

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Appropriations Committee
 2 Representative Caldwell offered the following:

Amendment (with title amendment)

5 Remove lines 1656-2350 and insert:

6 Section 13. Paragraph (j) is added to subsection (4) of
 7 section 260.0142, Florida Statutes, to read:

8 260.0142 Florida Greenways and Trails Council;
 9 composition; powers and duties.—

10 (4) The duties of the council shall include the following:

11 (j) Assist state agencies, local governments, and trail
 12 support organizations seeking recognition and designation from
 13 regional and national recreation organizations for outstanding
 14 and interconnected trail systems or trail centers.

15 Section 14. Paragraph (a) of subsection (2) of section
 16 260.016, Florida Statutes, is amended to read:

Amendment No. 2

17 260.016 General powers of the department.-

18 (2) The department shall:

19 (a) Evaluate lands for the acquisition of greenways and
20 trails and compile a list of suitable corridors, greenways, and
21 trails, ranking them in order of priority for proposed
22 acquisition. The department shall devise a method of evaluation
23 which includes, but is not limited to, the consideration of:

24 1. The importance and function of such corridors within
25 the statewide system as reflected on the opportunity maps; and

26 2. The landowners' willingness to negotiate;

27 3. The trail system's ability to connect communities,
28 developed and natural areas, and other recreational
29 opportunities; and

30 4. The trail system's potential to receive recognition and
31 designation from regional and national recreation organizations
32 for outstanding and interconnected trail systems or trail
33 centers.

34 Section 15. Subsections (9), (10), and (11) are added to
35 section 373.089, Florida Statutes, to read:

36 373.089 Sale or exchange of lands, or interests or rights
37 in lands.—The governing board of the district may sell lands, or
38 interests or rights in lands, to which the district has acquired
39 title or to which it may hereafter acquire title in the
40 following manner:

41 (9) No disposition of land may be made if it would cause

Amendment No. 2

42 all or any portion of the interest on any revenue bonds to fund
43 acquisitions made by the district to lose the exclusion from
44 gross income for purposes of federal income taxation. Proceeds
45 derived from such disposition may not be used for any purpose
46 except the purchase of other lands meeting the criteria
47 specified in s. 373.139 or payment of debt service on revenue
48 bonds or notes issued under s. 373.584.

49 (10) Proceeds from the sale of surplus conservation lands
50 purchased with Florida Forever funds before July 1, 2015, shall
51 be deposited into the Florida Forever Trust Fund if the district
52 does not use the proceeds to purchase other lands meeting the
53 criteria specified in s. 373.139 or payment of debt service on
54 revenue bonds or notes issued under s. 373.584 within 3 years.
55 If the district purchased the conservation land with multiple
56 revenue sources, the district shall deposit an amount based on
57 the percentage of Florida Forever funds used for the original
58 purchase.

59 (11) Proceeds from the sale of surplus conservation lands
60 purchased with state funds on or after July 1, 2015, shall be
61 deposited into the Land Acquisition Trust Fund if the district
62 does not use the proceeds to purchase other lands meeting the
63 criteria specified in s. 373.139 or payment of debt service on
64 revenue bonds or notes issued under s. 373.584 within 3 years.
65 If the district purchased the conservation land with funds other
66 than those from the Land Acquisition Trust Fund or a land

Amendment No. 2

67 acquisition trust fund created to implement s. 28, Art. X of the
68 State Constitution, the proceeds shall be deposited into the
69 fund from which the land was purchased. If the district
70 purchased the conservation land with multiple revenue sources,
71 the district shall deposit an amount based on the percentage of
72 state funds used for the original purchase.

73

74 If the Board of Trustees of the Internal Improvement Trust Fund
75 declines to accept title to the lands offered under this
76 section, the land may be disposed of by the district under the
77 provisions of this section.

78 Section 16. Subsection (6) of section 373.139, Florida
79 Statutes, is amended to read:

80 373.139 Acquisition of real property.—

81 ~~(6) A district may dispose of land acquired under this~~
82 ~~section pursuant to s. 373.056 or s. 373.089. However, no such~~
83 ~~disposition of land shall be made if it would have the effect of~~
84 ~~causing all or any portion of the interest on any revenue bonds~~
85 ~~issued pursuant to s. 259.101 or s. 259.105 to fund the~~
86 ~~acquisition programs detailed in this section to lose the~~
87 ~~exclusion from gross income for purposes of federal income~~
88 ~~taxation. Revenue derived from such disposition may not be used~~
89 ~~for any purpose except the purchase of other lands meeting the~~
90 ~~criteria specified in this section or payment of debt service on~~
91 ~~revenue bonds or notes issued under s. 373.584.~~

