

1 A bill to be entitled
2 An act relating to natural resources; amending s.
3 125.35, F.S.; requiring counties to return specified
4 state conservation funds to the state when certain
5 lands purchased with such funds are sold under certain
6 conditions; amending s. 161.101, F.S.; revising the
7 criteria to be considered by the Department of
8 Environmental Protection in determining and assigning
9 annual funding priorities for beach management and
10 erosion control projects; amending s. 161.161, F.S.;
11 revising requirements for the development and
12 maintenance of the comprehensive long-term management
13 plan for the state's critically eroded beaches;
14 requiring the plan to include a strategic beach
15 management plan, a critically eroded beaches report,
16 and a statewide long-range budget plan; providing for
17 the development and maintenance of such plans;
18 deleting a requirement that the department submit a
19 certain beach management plan on a certain date each
20 year; requiring the department to hold a public
21 meeting before finalization of the strategic beach
22 management plan; requiring the department to submit a
23 statewide long-range budget plan and a related
24 forecast for the availability of funding to the
25 Legislature; amending s. 163.3177, F.S.; exempting

26 | certain local governments from requirements to develop
27 | and maintain work plans for building public, private,
28 | and regional water supply facilities; creating s.
29 | 166.0452, F.S.; requiring municipalities to return
30 | specified state conservation funds to the state when
31 | certain lands purchased with such funds are sold under
32 | certain conditions; amending s. 215.618, F.S.;;
33 | removing provisions authorizing the use of Florida
34 | Forever funds for capital improvement and water
35 | resource development projects; authorizing the use of
36 | Florida Forever funds for water storage reservoir
37 | projects under the Comprehensive Everglades
38 | Restoration Plan; amending s. 253.0251, F.S.;;
39 | authorizing the Department of Environmental Protection
40 | to assist local governments in administering local
41 | rural-lands-protection easement programs; providing
42 | requirements and restrictions for such assistance;
43 | amending s. 253.034, F.S.;; requiring that the
44 | maintenance and control of exotic and invasive species
45 | and related areas be prioritized in certain land
46 | management plans; conforming cross-references;
47 | amending s. 258.014; creating a state park volunteer
48 | annual entrance pass program; amending s. 259.03,
49 | F.S.;; removing the definitions of "capital
50 | improvement," "capital project expenditure," and

51 "water resource development project"; amending s.
52 259.032, F.S.; removing provisions authorizing the use
53 of Florida Forever funds for capital improvement and
54 water resource development projects; amending s.
55 259.105, F.S.; revising the distribution of proceeds
56 from the Florida Forever Trust Fund; eliminating and
57 consolidating funding for certain land acquisition and
58 management programs; removing obsolete provisions;
59 removing provisions authorizing the use of Florida
60 Forever funds for water resource development projects,
61 restoration, enhancement, and management of certain
62 land and water areas, and certain capital
63 improvements; including wildlife crossings and
64 connections between such crossings and wildlife
65 habitats as criteria for assessing certain projects
66 and land acquisitions; amending s. 373.089, F.S.;
67 prohibiting water management districts from disposing
68 of lands acquired with state funds under certain
69 conditions; requiring water management districts to
70 return specified state conservation funds to the state
71 when certain lands purchased with such funds are sold;
72 amending s. 373.139, F.S.; removing provisions
73 prohibiting water management districts from disposing
74 of lands acquired with state funds under certain
75 conditions; amending s. 373.1391, F.S.; requiring

76 revenue generated from the management of certain
77 conservation lands to be retained by the
78 jurisdictional water management district and used for
79 specified purposes; amending s. 373.199, F.S.;

80 limiting the use of Florida Forever funds for water
81 management district projects; amending s. 373.4598,
82 F.S.; revising requirements related to the operation
83 of water storage and use for Phase I and Phase II of
84 the C-51 reservoir project if state funds are
85 appropriated for such phases; authorizing the South
86 Florida Water Management District to enter into
87 certain capacity allocation agreements and to request
88 a waiver for repayment of certain loans; authorizing
89 the Department of Environmental Protection to waive
90 such loan repayment under certain conditions; amending
91 s. 373.713, F.S.; requiring regional water supply
92 authorities to annually coordinate with water
93 management districts on the status of certain water
94 resource development projects; amending s. 375.041,
95 F.S.; requiring the Department of Environmental
96 Protection and the South Florida Water Management
97 District to give specified funding priority to the C-
98 43 West Basin Storage Reservoir Project; requiring a
99 specified amount of funds in the Land Acquisition
100 Trust Fund within the Department of Environmental

101 Protection to be appropriated annually each fiscal
102 year to the Florida Forever Trust Fund; amending
103 403.067, F.S.; authorizing the Department of
104 Environmental Protection to include certain nutrient
105 pilot projects in basin management action plans and to
106 provide cost-share funding for such projects; amending
107 s. 403.087, F.S.; revising requirements for the
108 renewal of operation permits for domestic wastewater
109 treatment facilities; amending s. 403.0891, F.S.;
110 requiring the Department of Transportation to
111 coordinate with the Department of Environmental
112 Protection, water management districts, and local
113 governments to make certain determinations regarding
114 beneficial uses of stormwater from road construction
115 projects and to implement such beneficial uses under
116 certain conditions; authorizing the Department of
117 Environmental Protection, in consultation with the
118 Department of Transportation, to adopt rules; amending
119 s. 403.412, F.S.; providing for the award of
120 reasonable costs and fees to certain prevailing
121 parties in administrative proceedings for the
122 protection of natural resources; amending s. 403.814,
123 F.S.; authorizing general permits for the
124 construction, alteration, and maintenance of certain
125 stormwater management systems for projects that do not

126 contribute to adverse water quantity and quality
127 impacts; creating s. 403.892, F.S.; providing
128 legislative findings; requiring public water systems
129 and domestic wastewater treatment systems to develop
130 asset management plans and create reserve funds by a
131 specified date; defining the term "domestic wastewater
132 treatment system"; providing requirements for such
133 plans and funds; specifying eligibility criteria for
134 state funding; directing the Department of
135 Environmental Protection to adopt rules; creating s.
136 403.893, F.S.; providing a declaration of state
137 policy; requiring public water and domestic wastewater
138 treatment utilities that have infrastructure in
139 certain flood hazard areas to build new infrastructure
140 that meets specified criteria; amending s. 570.76,
141 F.S.; authorizing the Department of Agriculture and
142 Consumer Services to assist local governments in
143 administering local rural-lands-protection easement
144 programs; providing requirements and restrictions for
145 such assistance; amending s. 1004.49, F.S.; renaming
146 the Department of Fisheries and Aquaculture of the
147 Institute of Food and Agricultural Sciences at the
148 University of Florida as the School of Forest
149 Resources and Conservation's Fisheries and Aquatic
150 Science Program; providing that the LAKEWATCH Program

151 may train, supervise, and coordinate volunteers to
152 collect water quality data from Florida's lakes,
153 streams, and estuaries; providing that the Department
154 of Environmental Protection may use the data collected
155 if the data collection methods meet sufficient quality
156 assurance and quality control requirements; amending
157 ss. 20.3315, 253.027, 259.035, 259.037, 380.510,
158 570.715, and 589.065, F.S.; conforming cross-
159 references; providing a declaration of important state
160 interest; providing an effective date.

161
162 Be It Enacted by the Legislature of the State of Florida:

163
164 Section 1. Subsections (4) and (5) are added to section
165 125.35, Florida Statutes, to read:

166 125.35 County authorized to sell real and personal
167 property and to lease real property.—

168 (4) Proceeds from the sale of surplus conservation lands
169 purchased with Florida Forever funds before July 1, 2015, shall
170 be deposited into the Florida Forever Trust Fund if the county
171 does not use the proceeds for another purpose identified in the
172 Florida Forever Act within 3 years. If the county purchased the
173 conservation land with multiple revenue sources, the county
174 shall deposit an amount based on the percentage of Florida
175 Forever funds used for the original purchase.

176 (5) Proceeds from the sale of surplus conservation lands
177 purchased with state funds on or after July 1, 2015, shall be
178 deposited into the Land Acquisition Trust Fund if the county
179 does not use the proceeds for another purpose identified in s.
180 28, Art. X of the State Constitution within 3 years. If the
181 county purchased the conservation land with funds other than
182 those from the Land Acquisition Trust Fund or a land acquisition
183 trust fund created to implement s. 28, Art. X of the State
184 Constitution, the proceeds shall be deposited into the fund from
185 which the land was purchased. If the county purchased the
186 conservation land with multiple revenue sources, the county
187 shall deposit an amount based on the percentage of state funds
188 used for the original purchase.

