture water and  
618 prevent water from being discharged to tide or otherwise lost to  
619 protect the waters of the state.

620 (c) The Legislature finds that establishing infrastructure  
621 financing and providing technical assistance to local  
622 governments or water supply entities for water storage  
623 facilities is necessary to conserve and protect the waters of  
624 the state.

625 (2) For purposes of this section, the term:

626 (a) "Local governmental agency" means any municipality,  
627 county, district, or authority, or any agency thereof, or a  
628 combination of such acting jointly in connection with a project,  
629 having jurisdiction over a water storage facility.

630 (b) "Water storage facility" or "facility" means all  
631 facilities, including land, necessary for surface or underground  
632 water storage. Such facilities may be publicly owned, privately  
633 owned, investor-owned, or cooperatively held.

634 (3) The state through the department shall provide funding  
635 assistance to local governments or water supply entities for the



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636 development and construction of water storage facilities to  
637 increase the availability of sufficient water for all existing  
638 and future reasonable-beneficial uses and natural systems.

639 (a) The department may make loans, provide loan guarantees,  
640 purchase loan insurance, and refinance local debt through the  
641 issue of new loans for water storage facilities approved by the  
642 department. Local governments or water supply entities may  
643 borrow funds made available pursuant to this section and may  
644 pledge any revenues or other adequate security available to them  
645 to repay any funds borrowed.

646 (b) The department may award loan amounts for up to 75  
647 percent of the costs of planning, designing, constructing,  
648 upgrading, or replacing water resource infrastructure or  
649 facilities, whether natural or man-made, including the  
650 acquisition of real property for water storage facilities.

651 (4) The department shall adopt rules to carry out the  
652 purposes of this section. Such rules shall:

653 (a) Set forth a priority system for loans based on  
654 compliance with state requirements. The priority system shall  
655 give special consideration to:

656 1. Projects that provide for the development of alternative  
657 water supply projects and management techniques in areas where  
658 existing source waters are limited or threatened by saltwater  
659 intrusion, excessive drawdowns, contamination, or other  
660 problems;

661 2. Projects that contribute to the sustainability of  
662 regional water sources;

663 3. Projects that produce additional water available for  
664 consumptive uses or natural systems;



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665 4. Projects that diversify water supply so that the needs  
666 of consumptive uses and the natural system are met during wet  
667 and dry conditions; or

668 5. Projects that provide flexibility in addressing the  
669 unpredictability of water conditions from water year to water  
670 year.

671 (b) Establish the requirements for the award and repayment  
672 of financial assistance.

673 (c) Require evidence of credit worthiness and adequate  
674 security, including an identification of revenues to be pledged,  
675 and documentation of their sufficiency for loan repayment and  
676 pledged revenue coverage, to ensure that each loan recipient can  
677 meet its loan repayment requirements.

678 (d) Require each project receiving financial assistance to  
679 be cost-effective, environmentally sound, and implementable.

680 (e) Require each project to be self-supporting if the  
681 project is primarily for the purpose of water supply for  
682 consumptive use.

683 (5) Before approval of a loan, the local government or  
684 water supply entity must, at a minimum, submit all of the  
685 following to the department:

686 (a) A repayment schedule.

687 (b) Evidence of the permissibility or implementability of  
688 the facility proposed for financial assistance.

689 (c) Plans and specifications, biddable contract documents,  
690 or other documentation of appropriate procurement of goods and  
691 services.

692 (d) Provide assurance that records will be kept using  
693 generally accepted accounting principles and that the department





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694 or its agents and the Auditor General will have access to all  
695 records pertaining to the loan.

696 (e) Document that the facility will be self-supporting, if  
697 such facility is required to be self-supporting according to  
698 paragraph (4) (e).

699 (f) Document that the water management district whose  
700 boundaries in which the facility is planned has approved of such  
701 facility. If the facility crosses jurisdictional boundaries,  
702 approval from each applicable district must be provided to the  
703 department.