058745 - h7063 line1656 Caldwell12.docx

Published On: 2/21/2018 6:48:05 PM

Amendment No. 2

92 Section 17. Subsection (7) is added to section 373.1391,
93 Florida Statutes, to read:

94 373.1391 Management of real property.—

95 (7) All revenues generated through multiple-use management
96 or compatible secondary-use management of district conservation
97 lands purchased with state funds shall be retained by the
98 district responsible for such management and shall be used to
99 pay for management activities on all conservation, preservation,
100 and recreation lands under the district's jurisdiction. In
101 addition, such revenues shall be segregated in a district trust
102 fund or special revenue account and shall remain available to
103 the district in subsequent fiscal years to fund land management
104 activities.

105 Section 18. Paragraph (h) of subsection (4) of section
106 373.199, Florida Statutes, is amended to read:

107 373.199 Florida Forever Water Management District Work
108 Plan.—

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

111 (h) A clear and concise estimate of the funding needed to
112 carry out the restoration, protection, or improvement project,
113 or the development of new water resources, where applicable, and
114 a clear and concise identification of the projected sources and
115 uses of Florida Forever funds. Only the land acquisition
116 elements and associated land acquisition costs for projects

Amendment No. 2

117 identified on the list may receive Florida Forever funding. All
118 other project elements must use other funding sources.

119 Section 19. Paragraph (d) of subsection (9) of section
120 373.4598, Florida Statutes, is amended and paragraph (f) is
121 added to that subsection to read:

122 373.4598 Water storage reservoirs.—

123 (9) C-51 RESERVOIR PROJECT.—

124 (d) If state funds are appropriated for Phase I or Phase
125 II of the C-51 reservoir project:

126 1. The district, to the extent practicable, must ~~shall~~
127 operate either Phase I or Phase II of the reservoir project to
128 maximize the reduction of high-volume Lake Okeechobee regulatory
129 releases to the St. Lucie or Caloosahatchee estuaries, in
130 addition to maximizing the reduction of harmful discharges
131 ~~providing relief~~ to the Lake Worth Lagoon. However, the
132 operation of Phase I of the C-51 reservoir project must be in
133 accordance with any operation and maintenance agreement adopted
134 by the district;

135 2. Water made available by Phase I or Phase II of the
136 reservoir ~~must~~ ~~shall~~ be used for natural systems in addition to
137 any permitted ~~allocated~~ amounts for water supply; and

138 3. ~~Any~~ Water received from Lake Okeechobee may only ~~not~~ be
139 available to support consumptive use permits if such use is in
140 accordance with the district rules.

141 (f) The district may enter into a capacity allocation

Amendment No. 2

142 agreement with a water supply entity for a pro rata share of
143 unreserved capacity in the water storage facility and may
144 request the department to waive repayment of all or a portion of
145 the loan issued pursuant to s. 373.475. The department may
146 authorize such waiver if the department determines it has
147 received reasonable value for such waiver. The district is not
148 responsible for repaying any portion of the loan issued pursuant
149 to s. 373.475, which is waived pursuant to this paragraph.

150 Section 20. Subsection (10) is added to section 373.713,
151 Florida Statutes, to read:

152 373.713 Regional water supply authorities.—

153 (10) Each regional water supply authority shall annually
154 coordinate with the appropriate water management district to
155 submit a status report on water resource development projects
156 receiving state funding for inclusion in the consolidated water
157 management district annual report required by s. 373.036(7).

158 Section 21. Paragraph (b) of subsection (3) of section
159 375.041, Florida Statutes, is amended to read:

160 375.041 Land Acquisition Trust Fund.—

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

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

166 1. A minimum of the lesser of 25 percent or \$200 million

Amendment No. 2

167 shall be appropriated annually for Everglades projects that
168 implement the Comprehensive Everglades Restoration Plan as set
169 forth in s. 373.470, including the Central Everglades Planning
170 Project subject to Congressional authorization; the Long-Term
171 Plan as defined in s. 373.4592(2); and the Northern Everglades
172 and Estuaries Protection Program as set forth in s. 373.4595.
173 From these funds, \$32 million shall be distributed each fiscal
174 year through the 2023-2024 fiscal year to the South Florida
175 Water Management District for the Long-Term Plan as defined in
176 s. 373.4592(2). After deducting the \$32 million distributed
177 under this subparagraph, from the funds remaining, a minimum of
178 the lesser of 76.5 percent or \$100 million shall be appropriated
179 each fiscal year through the 2025-2026 fiscal year for the
180 planning, design, engineering, and construction of the
181 Comprehensive Everglades Restoration Plan as set forth in s.
182 373.470, including the Central Everglades Planning Project , the
183 Everglades Agricultural Area Storage Reservoir Project, the Lake
184 Okeechobee Watershed Project, the C-43 West Basin Storage
185 Reservoir Project, the Indian River Lagoon-South Project, the
186 Western Everglades Restoration Project, and the Picayune Strand
187 Restoration Project. The Department of Environmental Protection
188 and the South Florida Water Management District shall give
189 preference to those Everglades restoration projects that reduce
190 harmful discharges of water from Lake Okeechobee to the St.
191 Lucie or Caloosahatchee estuaries in a timely manner, with the