189 Section 2. Paragraph (a) of subsection (14) of section
190 161.101, Florida Statutes, is amended, and paragraph (k) is
191 added to that subsection, to read:

192 161.101 State and local participation in authorized
193 projects and studies relating to beach management and erosion
194 control.—

195 (14) The intent of the Legislature in preserving and
196 protecting Florida's sandy beaches pursuant to this act is to
197 direct beach erosion control appropriations to the state's most
198 severely eroded beaches, and to prevent further adverse impact
199 caused by improved, modified, or altered inlets, coastal
200 armoring, or existing upland development. In establishing annual

201 project funding priorities, the department shall seek formal
202 input from local coastal governments, beach and general
203 government interest groups, and university experts. Criteria to
204 be considered by the department in determining annual funding
205 priorities shall include:

206 (a) The severity of erosion conditions, the threat to
207 existing upland development, and recreational ~~and/or economic~~
208 benefits.

209 (k) The economic benefit of the project as measured by the
210 ratio of the tourist development tax revenue collected pursuant
211 to s. 125.0104 for the most recent year to the state sales tax
212 and the tourist development tax revenues for the most recent
213 year. The department shall calculate this ratio using state
214 sales tax and the tourist development tax data of the county
215 having jurisdiction over the project area. If multiple counties
216 have jurisdiction over the project area, the department shall
217 assess each county individually using these ratios. The
218 department shall calculate the mean average of these ratios to
219 determine the final overall economic benefit of the project for
220 the multicounty project.

221
222 In the event that more than one project qualifies equally under
223 the provisions of this subsection, the department shall assign
224 funding priority to those projects that are ready to proceed.

225 Section 3. Subsections (2) through (7) of section 161.161,

226 Florida Statutes, are renumbered as subsections (3) through (8),
 227 respectively, subsection (1) and present subsection (2) are
 228 amended, and a new subsection (2) is added to that section, to
 229 read:

230 161.161 Procedure for approval of projects.—

231 (1) The department shall develop and maintain a
 232 comprehensive long-term beach management plan for the
 233 restoration and maintenance of the state's critically eroded
 234 beaches fronting the Atlantic Ocean, Gulf of Mexico, and Straits
 235 of Florida. In developing and maintaining this ~~The beach~~
 236 ~~management~~ plan, the department shall:

237 (a) Address long-term solutions to the problem of
 238 critically eroded beaches in this state.

239 (b) Evaluate each improved, modified, or altered inlet and
 240 determine whether the inlet is a significant cause of beach
 241 erosion. With respect to each inlet determined to be a
 242 significant cause of beach erosion, the plan shall include:

243 ~~1.~~ the extent to which such inlet causes beach erosion and
 244 recommendations to mitigate the erosive impact of the inlet,
 245 including, but not limited to, ~~recommendations regarding inlet~~
 246 sediment bypassing; improvement of infrastructure to facilitate
 247 sand bypassing; modifications to channel dredging, jetty design,
 248 and disposal of spoil material; establishment of feeder beaches;
 249 and beach restoration and beach nourishment; ~~and~~

250 ~~2. Cost estimates necessary to take inlet corrective~~

251 ~~measures and recommendations regarding cost sharing among the~~
252 ~~beneficiaries of such inlet.~~

253 (c) Evaluate ~~Design~~ criteria for beach restoration and
254 beach nourishment projects, including, but not limited to, ~~÷~~
255 ~~1.~~ dune elevation and width and revegetation and
256 stabilization requirements, ~~†~~ and
257 ~~2.~~ beach profiles ~~profile~~.

258 (d) Consider ~~Evaluate~~ the establishment of regional
259 sediment management alternatives for one or more individual
260 beach and inlet sand bypassing projects ~~feeder beaches~~ as an
261 alternative to ~~direct~~ beach restoration when appropriate and
262 cost-effective, and recommend the location of such regional
263 sediment management alternatives ~~feeder beaches~~ and the source
264 of beach-compatible sand.

265 (e) Identify causes of shoreline erosion and change,
266 determine ~~calculate~~ erosion rates, and maintain an updated list
267 of critically eroded sandy beaches based on data, analyses, and
268 investigations of shoreline conditions ~~and project long-term~~
269 ~~erosion for all major beach and dune systems by surveys and~~
270 ~~profiles~~.

271 (f) ~~Identify shoreline development and degree of density~~
272 ~~and~~ Assess impacts of development and coastal protection
273 ~~shoreline protective~~ structures on shoreline change and erosion.

274 (g) Identify short-term and long-term economic costs and
275 benefits of beaches to the state and individual beach

276 ~~communities, including recreational value to user groups, tax~~
277 ~~base, revenues generated, and beach acquisition and maintenance~~
278 ~~costs.~~

279 (h) Study dune and vegetation conditions, identify
280 existing beach projects without dune features or with dunes
281 without adequate elevations, and encourage dune restoration and
282 revegetation to be incorporated as part of storm damage recovery
283 projects or future dune maintenance events.

284 (i) Identify beach areas used by marine turtles and
285 develop strategies for protection of the turtles and their nests
286 and nesting locations.

287 (j) Identify alternative management responses to preserve
288 undeveloped beach and dune systems and, to restore damaged beach
289 and dune systems. In identifying such management responses, the
290 department shall consider, at a minimum, and to prevent
291 ~~inappropriate development and redevelopment on migrating~~
292 ~~beaches, and consider~~ beach restoration and nourishment,
293 armoring, relocation ~~and abandonment~~, dune and vegetation
294 restoration, and acquisition.

295 (k) Document procedures and policies for preparing
296 poststorm damage assessments and corresponding recovery plans,
297 including repair cost estimates ~~Establish criteria, including~~
298 ~~costs and specific implementation actions, for alternative~~
299 ~~management techniques.~~

300 (l) Identify and assess ~~Select and recommend~~ appropriate

301 management measures for all of the state's critically eroded
302 sandy beaches ~~in a beach management program.~~

303 ~~(m) Establish a list of beach restoration and beach~~
304 ~~nourishment projects, arranged in order of priority, and the~~
305 ~~funding levels needed for such projects.~~

306 (2) The comprehensive long-term beach management plan
307 developed and maintained by the department pursuant to
308 subsection (1) must include, at a minimum, a strategic beach
309 management plan, a critically eroded beaches report, and a
310 statewide long-range budget plan.

311 (a) The strategic beach management plan must identify and
312 recommend appropriate measures for all of the state's critically
313 eroded sandy beaches and may incorporate plans ~~be~~ prepared at
314 the regional level, taking into account ~~based upon~~ areas of
315 greatest need and probable federal and local funding. Upon
316 approval in accordance with this section, such regional plans
317 ~~shall be components of the statewide beach management plan and~~
318 ~~shall serve as the basis for state funding decisions upon~~
319 ~~approval in accordance with chapter 86-138, Laws of Florida. In~~
320 ~~accordance with a schedule established for the submission of~~
321 ~~regional plans by the department, any completed plan must be~~
322 ~~submitted to the secretary of the department for approval no~~
323 ~~later than March 1 of each year. These regional plans shall~~
324 ~~include, but shall not be limited to, recommendations of~~
325 ~~appropriate funding mechanisms for implementing projects in the~~

326 ~~beach management plan, giving consideration to the use of~~
327 ~~single county and multicounty taxing districts or other revenue~~
328 ~~generation measures by state and local governments and the~~
329 ~~private sector. Before finalizing the strategic beach management~~
330 ~~Prior to presenting the plan to the secretary of the department,~~
331 ~~the department shall hold a public meeting in the region areas~~
332 ~~for which the plan is prepared or through a publicly noticed~~
333 ~~webinar. The plan submission schedule shall be submitted to the~~
334 ~~secretary for approval. Any revisions to such schedule must be~~
335 ~~approved in like manner.~~

336 (b) The critically eroded beaches report must be
337 developed, in part, based on the requirements specified in
338 paragraph (1) (e), and must be maintained by the department.

339 (c) The statewide long-range budget plan must include at
340 least 5 years of planned beach restoration, beach nourishment,
341 and inlet management project funding needs as identified, and
342 subsequently refined, by local government sponsors. The plan
343 must identify the proposed schedule of the feasibility, design,
344 construction, and monitoring phases of the projects anticipated
345 in the next 5 years and the projected costs of those phases. The
346 projects may be presented by region and do not need to be
347 presented in priority order. However, the department should
348 identify issues that may prevent successful completion of such
349 projects and recommend solutions that would allow the projects
350 to progress.