704 (6) Recipients of financial assistance under this section  
705 may receive disbursements based upon invoiced costs and are not  
706 required to request advance payment pursuant to s. 216.181(16).  
707 Proof of payment of invoiced costs must be submitted before or  
708 concurrent with the recipient's next disbursement request.

709 (7) The department and water management districts are  
710 authorized to provide technical assistance to local governments  
711 or water supply entities for water storage facilities funded  
712 pursuant to this section.

713 (8) In order to ensure that public moneys are managed in an  
714 equitable, prudent, and cost-effective manner, the total amount  
715 of money loaned to any local government or water supply entity  
716 during a fiscal year may not be more than 25 percent of the  
717 total funds available for making loans during that year. The  
718 minimum amount of a loan shall be \$75,000. The term of loans  
719 made pursuant to this section may not exceed 30 years.

720 (9) As part of the report required under s. 403.8532, the  
721 department shall prepare a report at the end of each fiscal  
722 year, detailing the financial assistance provided under this



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723 section, service fees collected, interest earned, and loans  
724 outstanding.

725 (10) The department may conduct an audit of the loan  
726 project upon completion, or may require that a separate project  
727 audit, prepared by an independent certified public accountant,  
728 be submitted.

729 (11) The department may require reasonable service fees on  
730 loans made to local governments or water supply entities to  
731 ensure that the program will be operated in perpetuity and to  
732 implement the purposes authorized under this section. Service  
733 fees may not be less than 2 percent or greater than 4 percent of  
734 the loan amount exclusive of the service fee. Service fee  
735 revenues shall be deposited into the department's Grants and  
736 Donations Trust Fund. The fee revenues, and interest earnings  
737 thereon, shall be used exclusively to carry out the purposes of  
738 this section.

739 (12) The Water Protection and Sustainability Program Trust  
740 Fund established under s. 403.891 shall be used to carry out the  
741 purposes of this section. Any funds that are not needed on an  
742 immediate basis for financial assistance shall be invested  
743 pursuant to s. 215.49. State funds and investment earnings shall  
744 be deposited into the fund. The principal and interest of all  
745 loans repaid and investment earnings thereon shall be deposited  
746 into the fund.

747 (13) (a) If a local governmental agency defaults under the  
748 terms of its loan agreement, the department shall so certify to  
749 the Chief Financial Officer, who shall forward the amount  
750 delinquent to the department from any unobligated funds due to  
751 the local governmental agency under any revenue-sharing or tax-



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752 sharing fund established by the state, except as otherwise  
753 provided by the State Constitution. Certification of delinquency  
754 does not limit the department from pursuing other remedies  
755 available for default on a loan, including accelerating loan  
756 repayments, eliminating all or part of the interest rate subsidy  
757 on the loan, and court appointment of a receiver to manage the  
758 public water system.

759 (b) If a water storage facility owned by a person other  
760 than a local governmental agency defaults under the terms of its  
761 loan agreement, the department may take all actions available  
762 under law to remedy the default.

763 (c) The department may impose a penalty for delinquent loan  
764 payments in the amount of 6 percent of the amount due, in  
765 addition to charging the cost to handle and process the debt.  
766 Penalty interest accrues on any amount due and payable beginning  
767 on the 30th day following the date upon which payment is due.

768 (14) The department may terminate or rescind a financial  
769 assistance agreement when the recipient fails to comply with the  
770 terms and conditions of the agreement.

771 Section 8. Subsections (1) and (3) of section 375.041,  
772 Florida Statutes, are amended to read:

773 375.041 Land Acquisition Trust Fund.—

774 (1) There is created a Land Acquisition Trust Fund within  
775 the Department of Environmental Protection. The Land Acquisition  
776 Trust Fund is designated by s. 28, Art. X of the State  
777 Constitution for receipt of certain documentary stamp tax  
778 revenue for the uses prescribed therein. The Land Acquisition  
779 Trust Fund shall be held and administered by the department. The  
780 Land Acquisition Trust Fund shall continue for as long as bonds



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781 are outstanding pursuant to s. 215.613, s. 215.618, or s.  
782 215.619, or any bonds secured on a parity basis with such bonds,  
783 or until the requirement of s. 28, Art. X of the State  
784 Constitution expires, whichever is later. All moneys deposited  
785 into the Land Acquisition Trust Fund shall be trust funds for  
786 the uses and purposes herein set forth, within the meaning of s.  
787 215.32(1)(b); and such moneys shall not become or be commingled  
788 with the General Revenue Fund of the state, as defined by s.  
789 215.32(1)(a).