Amendment No. 2

192 highest priority given to the C-43 West Basin Storage Reservoir
193 Project. For the purpose of performing the calculation provided
194 in this subparagraph, the amount of debt service paid pursuant
195 to paragraph (a) for bonds issued after July 1, 2016, for the
196 purposes set forth under paragraph (b) shall be added to the
197 amount remaining after the payments required under paragraph
198 (a). The amount of the distribution calculated shall then be
199 reduced by an amount equal to the debt service paid pursuant to
200 paragraph (a) on bonds issued after July 1, 2016, for the
201 purposes set forth under this subparagraph.

202 2. A minimum of the lesser of 7.6 percent or \$50 million
203 shall be appropriated annually for spring restoration,
204 protection, and management projects. For the purpose of
205 performing the calculation provided in this subparagraph, the
206 amount of debt service paid pursuant to paragraph (a) for bonds
207 issued after July 1, 2016, for the purposes set forth under
208 paragraph (b) shall be added to the amount remaining after the
209 payments required under paragraph (a). The amount of the
210 distribution calculated shall then be reduced by an amount equal
211 to the debt service paid pursuant to paragraph (a) on bonds
212 issued after July 1, 2016, for the purposes set forth under this
213 subparagraph.

214 3. The sum of \$5 million shall be appropriated annually
215 each fiscal year through the 2025-2026 fiscal year to the St.
216 Johns River Water Management District for projects dedicated to

Amendment No. 2

217 the restoration of Lake Apopka. This distribution shall be
218 reduced by an amount equal to the debt service paid pursuant to
219 paragraph (a) on bonds issued after July 1, 2016, for the
220 purposes set forth in this subparagraph.

221 4. The sum of \$64 million is appropriated and shall be
222 transferred to the Everglades Trust Fund for the 2018-2019
223 fiscal year, and each fiscal year thereafter, for the EAA
224 reservoir project pursuant to s. 373.4598. Any funds remaining
225 in any fiscal year shall be made available only for Phase II of
226 the C-51 reservoir project or projects identified in
227 subparagraph 1. and must be used in accordance with laws
228 relating to such projects. Any funds made available for such
229 purposes in a fiscal year are in addition to the amount
230 appropriated under subparagraph 1. This distribution shall be
231 reduced by an amount equal to the debt service paid pursuant to
232 paragraph (a) on bonds issued after July 1, 2017, for the
233 purposes set forth in this subparagraph.

234 5. The following sums shall be appropriated annually each
235 fiscal year to the Florida Forever Trust Fund for distribution
236 by the Department of Environmental Protection pursuant to s.
237 259.105(3):

238 a. For the 2019-2020 fiscal year and the 2020-2021 fiscal
239 year, the sum of \$57 million.

240 b. For the 2021-2022 fiscal year, the sum of \$78 million.

241 c. For the 2022-2023 fiscal year, the sum of \$89 million.

Amendment No. 2

242 d. For the 2023-2024 fiscal year and the 2024-2025 fiscal
243 year, the sum of \$110 million.

244 e. For the 2025-2026 fiscal year, the sum of \$127 million.

245 f. For the 2026-2027 fiscal year, the sum of \$147 million.

246 g. For the 2027-2028 fiscal year, the sum of \$157 million.

247 h. For the 2028-2029 fiscal year, the sum of \$179 million.

248 i. For the 2029-2030 fiscal year and each fiscal year
249 through the 2035-2036 fiscal year, the sum of \$200 million.

250
251 The distribution shall be reduced by an amount equal to the debt
252 service paid pursuant to paragraph (a) on bonds issued after
253 July 1, 2018, for the purposes set forth in this subparagraph.