351 (3)-(2) ~~Annually,~~ The secretary shall annually present the
 352 statewide long-range budget plan to the Legislature as part of
 353 the department's annual budget request. The work plan must be
 354 accompanied by a 5-year financial forecast for the availability
 355 of funding for the projects ~~recommendations for funding beach~~
 356 ~~erosion control projects prioritized according to the criteria~~
 357 ~~established in s. 161.101(14).~~

358 Section 4. Paragraph (c) of subsection (6) of section
 359 163.3177, Florida Statutes, is amended to read:

360 163.3177 Required and optional elements of comprehensive
 361 plan; studies and surveys.-

362 (6) In addition to the requirements of subsections (1)-
 363 (5), the comprehensive plan shall include the following
 364 elements:

365 (c) A general sanitary sewer, solid waste, drainage,
 366 potable water, and natural groundwater aquifer recharge element
 367 correlated to principles and guidelines for future land use,
 368 indicating ways to provide for future potable water, drainage,
 369 sanitary sewer, solid waste, and aquifer recharge protection
 370 requirements for the area. The element may be a detailed
 371 engineering plan including a topographic map depicting areas of
 372 prime groundwater recharge.

373 1. Each local government shall address in the data and
 374 analyses required by this section those facilities that provide
 375 service within the local government's jurisdiction. Local

376 governments that provide facilities to serve areas within other
377 local government jurisdictions shall also address those
378 facilities in the data and analyses required by this section,
379 using data from the comprehensive plan for those areas for the
380 purpose of projecting facility needs as required in this
381 subsection. For shared facilities, each local government shall
382 indicate the proportional capacity of the systems allocated to
383 serve its jurisdiction.

384 2. The element shall describe the problems and needs and
385 the general facilities that will be required for solution of the
386 problems and needs, including correcting existing facility
387 deficiencies. The element shall address coordinating the
388 extension of, or increase in the capacity of, facilities to meet
389 future needs while maximizing the use of existing facilities and
390 discouraging urban sprawl; conserving potable water resources;
391 and protecting the functions of natural groundwater recharge
392 areas and natural drainage features.

393 3. Within 18 months after the governing board approves an
394 updated regional water supply plan, the element must incorporate
395 the alternative water supply project or projects selected by the
396 local government from those identified in the regional water
397 supply plan pursuant to s. 373.709(2)(a) or proposed by the
398 local government under s. 373.709(8)(b). If a local government
399 is located within two water management districts, the local
400 government shall adopt its comprehensive plan amendment within

401 18 months after the later updated regional water supply plan.
402 The element must identify such alternative water supply projects
403 and traditional water supply projects and conservation and reuse
404 necessary to meet the water needs identified in s. 373.709(2)(a)
405 within the local government's jurisdiction and include a work
406 plan, covering at least a 10-year planning period, for building
407 public, private, and regional water supply facilities, including
408 development of alternative water supplies, which are identified
409 in the element as necessary to serve existing and new
410 development. The work plan shall be updated, at a minimum, every
411 5 years within 18 months after the governing board of a water
412 management district approves an updated regional water supply
413 plan. A local government designated as a rural area of
414 opportunity pursuant to s. 288.0656 which does not own, operate,
415 or maintain its own water supply facilities, including, but not
416 limited to, wells, treatment facilities, and distribution
417 infrastructure, is not required to develop or maintain the work
418 plan required under this subparagraph. Local governments, public
419 and private utilities, regional water supply authorities,
420 special districts, and water management districts are encouraged
421 to cooperatively plan for the development of multijurisdictional
422 water supply facilities that are sufficient to meet projected
423 demands for established planning periods, including the
424 development of alternative water sources to supplement
425 traditional sources of groundwater and surface water supplies.

426 4. A local government that does not own, operate, or
427 maintain its own water supply facilities, including, but not
428 limited to, wells, treatment facilities, and distribution
429 infrastructure, and is served by a public water utility with a
430 permitted allocation of greater than 300 million gallons per day
431 is not required to amend its comprehensive plan in response to
432 an updated regional water supply plan or to maintain a work plan
433 if any such local government's usage of water constitutes less
434 than 1 percent of the public water utility's total permitted
435 allocation. However, any such local government is required to
436 cooperate with, and provide relevant data to, any local
437 government or utility provider that provides service within its
438 jurisdiction, and to keep its general sanitary sewer, solid
439 waste, potable water, and natural groundwater aquifer recharge
440 element updated in accordance with s. 163.3191.

441 Section 5. Section 166.0452, Florida Statutes, is created
442 to read:

443 166.0452 Disposition of municipal conservation land
444 purchased with state funds.—

445 (1) Proceeds from the sale of surplus conservation lands
446 purchased with Florida Forever funds before July 1, 2015, shall
447 be deposited into the Florida Forever Trust Fund if the
448 municipality does not use the proceeds for another purpose
449 identified in the Florida Forever Act within 3 years. If the
450 municipality purchased the conservation land with multiple

451 revenue sources, the municipality shall deposit an amount based
452 on the percentage of Florida Forever funds used for the original
453 purchase.

454 (2) Proceeds from the sale of surplus conservation lands
455 purchased with state funds on or after July 1, 2015, shall be
456 deposited into the Land Acquisition Trust Fund if the
457 municipality does not use the proceeds for another purpose
458 identified in s. 28, Art. X of the State Constitution within 3
459 years. If the municipality purchased the conservation land with
460 funds other than those from the Land Acquisition Trust Fund or a
461 land acquisition trust fund created to implement s. 28, Art. X
462 of the State Constitution, the proceeds shall be deposited into
463 the fund from which the land was purchased. If the municipality
464 purchased the conservation land with multiple revenue sources,
465 the municipality shall deposit an amount based on the percentage
466 of state funds used for the original purchase.

467 Section 6. Paragraph (a) of subsection (1) and subsection
468 (6) of section 215.618, Florida Statutes, are amended to read:

469 215.618 Bonds for acquisition and improvement of land,
470 water areas, and related property interests and resources.—

471 (1) (a) The issuance of Florida Forever bonds, not to
472 exceed \$5.3 billion, to finance or refinance the cost of
473 acquisition ~~and improvement~~ of land, water areas, and related
474 property interests and resources, in urban and rural settings,
475 for the purposes of restoration, conservation, recreation, water

476 resource development, or historical preservation, ~~and for~~
477 ~~capital improvements to lands and water areas that accomplish~~
478 ~~environmental restoration, enhance public access and~~
479 ~~recreational enjoyment, promote long-term management goals, and~~
480 ~~facilitate water resource development is hereby authorized,~~
481 subject to s. 259.105, and to finance or refinance any costs
482 related to the purposes identified in s. 373.4598 is authorized.
483 The issuance of Florida Forever bonds shall be ~~and~~ pursuant to
484 s. 11(e), Art. VII of the State Constitution and, on or after
485 July 1, 2015, to also finance or refinance the acquisition ~~and~~
486 ~~improvement~~ of land, water areas, and related property interests
487 and the purposes identified in s. 373.4598 as provided in s. 28,
488 Art. X of the State Constitution. The \$5.3 billion limitation on
489 the issuance of Florida Forever bonds does not apply to
490 refunding bonds. The duration of each series of Florida Forever
491 bonds issued may not exceed 20 annual maturities. Not more than
492 58.25 percent of documentary stamp taxes collected may be taken
493 into account for the purpose of satisfying an additional bonds
494 test set forth in any authorizing resolution for bonds issued on
495 or after July 1, 2015.

496 (6) ~~There shall be~~ No sale, disposition, lease, easement,
497 license, or other use of any land, water areas, or related
498 property interests acquired ~~or improved~~ with proceeds of Florida
499 Forever bonds may be made if it ~~which~~ would cause all or any
500 portion of the interest of such bonds to lose the exclusion from

501 gross income for federal income tax purposes.

502 Section 7. Subsection (8) is added to section 253.0251,
503 Florida Statutes, to read:

504 253.0251 Alternatives to fee simple acquisition.—

505 (8) The Department of Environmental Protection may provide
506 assistance to local governments administering rural-lands-
507 protection easement programs. The department may provide
508 technical support to review applications for inclusion in the
509 local government's program, serve as acquisition agents for the
510 local government using the procedures in s. 570.715, facilitate
511 real estate closings, and monitor compliance with the
512 conservation easements. The department may not use any state
513 funds to assist in the purchase of such easements or pay any
514 acquisition costs. The local government must compensate the
515 department for its services. The agreement for assistance must
516 be documented in a memorandum of agreement between the
517 department and the local government. The title to such
518 conservation easements shall be held in the name of the local
519 government.