790 (3) Funds distributed into the Land Acquisition Trust Fund  
791 pursuant to s. 201.15 shall be applied:

792 (a) First, to pay debt service or to fund debt service  
793 reserve funds, rebate obligations, or other amounts payable with  
794 respect to water resource protection and development bonds  
795 issued under s. 215.613; pay debt service or to fund debt  
796 service reserve funds, rebate obligations, or other amounts  
797 payable with respect to Florida Forever bonds issued under s.  
798 215.618; and pay debt service, provide reserves, and pay rebate  
799 obligations and other amounts due with respect to Everglades  
800 restoration bonds issued under s. 215.619; and

801 (b) Of the funds remaining after the payments required  
802 under paragraph (a), but before funds may be appropriated,  
803 pledged, or dedicated for other uses:

804 1. A minimum of the lesser of 25 percent or \$200 million  
805 shall be appropriated annually for Everglades projects that  
806 implement the Comprehensive Everglades Restoration Plan as set  
807 forth in s. 373.470, including the Central Everglades Planning  
808 Project subject to Congressional authorization; the Long-Term  
809 Plan as defined in s. 373.4592(2); and the Northern Everglades



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810 and Estuaries Protection Program as set forth in s. 373.4595.  
811 From these funds, \$32 million shall be distributed each fiscal  
812 year through the 2023-2024 fiscal year to the South Florida  
813 Water Management District for the Long-Term Plan as defined in  
814 s. 373.4592(2). After deducting the \$32 million distributed  
815 under this subparagraph, from the funds remaining, a minimum of  
816 the lesser of 76.5 percent or \$100 million shall be appropriated  
817 each fiscal year through the 2025-2026 fiscal year for the  
818 planning, design, engineering, and construction of the  
819 Comprehensive Everglades Restoration Plan as set forth in s.  
820 373.470, including the Central Everglades Planning Project, the  
821 Everglades Agricultural Area Storage Reservoir Project, the Lake  
822 Okeechobee Watershed Project, the C-43 West Basin Storage  
823 Reservoir Project, the C-44 Reservoir Project, the Western  
824 Everglades Restoration Project, the C-111 South-Dade Project,  
825 and the Picayune Strand Restoration Project ~~subject to~~  
826 ~~Congressional authorization~~. The Department of Environmental  
827 Protection and the South Florida Water Management District shall  
828 give preference to those Everglades restoration projects that  
829 reduce harmful discharges of water from Lake Okeechobee to the  
830 St. Lucie or Caloosahatchee estuaries in a timely manner. For  
831 the purpose of performing the calculation provided in this  
832 subparagraph, the amount of debt service paid pursuant to  
833 paragraph (a) for bonds issued after July 1, 2016, for the  
834 purposes set forth under paragraph (b) shall be added to the  
835 amount remaining after the payments required under paragraph  
836 (a). The amount of the distribution calculated shall then be  
837 reduced by an amount equal to the debt service paid pursuant to  
838 paragraph (a) on bonds issued after July 1, 2016, for the



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839 purposes set forth under this subparagraph.

840         2. A minimum of the lesser of 7.6 percent or \$50 million  
841 shall be appropriated annually for spring restoration,  
842 protection, and management projects. For the purpose of  
843 performing the calculation provided in this subparagraph, the  
844 amount of debt service paid pursuant to paragraph (a) for bonds  
845 issued after July 1, 2016, for the purposes set forth under  
846 paragraph (b) shall be added to the amount remaining after the  
847 payments required under paragraph (a). The amount of the  
848 distribution calculated shall then be reduced by an amount equal  
849 to the debt service paid pursuant to paragraph (a) on bonds  
850 issued after July 1, 2016, for the purposes set forth under this  
851 subparagraph.