254 ~~5. Notwithstanding subparagraph 3., for the 2017-2018~~
255 ~~fiscal year, funds shall be appropriated as provided in the~~
256 ~~General Appropriations Act. This subparagraph expires July 1,~~
257 ~~2018.~~

258 Section 22. Subsection (3) of section 380.508, Florida
259 Statutes, is amended to read:

260 380.508 Projects; development, review, and approval.—

261 (3) In accordance with procedures adopted by the trust,
262 local governments and nonprofit organizations may propose
263 projects for the trust to consider for funding or technical
264 assistance. When a local government demonstrates the need for
265 assistance in preparing a project proposal, the trust, whenever
266 possible, shall provide such assistance. When selecting projects

Amendment No. 2

267 to provide funding or technical assistance, the trust must
268 emphasize projects that enhance the coordination and completion
269 of land acquisition projects, as measured by:

270 (a) The number of acres acquired that enhance essential
271 natural resources, contribute to ecosystem service parcels, and
272 connect linkage corridors;

273 (b) The number of shared acquisition projects among
274 Florida Forever funding partners and partners with other funding
275 sources, including local governments and the federal government;
276 and

277 (c) For urban greenways and open space projects, the number
278 of acres acquired that connect communities, developed and
279 natural areas, and other recreational opportunities that have
280 the potential to receive recognition and designation from
281 regional and national recreation organizations for outstanding
282 and interconnected trail systems or trail centers.

283 Section 23. Subsection (4) of section 388.261, Florida
284 Statutes, is amended to read:

285 388.261 State aid to counties and districts for arthropod
286 control; distribution priorities and limitations.—

287 (4) The department must use Up to 20 percent of the annual
288 funds appropriated to local governments for ~~arthropod control~~
289 ~~may be used for~~ arthropod control research or demonstration
290 projects as approved by the department.

Amendment No. 2

291 Section 24. Paragraph (c) is added to subsection (12) of
292 section 403.067, Florida Statutes, to read:

293 403.067 Establishment and implementation of total maximum
294 daily loads.—

295 (12) IMPLEMENTATION OF ADDITIONAL PROGRAMS.—

296 (c) The department may consider and include innovative
297 nutrient reduction pilot projects designed to reduce nutrient
298 pollution as part of basin management action plans pursuant to
299 subsection (7). The department may also provide cost-share
300 funding for innovative nutrient reduction pilot projects.

301 Section 25. Section 403.0891, Florida Statutes, is amended
302 to read:

303 403.0891 State, regional, and local stormwater management
304 plans and programs.—The department, the water management
305 districts, ~~and~~ local governments, and the Department of
306 Transportation shall have the responsibility for the development
307 of mutually compatible stormwater management programs.

308 (1) The department shall include goals in the water
309 resource implementation rule for the proper management of
310 stormwater.

311 (2) Each water management district to which the state's
312 stormwater management program is delegated shall establish
313 district and, where appropriate, watershed or drainage basin
314 stormwater management goals which are consistent with the goals
315 adopted by the state and with plans adopted pursuant to ss.

Amendment No. 2

316 373.451-373.4595, the Surface Water Improvement and Management
317 Act.

318 (3) (a) Each local government required by chapter 163 to
319 submit a comprehensive plan, whose plan is submitted after July
320 1, 1992, and the others when updated after July 1, 1992, in the
321 development of its stormwater management program described by
322 elements within its comprehensive plan shall consider the water
323 resource implementation rule, district stormwater management
324 goals, plans approved pursuant to the Surface Water Improvement
325 and Management Act, ss. 373.451-373.4595, and technical
326 assistance information provided by the water management
327 districts pursuant to s. 373.711.

328 (b) Local governments are encouraged to consult with the
329 water management districts, the Department of Transportation,
330 and the department before adopting or updating their local
331 government comprehensive plan or public facilities report as
332 required by s. 189.08, whichever is applicable.

333 (4) The department, in coordination and cooperation with
334 water management districts and local governments, shall conduct
335 a continuing review of the costs of stormwater management
336 systems and the effect on water quality and quantity, and fish
337 and wildlife values. The department, the water management
338 districts, and local governments shall use the review for
339 planning purposes and to establish priorities for watersheds and
340 stormwater management systems which require better management

Amendment No. 2

341 and treatment of stormwater with emphasis on the costs and
342 benefits of needed improvements to stormwater management systems
343 to better meet needs for flood protection and protection of
344 water quality, and fish and wildlife values.

345 (5) The results of the review shall be maintained by the
346 department and the water management districts and shall be
347 provided to appropriate local governments or other parties on
348 request. The results also shall be used in the development of
349 the goals developed pursuant to subsections (1) and (2).

350 (6) The department and the Department of Economic
351 Opportunity, in cooperation with local governments in the
352 coastal zone, shall develop a model stormwater management
353 program that could be adopted by local governments. The model
354 program shall contain dedicated funding options, including a
355 stormwater utility fee system based upon an equitable unit cost
356 approach. Funding options shall be designed to generate capital
357 to retrofit existing stormwater management systems, build new
358 treatment systems, operate facilities, and maintain and service
359 debt.