520 Section 8. Subsection (3), paragraph (b) of subsection
521 (5), and subsection (9) of section 253.034, Florida Statutes,
522 are amended to read:

523 253.034 State-owned lands; uses.—

524 (3) Recognizing that recreational trails purchased with
525 rails-to-trails funds pursuant to former s. 259.101(3)(g),

526 Florida Statutes 2014, or former s. 259.105(3)(h), Florida
527 Statutes 2017, have had historic transportation uses and that
528 their linear character may extend many miles, the Legislature
529 intends that if the necessity arises to serve public needs,
530 after balancing the need to protect trail users from collisions
531 with automobiles and a preference for the use of overpasses and
532 underpasses to the greatest extent feasible and practical,
533 transportation uses shall be allowed to cross recreational
534 trails purchased pursuant to former s. 259.101(3)(g), Florida
535 Statutes 2014, or former s. 259.105(3)(h), Florida Statutes
536 2017. When these crossings are needed, the location and design
537 should consider and mitigate the impact on humans and
538 environmental resources, and the value of the land shall be paid
539 based on fair market value.

540 (5) Each manager of conservation lands shall submit to the
541 Division of State Lands a land management plan at least every 10
542 years in a form and manner adopted by rule of the board of
543 trustees and in accordance with s. 259.032. Each manager of
544 conservation lands shall also update a land management plan
545 whenever the manager proposes to add new facilities or make
546 substantive land use or management changes that were not
547 addressed in the approved plan, or within 1 year after the
548 addition of significant new lands. Each manager of
549 nonconservation lands shall submit to the Division of State
550 Lands a land use plan at least every 10 years in a form and

551 manner adopted by rule of the board of trustees. The division
552 shall review each plan for compliance with the requirements of
553 this subsection and the requirements of the rules adopted by the
554 board of trustees pursuant to this section. All nonconservation
555 land use plans, whether for single-use or multiple-use
556 properties, shall be managed to provide the greatest benefit to
557 the state. Plans for managed areas larger than 1,000 acres shall
558 contain an analysis of the multiple-use potential of the
559 property which includes the potential of the property to
560 generate revenues to enhance the management of the property. In
561 addition, the plan shall contain an analysis of the potential
562 use of private land managers to facilitate the restoration or
563 management of these lands. If a newly acquired property has a
564 valid conservation plan that was developed by a soil and
565 conservation district, such plan shall be used to guide
566 management of the property until a formal land use plan is
567 completed.

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

- 571 1. Habitat restoration and improvement.
- 572 2. Public access and recreational opportunities.
- 573 3. Hydrological preservation and restoration.
- 574 4. Sustainable forest management.
- 575 5. Exotic and invasive species maintenance and control,

576 including prioritizing the species that must be maintained or
577 controlled and the areas where such maintenance and control must
578 first be addressed.

579 6. Capital facilities and infrastructure.

580 7. Cultural and historical resources.

581 8. Imperiled species habitat maintenance, enhancement,
582 restoration, or population restoration.

583 (9) The following additional uses of conservation lands
584 acquired pursuant to the Florida Forever program and other
585 state-funded conservation land purchase programs shall be
586 authorized, upon a finding by the board of trustees, if they
587 meet the criteria specified in paragraphs (a)-(e): water
588 resource development projects, water supply development
589 projects, stormwater management projects, linear facilities, and
590 sustainable agriculture and forestry. Such additional uses are
591 authorized if:

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

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

596 (c) The use is appropriately located on such lands and due
597 consideration is given to the use of other available lands;

598 (d) The using entity reasonably compensates the
599 titleholder for such use based upon an appropriate measure of
600 value; and

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

602

603 A decision by the board of trustees pursuant to this section
 604 shall be given a presumption of correctness. Moneys received
 605 from the use of state lands pursuant to this section shall be
 606 returned to the lead managing entity in accordance with s.
 607 259.032(9)(b) ~~s. 259.032(9)(e)~~.

608 Section 9. Subsection (3) is added to section 258.014,
 609 Florida Statutes, to read:

610 258.014 Fees for use of state parks.—

611 (3) The division shall adopt rules to create a state park
 612 annual entrance pass program for volunteer work related to
 613 nonnative and invasive plant species removal. The division shall
 614 issue an annual entrance pass to all state parks at no charge to
 615 individuals who perform at least 50 hours of volunteer service
 616 at any state park to remove nonnative and invasive plant
 617 species. The volunteer work performed by the individual must be
 618 consistent with the park's adopted unit management plan and
 619 under the supervision of the division. The rules must include,
 620 at a minimum:

621 (a) Identification of what qualifies as volunteer hours
 622 performed.

623 (b) A process to document and verify the individual
 624 performed at least 50 hours of volunteer service for nonnative
 625 and invasive species removal at state parks before receiving an

626 annual entrance pass at no charge.

627 (c) A process to identify appropriate nonnative and
628 invasive species removal activities and locations appropriate
629 for volunteers consistent with each park's unit management plan.

630 (d) A process for supervising volunteer activities to
631 ensure the safety of the volunteers and the service is conducted
632 in a manner consistent with the park's unit management plan.

633 Section 10. Subsections (3) and (6) of section 259.03,
634 Florida Statutes, are amended to read:

635 259.03 Definitions.—The following terms and phrases when
636 used in this chapter shall have the meanings ascribed to them in
637 this section, except where the context clearly indicates a
638 different meaning:

639 ~~(3) "Capital improvement" or "capital project expenditure"~~
640 ~~means those activities relating to the acquisition, restoration,~~
641 ~~public access, and recreational uses of such lands, water areas,~~
642 ~~and related resources deemed necessary to accomplish the~~
643 ~~purposes of this chapter. Eligible activities include, but are~~
644 ~~not limited to: the initial removal of invasive plants; the~~
645 ~~construction, improvement, enlargement or extension of~~
646 ~~facilities' signs, firelanes, access roads, and trails; or any~~
647 ~~other activities that serve to restore, conserve, protect, or~~
648 ~~provide public access, recreational opportunities, or necessary~~
649 ~~services for land or water areas. Such activities shall be~~
650 ~~identified prior to the acquisition of a parcel or the approval~~

651 ~~of a project. The continued expenditures necessary for a capital~~
652 ~~improvement approved under this subsection shall not be eligible~~
653 ~~for funding provided in this chapter.~~

654 ~~(6) "Water resource development project" means a project~~
655 ~~eligible for funding pursuant to s. 259.105 that increases the~~
656 ~~amount of water available to meet the needs of natural systems~~
657 ~~and the citizens of the state by enhancing or restoring aquifer~~
658 ~~recharge, facilitating the capture and storage of excess flows~~
659 ~~in surface waters, or promoting reuse. The implementation of~~
660 ~~eligible projects under s. 259.105 includes land acquisition,~~
661 ~~land and water body restoration, aquifer storage and recovery~~
662 ~~facilities, surface water reservoirs, and other capital~~
663 ~~improvements. The term does not include construction of~~
664 ~~treatment, transmission, or distribution facilities.~~

665 Section 11. Paragraphs (b), (d), and (e) of subsection (9)
666 of section 259.032, Florida Statutes, are amended to read:

667 259.032 Conservation and recreation lands.—

668 (9)

669 ~~(b) An amount of not less than 1.5 percent of the~~
670 ~~cumulative total of funds ever deposited into the former Florida~~
671 ~~Preservation 2000 Trust Fund and the Florida Forever Trust Fund~~
672 ~~shall be made available for the purposes of management,~~
673 ~~maintenance, and capital improvements, and for associated~~
674 ~~contractual services, for conservation and recreation lands~~
675 ~~acquired with funds deposited into the Land Acquisition Trust~~

676 ~~Fund pursuant to s. 28(a), Art. X of the State Constitution or~~
677 ~~pursuant to former s. 259.032, Florida Statutes 2014, former s.~~
678 ~~259.101, Florida Statutes 2014, s. 259.105, s. 259.1052, or~~
679 ~~previous programs for the acquisition of lands for conservation~~
680 ~~and recreation, including state forests, to which title is~~
681 ~~vested in the board of trustees and other conservation and~~
682 ~~recreation lands managed by a state agency. Each agency with~~
683 ~~management responsibilities shall annually request from the~~
684 ~~Legislature funds sufficient to fulfill such responsibilities to~~
685 ~~implement individual management plans. For the purposes of this~~
686 ~~paragraph, capital improvements shall include, but need not be~~
687 ~~limited to, perimeter fencing, signs, firelanes, access roads~~
688 ~~and trails, and minimal public accommodations, such as primitive~~
689 ~~campsites, garbage receptacles, and toilets. Any equipment~~
690 ~~purchased with funds provided pursuant to this paragraph may be~~
691 ~~used for the purposes described in this paragraph on any~~
692 ~~conservation and recreation lands managed by a state agency. The~~
693 ~~funding requirement created in this paragraph is subject to an~~
694 ~~annual evaluation by the Legislature to ensure that such~~
695 ~~requirement does not impact the respective trust fund in a~~
696 ~~manner that would prevent the trust fund from meeting other~~
697 ~~minimum requirements.~~