852         3. The sum of \$5 million shall be appropriated annually  
853 each fiscal year through the 2025-2026 fiscal year to the St.  
854 Johns River Water Management District for projects dedicated to  
855 the restoration of Lake Apopka. This distribution shall be  
856 reduced by an amount equal to the debt service paid pursuant to  
857 paragraph (a) on bonds issued after July 1, 2016, for the  
858 purposes set forth in this subparagraph.

859         4. The sum of \$35 million shall be appropriated annually to  
860 the St. Johns River Water Management District for projects  
861 dedicated to the restoration of the St. Johns River and its  
862 tributaries or the Keystone Heights Lake Region. Such funds may  
863 be used for land management and acquisition and for recreational  
864 opportunity and public access improvements connected with these  
865 areas. This distribution shall be reduced by an amount equal to  
866 the debt service paid pursuant to paragraph (a) on bonds issued  
867 after July 1, 2017, for the purposes set forth in this



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868 subparagraph.

869 5. The sum of \$2 million shall be appropriated annually to  
870 the Department of Environmental Protection to be distributed in  
871 accordance with the existing interlocal agreement among the  
872 Village of Islamorada, the Key Largo Wastewater Treatment  
873 District, the City of Marathon, the Monroe County/Florida Keys  
874 Aqueduct Authority, the City of Key West, and Key Colony Beach,  
875 to address water quality issues and for the purposes of  
876 constructing sewage collection, treatment, and disposal  
877 facilities; implementing stormwater collection and treatment  
878 systems; canal restoration and muck remediation projects; and  
879 projects that protect and enhance water supply in the Florida  
880 Keys Area of Critical State Concern and the City of Key West  
881 Area of Critical State Concern; or, for the purposes of land  
882 acquisition within the Florida Keys Area of Critical Concern as  
883 authorized pursuant to s. 259.045 with increased priority given  
884 to those acquisitions that achieve a combination of conservation  
885 goals, including protecting Florida's water resources and  
886 natural groundwater recharge. A local government requesting  
887 disbursement pursuant to this appropriation shall provide the  
888 Department of Environmental Protection with such documentation  
889 as the department deems necessary to verify that the costs are  
890 properly incurred and work has been performed.

891 6. A sum of \$20 million shall be appropriated annually to  
892 offset or partially offset property owner costs incurred to  
893 retrofit onsite sewage treatment and disposal systems determined  
894 by the Department of Environmental Protection to be individually  
895 or collectively contributing excess nutrient pollution in the  
896 counties contributing to the Indian River Lagoon, the St. Lucie



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897 and Caloosahatchee estuaries, and their watersheds; to connect  
898 properties with such onsite systems to central sewer systems; or  
899 to conduct muck dredging and large-scale stormwater improvements  
900 in counties contributing to the Indian River Lagoon, the St.  
901 Lucie and Caloosahatchee estuaries, and their watersheds. The  
902 Department of Environmental Protection is authorized to use the  
903 appropriated funds to make grants or provide other forms of  
904 financial assistance to local governments and other entities for  
905 these purposes.

906 Section 9. Effective January 1, 2019, and contingent upon  
907 the failure of the district or board to acquire land by November  
908 30, 2018, pursuant to section 373.4598(3)(a) or (b), Florida  
909 Statutes, subsection (3) of section 375.041, Florida Statutes,  
910 as amended by this act, is amended to read:

911 375.041 Land Acquisition Trust Fund.—

912 (3) Funds distributed into the Land Acquisition Trust Fund  
913 pursuant to s. 201.15 shall be applied:

914 (a) First, to pay debt service or to fund debt service  
915 reserve funds, rebate obligations, or other amounts payable with  
916 respect to water resource protection and development bonds  
917 issued under s. 215.613; pay debt service or to fund debt  
918 service reserve funds, rebate obligations, or other amounts  
919 payable with respect to Florida Forever bonds issued under s.  
920 215.618; and pay debt service, provide reserves, and pay rebate  
921 obligations and other amounts due with respect to Everglades  
922 restoration bonds issued under s. 215.619; and