360 (7) The Department of Transportation shall coordinate with
361 the department, water management districts, and local
362 governments to determine whether it is economically feasible to
363 use stormwater resulting from road construction projects for the
364 beneficial use of providing alternative water supplies,
365 including, but not limited to, directing stormwater to reclaimed

Amendment No. 2

366 water facilities or water storage reservoirs. If the affected
367 parties determine that beneficial use of such stormwater is
368 economically feasible, such use shall be implemented by the
369 parties. The department, in consultation with the Department of
370 Transportation, may adopt rules to implement this subsection.

371 Section 26. Subsection (12) of section 403.814, Florida
372 Statutes, is amended to read:

373 403.814 General permits; delegation.-

374 (12) A general permit is granted for the construction,
375 alteration, and maintenance of a stormwater management system
376 serving a total project area of up to 10 acres meeting the
377 criteria of this subsection. Such stormwater management systems
378 must be designed, operated, and maintained in accordance with
379 applicable rules adopted pursuant to part IV of chapter 373.
380 There is a rebuttable presumption that the discharge from such
381 systems complies with state water quality standards. The
382 construction of such a system may proceed without any further
383 agency action by the department or water management district if,
384 before construction begins, an electronic self-certification is
385 submitted to the department or water management district which
386 certifies that the proposed system was designed by a Florida
387 registered professional and that the registered professional has
388 certified that the proposed system meets the requirements of
389 this section and will meet the following additional
390 requirements:

058745 - h7063 line1656 Caldwell12.docx

Published On: 2/21/2018 6:48:05 PM

Amendment No. 2

391 (a) The total project area involves less than 10 acres and
392 less than 2 acres of impervious surface;

393 (b) Activities will not impact wetlands or other surface
394 waters;

395 (c) Activities are not conducted in, on, or over wetlands
396 or other surface waters;

397 (d) Drainage facilities will not include pipes having
398 diameters greater than 24 inches, or the hydraulic equivalent,
399 and will not use pumps in any manner;

400 (e) The project is not part of a larger common plan,
401 development, or sale; and

402 (f) The project does not cause or contribute to:

403 1. ~~Cause~~ Adverse water quantity or flooding impacts to
404 receiving water and adjacent lands;

405 2. ~~Cause~~ Adverse impacts to existing surface water storage
406 and conveyance capabilities;

407 3. ~~Cause~~ A violation of state water quality standards; or

408 4. ~~Cause~~ An adverse impact to the maintenance of surface
409 or ground water levels or surface water flows established
410 pursuant to s. 373.042 or a work of the district established
411 pursuant to s. 373.086.

412 Section 27. Section 403.892, Florida Statutes, is created
413 to read:

414 403.892 Asset management plan and reserve fund.-

415 (1) The Legislature finds the development and

Amendment No. 2

416 implementation of an asset management program by public water
417 systems and domestic wastewater treatment systems that includes
418 a long-range financial planning component is consistent with
419 industry best practices and is necessary to achieve sustainable
420 infrastructure and protect public health. An asset management
421 program is implemented through a written asset management plan
422 that includes detailed asset inventories, sustainable levels of
423 service and performance goals, identification and ranking of
424 assets critical to sustainable performance, analysis of minimum
425 life-cycle costs, and optimum long-term funding strategies.

426 (2) By August 1, 2020, each public water system, as
427 defined in s. 403.852, and domestic wastewater treatment system
428 shall develop a written asset management plan in accordance with
429 United States Environmental Protection Agency guidance on asset
430 management for water and wastewater utilities. The asset
431 management plan shall be updated annually. The plan and annual
432 updates to the plan shall be posted on a publicly available
433 website. As used in this section, the term "domestic wastewater
434 treatment system" means any plant or other works used to treat,
435 stabilize, or hold domestic wastes, including pipelines or
436 conduits, pumping stations, and force mains and all other
437 structures, devices, appurtenances, and facilities used for
438 collecting or conducting wastes to an ultimate point for
439 treatment or disposal. A domestic wastewater treatment system
440 does not include an onsite sewage treatment and disposal system

058745 - h7063 line1656 Caldwell12.docx

Published On: 2/21/2018 6:48:05 PM

Amendment No. 2

441 as defined in s. 381.0065.

442 (3) To be eligible for state funding, a public water
443 system or domestic wastewater treatment system must demonstrate
444 that it is implementing an asset management plan in accordance
445 with this section, and the plan adequately addresses long-term
446 funding strategies for maintaining assets to meet required
447 levels of service and long-term system needs. Funding strategies
448 may include a rate structure appropriate for the customer base,
449 use of reserves or other forms of asset annuities, and financing
450 mechanisms for repair and replacement of assets.