698 ~~(d) Up to one fifth of the funds appropriated for the~~
699 ~~purposes identified in paragraph (b) shall be reserved by the~~
700 ~~board for interim management of acquisitions and for associated~~

701 ~~contractual services, to ensure the conservation and protection~~
702 ~~of natural resources on project sites and to allow limited~~
703 ~~public recreational use of lands. Interim management activities~~
704 ~~may include, but not be limited to, resource assessments,~~
705 ~~control of invasive, nonnative species, habitat restoration,~~
706 ~~fencing, law enforcement, controlled burning, and public access~~
707 ~~consistent with preliminary determinations made pursuant to~~
708 ~~paragraph (7) (f). The board shall make these interim funds~~
709 ~~available immediately upon purchase.~~

710 ~~(c) The department shall set long range and annual goals~~
711 ~~for the control and removal of nonnative, invasive plant species~~
712 ~~on public lands. Such goals shall differentiate between aquatic~~
713 ~~plant species and upland plant species. In setting such goals,~~
714 ~~the department may rank, in order of adverse impact, species~~
715 ~~that impede or destroy the functioning of natural systems.~~
716 ~~Notwithstanding paragraph (a), up to one-fourth of the funds~~
717 ~~provided for in paragraph (b) may be used by the agencies~~
718 ~~receiving those funds for control and removal of nonnative,~~
719 ~~invasive species on public lands.~~

720 Section 12. Section 259.105, Florida Statutes, is amended
721 to read:

722 259.105 The Florida Forever Act.—

723 (1) This section may be cited as the "Florida Forever
724 Act."

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

726 1. Land acquisition programs have provided tremendous
727 financial resources for purchasing environmentally significant
728 lands to protect those lands from imminent development or
729 alteration, thereby ensuring present and future generations'
730 access to important waterways, open spaces, and recreation and
731 conservation lands.

732 2. The continued alteration and development of the state's
733 natural and rural areas to accommodate the state's growing
734 population have contributed to the degradation of water
735 resources, the fragmentation and destruction of wildlife
736 habitats, the loss of outdoor recreation space, and the
737 diminishment of wetlands, forests, working landscapes, and
738 coastal open space.

739 3. The potential development of the state's remaining
740 natural areas and escalation of land values require government
741 efforts to restore, bring under public protection, or acquire
742 lands and water areas to preserve the state's essential
743 ecological functions and invaluable quality of life.

744 4. It is essential to protect the state's ecosystems by
745 promoting a more efficient use of land, to ensure opportunities
746 for viable agricultural activities on working lands, and to
747 promote vital rural and urban communities that support and
748 produce development patterns consistent with natural resource
749 protection.

750 5. The state's groundwater, surface waters, and springs

751 are under tremendous pressure due to population growth and
752 economic expansion and require special protection and
753 restoration efforts, including the protection of uplands and
754 springsheds that provide vital recharge to aquifer systems and
755 are critical to the protection of water quality and water
756 quantity of the aquifers and springs. To ensure that sufficient
757 quantities of water are available to meet the current and future
758 needs of the natural systems and citizens of the state, and
759 assist in achieving the planning goals of the department and the
760 water management districts, water resource development projects
761 on public lands, if compatible with the resource values of and
762 management objectives for the lands, are appropriate.

763 6. The needs of urban, suburban, and small communities in
764 the state for high-quality outdoor recreational opportunities,
765 greenways, trails, and open space have not been fully met by
766 previous acquisition programs. Through such programs as the
767 Florida Communities Trust and the Florida Recreation Development
768 Assistance Program, the state shall place additional emphasis on
769 acquiring, protecting, preserving, and restoring open space,
770 ecological greenways, and recreation properties within urban,
771 suburban, and rural areas where pristine natural communities or
772 water bodies no longer exist because of the proximity of
773 developed property.

774 7. Many of the state's unique ecosystems, such as the
775 Florida Everglades, are facing ecological collapse due to the

776 state's burgeoning population growth and other economic
777 activities. To preserve these valuable ecosystems for future
778 generations, essential parcels of land must be acquired to
779 facilitate ecosystem restoration.

780 8. Access to public lands to support a broad range of
781 outdoor recreational opportunities and the development of
782 necessary infrastructure, if compatible with the resource values
783 of and management objectives for such lands, promotes an
784 appreciation for the state's natural assets and improves the
785 quality of life.

786 9. Acquisition of lands, in fee simple, less than fee
787 interest, or other techniques shall be based on a comprehensive
788 science-based assessment of the state's natural resources which
789 targets essential conservation lands by prioritizing all current
790 and future acquisitions based on a uniform set of data and
791 planned so as to protect the integrity and function of
792 ecological systems and working landscapes, and provide multiple
793 benefits, including preservation of fish and wildlife habitat,
794 connection of wildlife habitat with a wildlife crossing,
795 recreation space for urban and rural areas, and the restoration
796 of natural water storage, flow, and recharge.

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

801 goals. While previous and existing state environmental programs
802 have achieved varying degrees of success, few of these programs
803 can be evaluated as to the extent of their achievements,
804 primarily because performance measures, standards, outcomes, and
805 goals were not established at the outset. Therefore, the Florida
806 Forever program shall be developed and implemented in the
807 context of measurable state goals and objectives.

808 11. The state must play a major role in the recovery and
809 management of its imperiled species through the acquisition,
810 restoration, enhancement, and management of ecosystems that can
811 support the major life functions of such species. It is the
812 intent of the Legislature to support local, state, and federal
813 programs that result in net benefit to imperiled species habitat
814 by providing public and private land owners meaningful
815 incentives for acquiring, restoring, managing, and repopulating
816 habitats for imperiled species. It is the further intent of the
817 Legislature that public lands, both existing and to be acquired,
818 identified by the lead land managing agency, in consultation
819 with the Fish and Wildlife Conservation Commission for animals
820 or the Department of Agriculture and Consumer Services for
821 plants, as habitat or potentially restorable habitat for
822 imperiled species, be restored, enhanced, managed, and
823 repopulated as habitat for such species to advance the goals and
824 objectives of imperiled species management for conservation,
825 recreation, or both, consistent with the land management plan

826 without restricting other uses identified in the management
827 plan. It is also the intent of the Legislature that of the
828 proceeds distributed pursuant to subsection (3), additional
829 consideration be given to acquisitions that achieve a
830 combination of conservation goals, including the restoration,
831 enhancement, management, or repopulation of habitat for
832 imperiled species. The council, ~~in addition to the criteria in~~
833 ~~subsection (9),~~ shall give weight to projects that include
834 acquisition, restoration, management, or repopulation of habitat
835 for imperiled species. The term "imperiled species" as used in
836 this chapter and chapter 253, means plants and animals that are
837 federally listed under the Endangered Species Act, or state-
838 listed by the Fish and Wildlife Conservation Commission or the
839 Department of Agriculture and Consumer Services. As part of the
840 state's role, all state lands that have imperiled species
841 habitat shall include as a consideration in management plan
842 development the restoration, enhancement, management, and
843 repopulation of such habitats. In addition, the lead land
844 managing agency of such state lands may use fees received from
845 public or private entities for projects to offset adverse
846 impacts to imperiled species or their habitat in order to
847 restore, enhance, manage, repopulate, or acquire land and to
848 implement land management plans developed under s. 253.034 or a
849 land management prospectus developed and implemented under this
850 chapter. Such fees shall be deposited into a foundation or fund

851 created by each land management agency under s. 379.223, s.
852 589.012, or s. 259.032(9)(b) ~~s. 259.032(9)(e)~~, to be used solely
853 to restore, manage, enhance, repopulate, or acquire imperiled
854 species habitat.