923 (b) Of the funds remaining after the payments required  
924 under paragraph (a), but before funds may be appropriated,  
925 pledged, or dedicated for other uses:





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926           1. A minimum of the lesser of 30 ~~25~~ percent or \$250 ~~\$200~~  
927 million shall be appropriated annually for Everglades projects  
928 that implement the Comprehensive Everglades Restoration Plan as  
929 set forth in s. 373.470, including the Central Everglades  
930 Planning Project subject to Congressional authorization; the  
931 Long-Term Plan as defined in s. 373.4592(2); and the Northern  
932 Everglades and Estuaries Protection Program as set forth in s.  
933 373.4595. From these funds, \$32 million shall be distributed  
934 each fiscal year through the 2023-2024 fiscal year to the South  
935 Florida Water Management District for the Long-Term Plan as  
936 defined in s. 373.4592(2). After deducting the \$32 million  
937 distributed under this subparagraph, from the funds remaining, a  
938 minimum of the lesser of 80 ~~76.5~~ percent or \$150 ~~\$100~~ million  
939 shall be appropriated each fiscal year through the 2025-2026  
940 fiscal year for the planning, design, engineering, and  
941 construction of the Comprehensive Everglades Restoration Plan as  
942 set forth in s. 373.470, including the Central Everglades  
943 Planning Project, the Everglades Agricultural Area Storage  
944 Reservoir Project, the Lake Okeechobee Watershed Project, the C-  
945 43 West Basin Storage Reservoir Project, the C-44 Reservoir  
946 Project, the Western Everglades Restoration Project, the C-111  
947 South-Dade Project, and the Picayune Strand Restoration Project.  
948 The Department of Environmental Protection and the South Florida  
949 Water Management District shall give preference to those  
950 Everglades restoration projects that reduce harmful discharges  
951 of water from Lake Okeechobee to the St. Lucie or Caloosahatchee  
952 estuaries in a timely manner. For the purpose of performing the  
953 calculation provided in this subparagraph, the amount of debt  
954 service paid pursuant to paragraph (a) for bonds issued after



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955 July 1, 2016, for the purposes set forth under paragraph (b)  
956 shall be added to the amount remaining after the payments  
957 required under paragraph (a). The amount of the distribution  
958 calculated shall then be reduced by an amount equal to the debt  
959 service paid pursuant to paragraph (a) on bonds issued after  
960 July 1, 2016, for the purposes set forth under this  
961 subparagraph.

962         2. A minimum of the lesser of 7.6 percent or \$50 million  
963 shall be appropriated annually for spring restoration,  
964 protection, and management projects. For the purpose of  
965 performing the calculation provided in this subparagraph, the  
966 amount of debt service paid pursuant to paragraph (a) for bonds  
967 issued after July 1, 2016, for the purposes set forth under  
968 paragraph (b) shall be added to the amount remaining after the  
969 payments required under paragraph (a). The amount of the  
970 distribution calculated shall then be reduced by an amount equal  
971 to the debt service paid pursuant to paragraph (a) on bonds  
972 issued after July 1, 2016, for the purposes set forth under this  
973 subparagraph.

974         3. The sum of \$5 million shall be appropriated annually  
975 each fiscal year through the 2025-2026 fiscal year to the St.  
976 Johns River Water Management District for projects dedicated to  
977 the restoration of Lake Apopka. This distribution shall be  
978 reduced by an amount equal to the debt service paid pursuant to  
979 paragraph (a) on bonds issued after July 1, 2016, for the  
980 purposes set forth in this subparagraph.

981         4. The sum of \$35 million shall be appropriated annually to  
982 the St. Johns River Water Management District for projects  
983 dedicated to the restoration of the St. Johns River and its



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984 tributaries or the Keystone Heights Lake Region. Such funds may  
985 be used for land management and acquisition and for recreational  
986 opportunity and public access improvements connected with these  
987 areas. This distribution shall be reduced by an amount equal to  
988 the debt service paid pursuant to paragraph (a) on bonds issued  
989 after July 1, 2017, for the purposes set forth in this  
990 subparagraph.