451 Section 28. Section 403.893, Florida Statutes, is created
452 to read:

453 403.893 Public water system and domestic wastewater
454 treatment system infrastructure floodplain resiliency.—It is the
455 policy of the state to encourage public water systems and
456 domestic wastewater treatment systems to increase the resilience
457 of their critical infrastructure against flooding. Any new
458 infrastructure for a public water system or domestic wastewater
459 treatment system located within an area identified in accordance
460 with the Federal Emergency Management Agency's 100-year and 500-
461 year flood maps as a special flood hazard area or a moderate
462 flood hazard area must be built to withstand the respective
463 flood conditions. Such new infrastructure must include, at a
464 minimum, elevated control panels and appurtenant structures
465 above the flood prone elevation and submersible components,

058745 - h7063 line1656 Caldwell12.docx

Published On: 2/21/2018 6:48:05 PM

Amendment No. 2

466 including pumps and flow meters.

467 Section 29. Subsection (9) is added to section 570.76,
468 Florida Statutes, to read:

469 570.76 Department of Agriculture and Consumer Services;
470 powers and duties.—For the accomplishment of the purposes
471 specified in this act, the department shall have all powers and
472 duties necessary, including, but not limited to, the power and
473 duty to:

474 (9) Provide assistance to local governments in
475 administering local rural-lands-protection easement programs.
476 The department may provide technical support to review
477 applications for inclusion in the local government's program and
478 monitor compliance with the conservation easements. The
479 department may not use any state funds to assist in the purchase
480 of such easements or pay any acquisition costs. The local
481 government must compensate the department for its services. The
482 agreement for assistance must be documented in a memorandum of
483 agreement between the department and the local government. The
484 title to such conservation easements shall be held in the name
485 of the local government.

486 Section 30. Section 1004.49, Florida Statutes, is amended
487 to read:

488 1004.49 Florida LAKEWATCH Program.—The Florida LAKEWATCH
489 Program is hereby created within the School of Forest Resources
490 and Conservation's Fisheries and Aquatic Sciences Program

Amendment No. 2

491 ~~Department of Fisheries and Aquaculture~~ of the Institute of Food
492 and Agricultural Sciences at the University of Florida. The
493 purpose of the program is to provide public education and
494 training with respect to the water quality of Florida's lakes.
495 The Fisheries and Aquatic Sciences Program ~~Department of~~
496 ~~Fisheries and Aquaculture~~ may, in implementing the LAKEWATCH
497 program:

498 (1) Train, supervise, and coordinate volunteers to collect
499 water quality data from Florida's lakes, streams, and estuaries.

500 (2) Compile the data collected by volunteers.

501 (3) Disseminate information to the public about the
502 LAKEWATCH program.

503 (4) Provide or loan equipment to volunteers in the
504 program.

505 (5) Perform other functions as may be necessary or
506 beneficial in coordinating the LAKEWATCH program.

507
508 Data collected and compiled shall be used to establish trends
509 and provide general background information and may shall in no
510 instance be used by the Department of Environmental Protection
511 if the data collection methods meet sufficient quality assurance
512 and quality control requirements approved by the Department of
513 Environmental Protection in a regulatory proceeding.

514 Section 31. Subsection (1) of section 20.3315, Florida
515 Statutes, is amended to read:

058745 - h7063 line1656 Caldwell12.docx

Published On: 2/21/2018 6:48:05 PM

Amendment No. 2

516 20.3315 Florida Forever Program Trust Fund of the Florida
517 Fish and Wildlife Conservation Commission.—

518 (1) There is created a Florida Forever Program Trust Fund
519 within the Florida Fish and Wildlife Conservation Commission to
520 carry out the duties of the commission under the Florida Forever
521 Act as specified in s. 259.105 ~~s. 259.105(3)(g)~~. The trust fund
522 shall receive funds pursuant to s. 259.105 ~~s. 259.105(3)(g)~~.

523 Section 32. Subsection (4) and paragraph (b) of subsection
524 (5) of section 253.027, Florida Statutes, are amended to read:

525 253.027 Emergency archaeological property acquisition.—

526 (4) EMERGENCY ARCHAEOLOGICAL ACQUISITION.—The sum of \$2
527 million shall be reserved annually within the Florida Forever
528 Trust Fund for the purpose of emergency archaeological
529 acquisition. Any portion of that amount not spent or obligated
530 by the end of the third quarter of the fiscal year may be used
531 for approved acquisitions pursuant to s. 259.105(3)(a) ~~s.~~
532 ~~259.105(3)(b)~~.