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

859 (b) The Legislature recognizes that acquisition of lands
860 in fee simple is only one way to achieve the aforementioned
861 goals and encourages the use of less-than-fee interests, other
862 techniques, and the development of creative partnerships between
863 governmental agencies and private landowners. Such partnerships
864 may include those that advance the restoration, enhancement,
865 management, or repopulation of imperiled species habitat on
866 state lands as provided for in subparagraph (a)11. Easements
867 acquired pursuant to s. 570.71(2)(a) and (b), land protection
868 agreements, and nonstate funded tools such as rural land
869 stewardship areas, sector planning, and mitigation should be
870 used, where appropriate, to bring environmentally sensitive
871 tracts under an acceptable level of protection at a lower
872 financial cost to the public, and to provide private landowners
873 with the opportunity to enjoy and benefit from their property.

874 (c) Public agencies or other entities that receive funds
875 under this section shall coordinate their expenditures so that

876 project acquisitions, when combined with acquisitions under
 877 Florida Forever, Preservation 2000, Save Our Rivers, the Florida
 878 Communities Trust, other public land acquisition programs, and
 879 the techniques, partnerships, and tools referenced in
 880 subparagraph (a)11. and paragraph (b), are used to form more
 881 complete patterns of protection for natural areas, ecological
 882 greenways, and functioning ecosystems, to better accomplish the
 883 intent of this section.

884 (d) A long-term financial commitment to restoring,
 885 enhancing, and managing the state's ~~Florida's~~ public lands in
 886 order to implement land management plans developed under s.
 887 253.034 or a land management prospectus developed and
 888 implemented under this chapter must accompany any land
 889 acquisition program to ensure that the natural resource values
 890 of such lands are restored, enhanced, managed, and protected;
 891 that the public enjoys the lands to their fullest potential; and
 892 that the state achieves the full benefits of its investment of
 893 public dollars. Innovative strategies such as public-private
 894 partnerships and interagency planning and sharing of resources
 895 shall be used to achieve the state's management goals.

896 (e) With limited dollars available for ~~restoration,~~
 897 ~~enhancement, management, and~~ acquisition of land and water areas
 898 ~~and for providing long-term management and capital improvements,~~
 899 a competitive selection process shall select those projects best
 900 able to meet the goals of the Florida Forever program and

901 maximize the efficient use of the program's funding.

902 (f) To ensure success and provide accountability to the
903 citizens of this state, it is the intent of the Legislature that
904 any cash or bond proceeds used pursuant to this section be used
905 to implement the goals and objectives recommended by a
906 comprehensive science-based assessment and approved by the board
907 ~~of Trustees of the Internal Improvement Trust Fund~~ and the
908 Legislature.

909 (g) As it has with previous land acquisition programs, the
910 Legislature recognizes the desires of the residents of this
911 state to prosper through economic development and to preserve,
912 restore, and manage the state's natural areas and recreational
913 open space. The Legislature further recognizes the urgency of
914 restoring the natural functions, including wildlife and
915 imperiled species habitat functions, of public lands or water
916 bodies before they are degraded to a point where recovery may
917 never occur, yet acknowledges the difficulty of ensuring
918 adequate funding for restoration, enhancement, and management
919 efforts in light of other equally critical financial needs of
920 the state. It is the Legislature's desire and intent to fund the
921 implementation of this section and to do so in a fiscally
922 responsible manner, by issuing bonds to be repaid with
923 documentary stamp tax or other revenue sources, including those
924 identified in subparagraph (a)11.

925 (h) The Legislature further recognizes the important role

926 | that many of our state and federal military installations
927 | contribute to protecting and preserving the state's ~~Florida's~~
928 | natural resources as well as our economic prosperity. Where the
929 | state's land conservation plans overlap with the military's need
930 | to protect lands, waters, and habitat to ensure the
931 | sustainability of military missions, it is the Legislature's
932 | intent that agencies receiving funds under this program
933 | cooperate with our military partners to protect and buffer
934 | military installations and military airspace, by:

935 | 1. Protecting habitat on nonmilitary land for any species
936 | found on military land that is designated as threatened or
937 | endangered, or is a candidate for such designation under the
938 | Endangered Species Act or any Florida statute;

939 | 2. Protecting areas underlying low-level military air
940 | corridors or operating areas;

941 | 3. Protecting areas identified as clear zones, accident
942 | potential zones, and air installation compatible use buffer
943 | zones delineated by our military partners; and

944 | 4. Providing the military with technical assistance to
945 | restore, enhance, and manage military land as habitat for
946 | imperiled species or species designated as threatened or
947 | endangered, or a candidate for such designation, and for the
948 | recovery or reestablishment of such species.

949 | (3) Less the costs of issuing and the costs of funding
950 | reserve accounts and other costs associated with bonds, the

951 | proceeds of cash payments or bonds issued pursuant to this
 952 | section shall be deposited into the Florida Forever Trust Fund
 953 | created by s. 259.1051. The proceeds shall be distributed by the
 954 | department of ~~Environmental Protection~~ in the following manner:

955 | ~~(a) Thirty percent to the Department of Environmental~~
 956 | ~~Protection for the acquisition of lands and capital project~~
 957 | ~~expenditures necessary to implement the water management~~
 958 | ~~districts' priority lists developed pursuant to s. 373.199. The~~
 959 | ~~funds are to be distributed to the water management districts as~~
 960 | ~~provided in subsection (11). A minimum of 50 percent of the~~
 961 | ~~total funds provided over the life of the Florida Forever~~
 962 | ~~program pursuant to this paragraph shall be used for the~~
 963 | ~~acquisition of lands.~~

964 | ~~(a)(b)~~ Thirty-three and one-third ~~Thirty-five~~ percent to
 965 | the department of ~~Environmental Protection~~ for the acquisition
 966 | of lands ~~and capital project expenditures~~ described in this
 967 | section and lands necessary to implement the water management
 968 | district priority lists developed pursuant to s. 373.199; to
 969 | purchase inholdings for lands managed by the department, the
 970 | Fish and Wildlife Conservation Commission, and the Florida
 971 | Forest Service within the Department of Agriculture and Consumer
 972 | Services; and to provide grants for the acquisition of lands
 973 | pursuant to s. 375.075. Of the proceeds distributed pursuant to
 974 | this paragraph, it is the intent of the Legislature that an
 975 | increased priority be given to those acquisitions that ~~which~~

976 achieve a combination of conservation goals, including
977 protecting the state's ~~Florida's~~ water resources and natural
978 groundwater recharge. ~~At a minimum, 3 percent, and no more than~~
979 ~~10 percent, of the funds allocated pursuant to this paragraph~~
980 ~~shall be spent on capital project expenditures identified during~~
981 ~~the time of acquisition which meet land management planning~~
982 ~~activities necessary for public access.~~

983 1. In addition to using funds for acquisitions on the list
984 adopted by the council, the department shall distribute funds
985 for the acquisition of lands necessary to implement water
986 management district priority lists developed pursuant to s.
987 373.199; for the acquisition of inholdings for lands managed by
988 the department, the Fish and Wildlife Conservation Commission,
989 and the Florida Forest Service within the Department of
990 Agriculture and Consumer Services; and to provide grants for the
991 acquisition of lands pursuant to s. 375.075 if the acquisition
992 proposed by an agency is identified as a current year priority,
993 has demonstrated to be the greatest need, and is consistent with
994 annual legislative appropriations.

995 2. An agency that receives funds for the acquisition of
996 inholdings shall develop an acquisition or restoration list in
997 accordance with specific criteria and numeric performance
998 measures developed pursuant to s. 259.035(4). Proposed additions
999 may be acquired if the proposed additions are identified within
1000 the original project boundary, the management plan required

1001 pursuant to s. 253.034(5), or the management prospectus required
 1002 pursuant to s. 259.032(7)(c). Proposed additions not meeting the
 1003 requirements of this subparagraph shall be submitted to the
 1004 council for approval. The council may only approve the proposed
 1005 addition if it meets two or more of the following criteria:
 1006 a. Serves as a link or corridor to other publicly owned
 1007 property.
 1008 b. Enhances the protection or management of the property.
 1009 c. Adds a desirable resource to the property.
 1010 d. Creates a more manageable boundary configuration.
 1011 e. Protects a high resource value that would otherwise not
 1012 be protected.
 1013 f. Can be acquired at less than fair market value.
 1014 3. Beginning in the 2017-2018 fiscal year and continuing
 1015 through the 2026-2027 fiscal year, at least \$5 million of the
 1016 funds allocated pursuant to this paragraph shall be spent on
 1017 land acquisition within the Florida Keys Area of Critical State
 1018 Concern as authorized pursuant to s. 259.045.
 1019 (b)(e) ~~Thirty-three and one-third~~ ~~Twenty-one~~ percent to
 1020 the department of ~~Environmental Protection~~ for use by the
 1021 Florida Communities Trust for the purposes of part III of
 1022 chapter 380, including the Stan Mayfield Working Waterfronts
 1023 Program pursuant to s. 380.5105, as described and limited by
 1024 this subsection, and grants to local governments or nonprofit
 1025 environmental organizations that are tax-exempt under s.