991         5. The sum of \$2 million shall be appropriated annually to  
992 the Department of Environmental Protection to be distributed in  
993 accordance with the existing interlocal agreement among the  
994 Village of Islamorada, the Key Largo Wastewater Treatment  
995 District, the City of Marathon, the Monroe County/Florida Keys  
996 Aqueduct Authority, the City of Key West, and Key Colony Beach,  
997 to address water quality issues and for the purposes of  
998 constructing sewage collection, treatment, and disposal  
999 facilities; implementing stormwater collection and treatment  
1000 systems; canal restoration and muck remediation projects; and  
1001 projects that protect and enhance water supply in the Florida  
1002 Keys Area of Critical State Concern and the City of Key West  
1003 Area of Critical State Concern; or, for the purposes of land  
1004 acquisition within the Florida Keys Area of Critical Concern as  
1005 authorized pursuant to s. 259.045 with increased priority given  
1006 to those acquisitions that achieve a combination of conservation  
1007 goals, including protecting Florida's water resources and  
1008 natural groundwater recharge. A local government requesting  
1009 disbursement pursuant to this appropriation shall provide the  
1010 Department of Environmental Protection with such documentation  
1011 as the department deems necessary to verify that the costs are  
1012 properly incurred and work has been performed.



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1013           6. A sum of \$20 million shall be appropriated annually to  
1014 offset or partially offset property owner costs incurred to  
1015 retrofit onsite sewage treatment and disposal systems determined  
1016 by the Department of Environmental Protection to be individually  
1017 or collectively contributing excess nutrient pollution in the  
1018 counties contributing to the Indian River Lagoon, the St. Lucie  
1019 and Caloosahatchee estuaries, and their watersheds; to connect  
1020 properties with such onsite systems to central sewer systems; or  
1021 to conduct muck dredging and large-scale stormwater improvements  
1022 in counties contributing to the Indian River Lagoon, the St.  
1023 Lucie and Caloosahatchee estuaries, and their watersheds. The  
1024 Department of Environmental Protection is authorized to use the  
1025 appropriated funds to make grants or provide other forms of  
1026 financial assistance to local governments and other entities for  
1027 these purposes.

1028           Section 10. Section 403.0878, Florida Statutes, is created  
1029 to read:

1030           403.0878 Water reuse grant program.—The department shall  
1031 establish a water reuse grant program. The department shall use  
1032 funds specifically appropriated to award grants under this  
1033 section to assist wastewater treatment facilities to expand the  
1034 facilities' capacity to make reclaimed water available for  
1035 reuse.

1036           (1) In accordance with rules adopted by the department  
1037 pursuant to this section, the department may provide grants,  
1038 from funds specifically appropriated for this purpose, to  
1039 wastewater facilities for up to 100 percent of the costs of  
1040 planning, designing, constructing, upgrading, or replacing  
1041 wastewater collection, transmission, and treatment designed to



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1042 expand the facility's capacity to make reclaimed water available  
1043 for reuse.

1044 (2) The department's rules must:

1045 (a) Require that projects to plan, design, construct,  
1046 upgrade, or replace wastewater collection, transmission,  
1047 treatment, and reuse facilities be cost-effective,  
1048 environmentally sound, permittable, and implementable.

1049 (b) Require grant applications to be submitted on  
1050 appropriate forms with appropriate supporting documentation, and  
1051 require records to be maintained.

1052 (c) Establish a system to determine eligibility of grant  
1053 applications.

1054 (d) Establish a system to determine the relative priority  
1055 of grant applications. The system must consider public health  
1056 protection and water pollution abatement.

1057 (e) Establish requirements for competitive procurement of  
1058 engineering and construction services, materials, and equipment.

1059 (f) Provide for termination of grants when program  
1060 requirements are not met.