533 (5) ACCOUNT EXPENDITURES.—

534 (b) Funds may not ~~No moneys shall~~ be spent from the
535 account for excavation or restoration of the properties
536 acquired. Funds may be spent for preliminary surveys to
537 determine if the sites meet the criteria of this section. An
538 amount not to exceed \$100,000 may also be spent from the account
539 to inventory and evaluate archaeological and historic resources
540 on properties purchased, or proposed for purchase, pursuant to

Amendment No. 2

541 s. 259.105(3)(a) ~~s. 259.105(3)(b)~~.

542 Section 33. Subsection (3), paragraph (b) of
543 subsection(4), and subsection (6) of section 259.035, Florida
544 Statutes, are amended to read:

545 259.035 Acquisition and Restoration Council.—

546 (3) The council shall provide assistance to the board in
547 reviewing the recommendations and plans for state-owned
548 conservation lands required under s. 253.034 and this chapter.

549 The council shall, in reviewing such plans, consider the
550 optimization of multiple-use and conservation strategies to
551 accomplish the provisions funded pursuant to former s.
552 259.101(3)(a), Florida Statutes 2014, and to s. 259.105(3)(a) ~~s.~~
553 ~~259.105(3)(b)~~.

554 (4)

555 (b) In developing or amending rules, the council shall
556 give weight to the criteria included in s. 259.105(8) ~~s.~~
557 ~~259.105(9)~~. The board of trustees shall review the
558 recommendations and shall adopt rules necessary to administer
559 this section.

560 (6) The proposal for a project pursuant to this section or
561 s. 259.105(3)(a) ~~s. 259.105(3)(b)~~ may be implemented only if
562 adopted by the council and approved by the board of trustees.
563 The council shall consider and evaluate in writing the merits
564 and demerits of each project that is proposed for acquisition
565 using funds available pursuant to s. 28, Art. X of the State

Amendment No. 2

566 Constitution or Florida Forever funding and shall ensure that
567 each proposed project meets the requirements of s. 28, Art. X of
568 the State Constitution. The council also shall determine whether
569 the project conforms, where applicable, with the comprehensive
570 plan developed pursuant to s. 259.04(1)(a), the comprehensive
571 multipurpose outdoor recreation plan developed pursuant to s.
572 375.021, the state lands management plan adopted pursuant to s.
573 253.03(7), the water resources work plans developed pursuant to
574 s. 373.199, and the provisions of s. 259.032, s. 259.101, or s.
575 259.105, whichever is applicable.

576 Section 34. Paragraph (b) of subsection (3) of section
577 259.037, Florida Statutes, is amended to read:

578 259.037 Land Management Uniform Accounting Council.—

579 (3)

580 (b) Each reporting agency shall also:

581 1. Include a report of the available public use
582 opportunities for each management unit of state land, the total
583 management cost for public access and public use, and the cost
584 associated with each use option.

585 2. List the acres of land requiring minimal management
586 effort, moderate management effort, and significant management
587 effort pursuant to s. 259.032(9)(b) ~~s. 259.032(9)(c)~~. For each
588 category created in paragraph (a), the reporting agency shall
589 include the amount of funds requested, the amount of funds
590 received, and the amount of funds expended for land management.

Amendment No. 2

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

593 4. List acres managed, cost of management, and lead
594 manager for each state lands management unit for which secondary
595 management activities were provided.

596 5. Include a report of the estimated calculable financial
597 benefits to the public for the ecosystem services provided by
598 conservation lands, based on the best readily available
599 information or science that provides a standard measurement
600 methodology to be consistently applied by the land managing
601 agencies. Such information may include, but need not be limited
602 to, the value of natural lands for protecting the quality and
603 quantity of drinking water through natural water filtration and
604 recharge, contributions to protecting and improving air quality,
605 benefits to agriculture through increased soil productivity and
606 preservation of biodiversity, and savings to property and lives
607 through flood control.

608 Section 35. Subsection (7) of section 380.510, Florida
609 Statutes, is amended to read:

610 380.510 Conditions of grants and loans.—

611 (7) Any funds received by the trust pursuant to s.
612 259.105(3)(b) ~~s. 259.105(3)(c)~~ or s. 375.041 shall be held
613 separate and apart from any other funds held by the trust and
614 used for the land acquisition purposes of this part.

615 (a) The administration and use of Florida Forever funds

Amendment No. 2

616 are subject to such terms and conditions imposed thereon by the
617 agency of the state responsible for the bonds, the proceeds of
618 which are deposited into the Florida Forever Trust Fund,
619 including restrictions imposed to ensure that the interest on
620 any such bonds issued by the state as tax-exempt bonds is not
621 included in the gross income of the holders of such bonds for
622 federal income tax purposes.