1026 501(c)(3) of the United States Internal Revenue Code for the
1027 acquisition of community-based projects, urban open spaces,
1028 parks, and greenways to implement local government comprehensive
1029 plans. From funds available to the trust and used for land
1030 acquisition, 75 percent shall be matched by local governments on
1031 a dollar-for-dollar basis. ~~The Legislature intends that the~~
1032 ~~Florida Communities Trust emphasize funding projects in low-~~
1033 ~~income or otherwise disadvantaged communities and projects that~~
1034 ~~provide areas for direct water access and water-dependent~~
1035 ~~facilities that are open to the public and offer public access~~
1036 ~~by vessels to waters of the state, including boat ramps and~~
1037 ~~associated parking and other support facilities. At least 30~~
1038 ~~percent of the total allocation provided to the trust shall be~~
1039 ~~used in Standard Metropolitan Statistical Areas, but one-half of~~
1040 ~~that amount shall be used in localities in which the project~~
1041 ~~site is located in built-up commercial, industrial, or mixed-use~~
1042 ~~areas and functions to intersperse open spaces within congested~~
1043 ~~urban core areas. From funds allocated to the trust, no less~~
1044 ~~than 5 percent shall be used to acquire lands for recreational~~
1045 ~~trail systems, provided that in the event these funds are not~~
1046 ~~needed for such projects, they will be available for other trust~~
1047 ~~projects.~~ Local governments may use federal grants or loans,
1048 private donations, or environmental mitigation funds for any
1049 part or all of any local match required for acquisitions funded
1050 through the Florida Communities Trust. Any lands purchased by

1051 nonprofit organizations using funds allocated under this
1052 paragraph must provide for such lands to remain permanently in
1053 public use through a reversion of title to local or state
1054 government, conservation easement, or other appropriate
1055 mechanism. Projects funded with funds allocated to the trust
1056 shall be selected in a competitive process measured against
1057 criteria adopted in rule by the trust.

1058 ~~(d) Two percent to the Department of Environmental~~
1059 ~~Protection for grants pursuant to s. 375.075.~~

1060 ~~(e) One and five-tenths percent to the Department of~~
1061 ~~Environmental Protection for the purchase of inholdings and~~
1062 ~~additions to state parks and for capital project expenditures as~~
1063 ~~described in this section. At a minimum, 1 percent, and no more~~
1064 ~~than 10 percent, of the funds allocated pursuant to this~~
1065 ~~paragraph shall be spent on capital project expenditures~~
1066 ~~identified during the time of acquisition which meet land~~
1067 ~~management planning activities necessary for public access. For~~
1068 ~~the purposes of this paragraph, "state park" means any real~~
1069 ~~property in the state which is under the jurisdiction of the~~
1070 ~~Division of Recreation and Parks of the department, or which may~~
1071 ~~come under its jurisdiction.~~

1072 ~~(f) One and five-tenths percent to the Florida Forest~~
1073 ~~Service of the Department of Agriculture and Consumer Services~~
1074 ~~to fund the acquisition of state forest inholdings and additions~~
1075 ~~pursuant to s. 589.07, the implementation of reforestation plans~~

1076 ~~or sustainable forestry management practices, and for capital~~
1077 ~~project expenditures as described in this section. At a minimum,~~
1078 ~~1 percent, and no more than 10 percent, of the funds allocated~~
1079 ~~for the acquisition of inholdings and additions pursuant to this~~
1080 ~~paragraph shall be spent on capital project expenditures~~
1081 ~~identified during the time of acquisition which meet land~~
1082 ~~management planning activities necessary for public access.~~

1083 ~~(g) One and five-tenths percent to the Fish and Wildlife~~
1084 ~~Conservation Commission to fund the acquisition of inholdings~~
1085 ~~and additions to lands managed by the commission which are~~
1086 ~~important to the conservation of fish and wildlife and for~~
1087 ~~capital project expenditures as described in this section. At a~~
1088 ~~minimum, 1 percent, and no more than 10 percent, of the funds~~
1089 ~~allocated pursuant to this paragraph shall be spent on capital~~
1090 ~~project expenditures identified during the time of acquisition~~
1091 ~~which meet land management planning activities necessary for~~
1092 ~~public access.~~

1093 ~~(h) One and five-tenths percent to the Department of~~
1094 ~~Environmental Protection for the Florida Greenways and Trails~~
1095 ~~Program, to acquire greenways and trails or greenways and trail~~
1096 ~~systems pursuant to chapter 260, including, but not limited to,~~
1097 ~~abandoned railroad rights-of-way and the Florida National Scenic~~
1098 ~~Trail and for capital project expenditures as described in this~~
1099 ~~section. At a minimum, 1 percent, and no more than 10 percent,~~
1100 ~~of the funds allocated pursuant to this paragraph shall be spent~~

1101 ~~on capital project expenditures identified during the time of~~
1102 ~~acquisition which meet land management planning activities~~
1103 ~~necessary for public access.~~

1104 (c)-(i) Thirty-three and one-third ~~Three and five-tenths~~
1105 percent to the Department of Agriculture and Consumer Services
1106 for the acquisition of agricultural lands, through perpetual
1107 conservation easements and other perpetual less than fee
1108 techniques, which will achieve the objectives of the Florida
1109 Forever program and s. 570.71. Rules concerning the application,
1110 acquisition, and priority ranking process for such easements
1111 shall be developed pursuant to s. 570.71(10) and as provided by
1112 this paragraph. Increased priority shall be given to the
1113 acquisition of rural-lands-protection easements for which local
1114 governments are willing to provide cost-share funding for the
1115 acquisition. The board shall ensure that such rules are
1116 consistent with the acquisition process provided for in s.
1117 570.715. The rules developed pursuant to s. 570.71(10), shall
1118 also provide for the following:

1119 1. An annual priority list shall be developed pursuant to
1120 s. 570.71(10), submitted to the council for review, and approved
1121 by the board pursuant to s. 259.04.

1122 2. Terms of easements and acquisitions proposed pursuant
1123 to this paragraph shall be approved by the board and may not be
1124 delegated by the board to any other entity receiving funds under
1125 this section.

1126 3. All acquisitions pursuant to this paragraph shall
1127 contain a clear statement that they are subject to legislative
1128 appropriation.

1129
1130 ~~Funds provided under this paragraph may not be expended until~~
1131 ~~final adoption of rules by the board pursuant to s. 570.71.~~

1132 ~~(j) Two and five tenths percent to the Department of~~
1133 ~~Environmental Protection for the acquisition of land and capital~~
1134 ~~project expenditures necessary to implement the Stan Mayfield~~
1135 ~~Working Waterfronts Program within the Florida Communities Trust~~
1136 ~~pursuant to s. 380.5105.~~

1137 (d) ~~(k)~~ It is the intent of the Legislature that cash
1138 payments or proceeds of Florida Forever bonds distributed under
1139 this section shall be expended in an efficient and fiscally
1140 responsible manner. An agency that receives proceeds from
1141 Florida Forever bonds under this section may not maintain a
1142 balance of unencumbered funds in its Florida Forever subaccount
1143 beyond 3 fiscal years from the date of deposit of funds from
1144 each bond issue. Any funds that have not been expended or
1145 encumbered after 3 fiscal years from the date of deposit shall
1146 be distributed by the Legislature at its next regular session
1147 for use in the Florida Forever program.