1061 (3) The department must perform adequate overview of each  
1062 awarded grant, including technical review, regular inspections,  
1063 disbursement approvals, and auditing, to successfully implement  
1064 this section.

1065 (4) The department may use up to 2 percent of the grant  
1066 funds made available each year for the costs of program  
1067 administration.

1068 (5) Recipients of financial assistance under this section  
1069 may receive disbursements based upon invoiced costs and are not  
1070 required to request advance payment pursuant to s. 216.181(16).



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1071 Proof of payment of invoiced costs shall be submitted before or  
1072 concurrent with the recipient's next disbursement request.

1073 Section 11. The Legislature finds that sufficient water  
1074 availability is a paramount concern for existing and future  
1075 reasonable-beneficial uses and natural systems in this state.  
1076 The projected population of this state is estimated to exceed 25  
1077 million by the year 2040, and cooperative efforts between  
1078 municipalities, counties, utility companies, private landowners,  
1079 water consumers, water management districts, regional water  
1080 supply authorities, the Department of Environmental Protection,  
1081 and the Department of Agriculture and Consumer Services are  
1082 necessary in order to meet water needs in a manner that will  
1083 supply adequate and dependable supplies of water where needed  
1084 without causing adverse effects in the area from which water is  
1085 withdrawn. Water supply projects should employ all practical  
1086 means of obtaining water, including, but not limited to,  
1087 withdrawals of surface water and groundwater, reclaimed water,  
1088 and desalination, and properly implementing these projects will  
1089 require cooperation and well-coordinated activities. Therefore,  
1090 it is the policy of this state that projects to increase water  
1091 supply be planned on a regional basis.

1092 Section 12. Present paragraph (f) of subsection (5) of  
1093 section 215.44, Florida Statutes, is redesignated as paragraph  
1094 (g), and a new paragraph (f) is added to that subsection, to  
1095 read:

1096 215.44 Board of Administration; powers and duties in  
1097 relation to investment of trust funds.—

1098 (5) On or before January 1 of each year, the board shall  
1099 provide to the Legislature a report including the following



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1100 items for each fund which, by law, has been entrusted to the  
1101 board for investment:

1102 (f) A summary of the type and amount of potential water  
1103 supply investments that will have the effect of increasing water  
1104 supply in the state on a regional basis.

1105 Section 13. Section 403.890, Florida Statutes, is amended  
1106 to read:

1107 403.890 Water Protection and Sustainability Program.—

1108 (1) Revenues deposited into or appropriated to the Water  
1109 Protection and Sustainability Program Trust Fund shall be  
1110 distributed by the Department of Environmental Protection for  
1111 the following purposes in the following manner:

1112 (a) ~~(1) Sixty-five percent to the Department of~~  
1113 ~~Environmental Protection for The implementation of an~~  
1114 ~~alternative water supply program as provided in s. 373.707.~~

1115 (b) The water storage facility revolving loan fund as  
1116 provided in s. 373.478.

1117 (2) Revenues deposited into or appropriated to the Water  
1118 Protection and Sustainability Program Trust Fund for purposes of  
1119 the water storage facility revolving loan fund may only be used  
1120 for such purposes.

1121 ~~(2) Twenty-two and five-tenths percent for the~~  
1122 ~~implementation of best management practices and capital project~~  
1123 ~~expenditures necessary for the implementation of the goals of~~  
1124 ~~the total maximum daily load program established in s. 403.067.~~  
1125 ~~Of these funds, 83.33 percent shall be transferred to the credit~~  
1126 ~~of the Department of Environmental Protection Water Quality~~  
1127 ~~Assurance Trust Fund to address water quality impacts associated~~  
1128 ~~with nonagricultural nonpoint sources. Sixteen and sixty-seven~~