623 (b) All deeds or leases with respect to any real property
624 acquired with funds received by the trust from the former
625 Preservation 2000 Trust Fund, the Florida Forever Trust Fund, or
626 the Land Acquisition Trust Fund must contain such covenants and
627 restrictions as are sufficient to ensure that the use of such
628 real property at all times complies with s. 375.051 and s. 9,
629 Art. XII of the State Constitution. Each deed or lease with
630 respect to any real property acquired with funds received by the
631 trust from the Florida Forever Trust Fund before July 1, 2015,
632 must contain covenants and restrictions sufficient to ensure
633 that the use of such real property at all times complies with s.
634 11(e), Art. VII of the State Constitution. Each deed or lease
635 with respect to any real property acquired with funds received
636 by the trust from the Florida Forever Trust Fund after July 1,
637 2015, must contain covenants and restrictions sufficient to
638 ensure that the use of such real property at all times complies
639 with s. 28, Art. X of the State Constitution. Each deed or lease
640 must contain a reversion, conveyance, or termination clause that

Amendment No. 2

641 vests title in the Board of Trustees of the Internal Improvement
642 Trust Fund if any of the covenants or restrictions are violated
643 by the titleholder or leaseholder or by some third party with
644 the knowledge of the titleholder or leaseholder.

645 Section 36. Paragraph (d) of subsection (1) of section
646 570.715, Florida Statutes, is amended to read:

647 570.715 Conservation easement acquisition procedures.—

648 (1) For less than fee simple acquisitions pursuant to s.
649 570.71, the Department of Agriculture and Consumer Services
650 shall comply with the following acquisition procedures:

651 (d) On behalf of the board of trustees and before the
652 appraisal of parcels approved for purchase under ss.
653 259.105(3)(c) ~~ss. 259.105(3)(i)~~ and 570.71, the department may
654 enter into option contracts to buy less than fee simple interest
655 in such parcels. Any such option contract shall state that the
656 final purchase price is subject to approval by the board of
657 trustees and that the final purchase price may not exceed the
658 maximum offer authorized by law. Any such option contract
659 presented to the board of trustees for final purchase price
660 approval shall explicitly state that payment of the final
661 purchase price is subject to an appropriation by the
662 Legislature. The consideration for any such option contract may
663 not exceed \$1,000 or 0.01 percent of the estimate by the
664 department of the value of the parcel, whichever amount is
665 greater.

058745 - h7063 line1656 Caldwell12.docx

Published On: 2/21/2018 6:48:05 PM

Amendment No. 2

666 Section 37. Subsection (1) of section 589.065, Florida
667 Statutes, is amended to read:

668 589.065 Florida Forever Program Trust Fund of the
669 Department of Agriculture and Consumer Services.—

670 (1) There is created a Florida Forever Program Trust Fund
671 within the Department of Agriculture and Consumer Services to
672 carry out the duties of the department under the Florida Forever
673 Act as specified in s. 259.105 ~~s. 259.105(3)(f)~~. The trust fund
674 shall receive funds pursuant to s. 259.105 ~~s. 259.105(3)(f)~~.

675 Section 38. The Legislature finds that the systematic
676 management of public water system and domestic wastewater
677 treatment system assets and the resiliency of public water
678 system and domestic wastewater system infrastructure in
679 floodplains is essential to the protection of public health and
680 natural resources. Therefore, the Legislature determines and
681 declares that this act fulfills an important state interest.

682 -----
683

684 **T I T L E A M E N D M E N T**

685 Remove line 66 and insert:

686 and land acquisitions; amending s. 260.0142, F.S.; expanding the
687 duties of the Florida Greenways and Trails Council; amending s.
688 260.016, F.S.; adding criteria the department must consider for
689 acquisition of greenways and trails; amending s. 373.089, F.S.;

690 Remove line 90 and insert:

Amendment No. 2

691 such loan repayment under certain conditions; providing the
692 district is not responsible for repaying these loans; amending

693 Remove line 102 and insert:

694 year to the Florida Forever Trust Fund; amending s. 380.508,
695 F.S.; identifying projects the Florida Communities Trust must
696 emphasize; amending s. 388.261, F.S.; requiring the department
697 to use a certain percentage of funds for research or
698 demonstration projects; amending

699 Remove lines 107-109 and insert:

700 s. 403.0891, F.S.;

701 Remove lines 119-122 and insert:

702 amending s. 403.814,

703 Remove lines 130-135 and insert:

704 asset management plans in accordance with the United States
705 Environmental Protection Agency guidance by a specified date;
706 requiring updates to the plan annually and posting of the plan
707 and updates on a publically available website; defining the term
708 "domestic wastewater treatment system"; specifying eligibility
709 criteria for state funding; creating s.