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1129 ~~hundredths percent of these funds shall be transferred to the~~  
1130 ~~Department of Agriculture and Consumer Services General~~  
1131 ~~Inspection Trust Fund to address water quality impacts~~  
1132 ~~associated with agricultural nonpoint sources. These funds shall~~  
1133 ~~be used for research, development, demonstration, and~~  
1134 ~~implementation of the total maximum daily load program under s.~~  
1135 ~~403.067, suitable best management practices or other measures~~  
1136 ~~used to achieve water quality standards in surface waters and~~  
1137 ~~water segments identified pursuant to s. 303(d) of the Clean~~  
1138 ~~Water Act, Pub. L. No. 92-500, 33 U.S.C. ss. 1251 et seq.~~  
1139 ~~Implementation of best management practices and other measures~~  
1140 ~~may include cost-share grants, technical assistance,~~  
1141 ~~implementation tracking, and conservation leases or other~~  
1142 ~~agreements for water quality improvement. The Department of~~  
1143 ~~Environmental Protection and the Department of Agriculture and~~  
1144 ~~Consumer Services may adopt rules governing the distribution of~~  
1145 ~~funds for implementation of capital projects, best management~~  
1146 ~~practices, and other measures. These funds shall not be used to~~  
1147 ~~abrogate the financial responsibility of those point and~~  
1148 ~~nonpoint sources that have contributed to the degradation of~~  
1149 ~~water or land areas. Increased priority shall be given by the~~  
1150 ~~department and the water management district governing boards to~~  
1151 ~~those projects that have secured a cost-sharing agreement~~  
1152 ~~allocating responsibility for the cleanup of point and nonpoint~~  
1153 ~~sources.~~

1154 ~~(3) Twelve and five-tenths percent to the Department of~~  
1155 ~~Environmental Protection for the Disadvantaged Small Community~~  
1156 ~~Wastewater Grant Program as provided in s. 403.1838.~~

1157 ~~(3)(4) On June 30, 2009, and every 24 months thereafter,~~





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1158 the Department of Environmental Protection shall request the  
1159 return of all unencumbered funds distributed for the purposes of  
1160 the alternative water supply program pursuant to this section.  
1161 These funds shall be deposited into the Water Protection and  
1162 Sustainability Program Trust Fund and redistributed for such  
1163 purposes pursuant to the provisions of this section.

1164 Section 14. The South Florida Water Management District and  
1165 the Board of Trustees of the Internal Improvement Trust Fund  
1166 shall notify the Division of Law Revision and Information no  
1167 later than December 1, 2018, whether they have acquired land  
1168 pursuant to s. 373.4598, Florida Statutes.

1169 Section 15. The Division of Law Revision and Information is  
1170 directed to replace the phrase "the effective date of this act"  
1171 wherever it occurs in this act with the date the act becomes a  
1172 law.

1173 Section 16. Contingent upon bonds being issued for the  
1174 purposes of s. 373.4598, Florida Statutes, and if land is  
1175 acquired pursuant to s. 373.4598(3)(a), Florida Statutes, the  
1176 sum of \$64 million in recurring funds from the Land Acquisition  
1177 Trust Fund is appropriated for the 2017-2018 fiscal year to pay  
1178 debt service on bonds that implement this act and are issued  
1179 pursuant to s. 215.613, Florida Statutes.

1180 Section 17. Contingent upon bonds being issued for the  
1181 purposes of s. 373.4598, Florida Statutes, and if land is  
1182 acquired pursuant to s. 373.4598(3)(a), Florida Statutes, the  
1183 sum of \$36 million in recurring funds from the Land Acquisition  
1184 Trust Fund is appropriated for the 2018-2019 fiscal year to pay  
1185 debt service on bonds that implement this act and are issued  
1186 pursuant to s. 215.613, Florida Statutes.



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1187           Section 18. Contingent upon bonds being issued for the  
1188 purposes of s. 373.4598, Florida Statutes, and if land is  
1189 acquired pursuant to s. 373.4598(3)(b), Florida Statutes, the  
1190 sum of \$100 million in recurring funds from the Land Acquisition  
1191 Trust Fund is appropriated for the 2018-2019 fiscal year to pay  
1192 debt service on bonds that implement this act and are issued  
1193 pursuant to s. 215.613, Florida Statutes.

1194           Section 19. Except as otherwise expressly provided in this  
1195 act, this act shall take effect upon becoming a law.  
1196