1148 ~~(l) For the purposes of paragraphs (e), (f), (g), and (h),~~
1149 ~~the agencies that receive the funds shall develop their~~
1150 ~~individual acquisition or restoration lists in accordance with~~

1151 ~~specific criteria and numeric performance measures developed~~
1152 ~~pursuant to s. 259.035(4). Proposed additions may be acquired if~~
1153 ~~they are identified within the original project boundary, the~~
1154 ~~management plan required pursuant to s. 253.034(5), or the~~
1155 ~~management prospectus required pursuant to s. 259.032(7)(c).~~
1156 ~~Proposed additions not meeting the requirements of this~~
1157 ~~paragraph shall be submitted to the council for approval. The~~
1158 ~~council may only approve the proposed addition if it meets two~~
1159 ~~or more of the following criteria: serves as a link or corridor~~
1160 ~~to other publicly owned property; enhances the protection or~~
1161 ~~management of the property; would add a desirable resource to~~
1162 ~~the property; would create a more manageable boundary~~
1163 ~~configuration; has a high resource value that otherwise would be~~
1164 ~~unprotected; or can be acquired at less than fair market value.~~
1165 ~~(m) Notwithstanding paragraphs (a) (j) and for the 2016-~~
1166 ~~2017 fiscal year only:~~
1167 ~~1. The amount of \$15,156,206 to only the Division of State~~
1168 ~~Lands within the Department of Environmental Protection for the~~
1169 ~~Board of Trustees Florida Forever Priority List land acquisition~~
1170 ~~projects.~~
1171 ~~2. Thirty five million dollars to the Department of~~
1172 ~~Agriculture and Consumer Services for the acquisition of~~
1173 ~~agricultural lands through perpetual conservation easements and~~
1174 ~~other perpetual less-than-fee techniques, which will achieve the~~
1175 ~~objectives of Florida Forever and s. 570.71.~~

1176 ~~3.a. Notwithstanding any allocation required pursuant to~~
1177 ~~paragraph (c), \$10 million shall be allocated to the Florida~~
1178 ~~Communities Trust for projects acquiring conservation or~~
1179 ~~recreation lands to enhance recreational opportunities for~~
1180 ~~individuals with unique abilities.~~

1181 ~~b. The Department of Environmental Protection may waive~~
1182 ~~the local government matching fund requirement of paragraph (c)~~
1183 ~~for projects acquiring conservation or recreation lands to~~
1184 ~~enhance recreational opportunities for individuals with unique~~
1185 ~~abilities.~~

1186 ~~e. Notwithstanding sub-subparagraphs a. and b., any funds~~
1187 ~~required to be used to acquire conservation or recreation lands~~
1188 ~~to enhance recreational opportunities for individuals with~~
1189 ~~unique abilities which have not been awarded for those purposes~~
1190 ~~by May 1, 2017, may be awarded to redevelop or renew outdoor~~
1191 ~~recreational facilities on public lands, including recreational~~
1192 ~~trails, parks, and urban open spaces, together with improvements~~
1193 ~~required to enhance recreational enjoyment and public access to~~
1194 ~~public lands, if such redevelopment and renewal is primarily~~
1195 ~~geared toward enhancing recreational opportunities for~~
1196 ~~individuals with unique abilities. The department may waive the~~
1197 ~~local matching requirement of paragraph (c) for such~~
1198 ~~redevelopment and renewal projects.~~

1199
1200 ~~This paragraph expires July 1, 2017.~~

1201 (4) It is the intent of the Legislature that projects or
 1202 acquisitions funded pursuant to paragraph (3) (a) ~~paragraphs~~
 1203 ~~(3) (a) and (b)~~ contribute to the achievement of the following
 1204 goals, which shall be evaluated in accordance with specific
 1205 criteria and numeric performance measures developed pursuant to
 1206 s. 259.035(4):

1207 (a) Enhance the coordination and completion of the state's
 1208 land acquisition projects, as measured by:

1209 1. The number of acres acquired through the state's land
 1210 acquisition programs that contribute to the enhancement of
 1211 essential natural resources, ecosystem service parcels, and
 1212 connecting linkage corridors as identified and developed by the
 1213 best available scientific analysis;

1214 2. The number of acres protected through the use of
 1215 alternatives to fee simple acquisition; or

1216 3. The number of shared acquisition projects among Florida
 1217 Forever funding partners and partners with other funding
 1218 sources, including local governments and the Federal Government.

1219 (b) Increase the protection of the state's ~~Florida's~~
 1220 biodiversity at the species, natural community, and landscape
 1221 levels, as measured by:

1222 1. The number of acres acquired of significant strategic
 1223 habitat conservation areas;

1224 2. The number of acres acquired of highest priority
 1225 conservation areas for the state's ~~Florida's~~ rarest species;

1226 3. The number of acres acquired of significant landscapes,
1227 landscape linkages, wildlife crossings, and conservation
1228 corridors, giving priority to completing linkages;

1229 4. The number of acres acquired of underrepresented native
1230 ecosystems;

1231 5. The number of landscape-sized protection areas of at
1232 least 50,000 acres that exhibit a mosaic of predominantly intact
1233 or restorable natural communities established through new
1234 acquisition projects or augmentations to previous projects; or

1235 6. The percentage increase in the number of occurrences of
1236 imperiled species on publicly managed conservation areas.

1237 (c) Protect, restore, and maintain the quality and natural
1238 functions of the state's land, water, and wetland systems of the
1239 state, as measured by:

1240 1. The number of acres of publicly owned land identified
1241 as needing restoration, enhancement, and management, acres
1242 undergoing restoration or enhancement, acres with restoration
1243 activities completed, and acres managed to maintain such
1244 restored or enhanced conditions; the number of acres which
1245 represent actual or potential imperiled species habitat; the
1246 number of acres which are available pursuant to a management
1247 plan to restore, enhance, repopulate, and manage imperiled
1248 species habitat; and the number of acres of imperiled species
1249 habitat managed, restored, enhanced, repopulated, or acquired;

1250 2. The percentage of water segments that fully meet,

1251 partially meet, or do not meet their designated uses as reported
1252 in the department's ~~Department of Environmental Protection's~~
1253 State Water Quality Assessment 305(b) Report;

1254 ~~3. The percentage completion of targeted capital~~
1255 ~~improvements in surface water improvement and management plans~~
1256 ~~created under s. 373.453(2), regional or master stormwater~~
1257 ~~management system plans, or other adopted restoration plans;~~

1258 3.4. The number of acres acquired that protect natural
1259 floodplain functions;

1260 ~~4.5.~~ The number of acres acquired that protect surface
1261 waters ~~of the state;~~

1262 ~~5.6.~~ The number of acres identified for acquisition to
1263 minimize damage from flooding and the percentage of those acres
1264 acquired;

1265 ~~6.7.~~ The number of acres acquired that protect fragile
1266 coastal resources;

1267 ~~7.8.~~ The number of acres of functional wetland systems
1268 protected;

1269 ~~8.9.~~ The percentage of miles of critically eroding beaches
1270 contiguous with public lands that are restored or protected from
1271 further erosion;

1272 ~~9.10.~~ The percentage of public lakes and rivers in which
1273 invasive, nonnative aquatic plants are under maintenance
1274 control; or

1275 ~~10.11.~~ The number of acres of public conservation lands in

1276 | which upland invasive, exotic plants are under maintenance
 1277 | control.

1278 | (d) Ensure that sufficient quantities of water are
 1279 | available to meet the current and future needs of the state's
 1280 | natural systems and ~~the citizens of the state~~, as measured by:

1281 | 1. The number of acres acquired which provide retention
 1282 | and storage of surface water in naturally occurring storage
 1283 | areas, such as lakes and wetlands, consistent with the
 1284 | maintenance of water resources or water supplies and consistent
 1285 | with district water supply plans; or

1286 | ~~2. The quantity of water made available through the water~~
 1287 | ~~resource development component of a district water supply plan~~
 1288 | ~~for which a water management district is responsible; or~~

1289 | 2.3. The number of acres acquired of groundwater recharge
 1290 | areas critical to springs, sinks, aquifers, other natural
 1291 | systems, or water supply.

1292 | (e) Increase the state's natural resource-based public
 1293 | recreational and educational opportunities, as measured by:

1294 | 1. The number of acres acquired that are available for
 1295 | natural resource-based public recreation or education;

1296 | 2. The miles of trails that are available for public
 1297 | recreation, giving priority to those that provide significant
 1298 | connections including those that will assist in completing the
 1299 | Florida National Scenic Trail; or

1300 | 3. The number of new resource-based recreation facilities,

1301 by type, made available on public land.

1302 (f) Preserve the state's significant archaeological or
 1303 historic sites, as measured by:

1304 1. The increase in the number of and percentage of
 1305 historic and archaeological properties listed in the Florida
 1306 Master Site File or National Register of Historic Places which
 1307 are protected or preserved for public use; or

1308 2. The increase in the number and percentage of historic
 1309 and archaeological properties that are in state ownership.

1310 (g) Increase the amount of forestland available for
 1311 sustainable management of the state's natural resources, as
 1312 measured by:

1313 1. The number of acres acquired that are available for
 1314 sustainable forest management;

1315 2. The number of acres of state-owned forestland managed
 1316 for economic return in accordance with current best management
 1317 practices;

1318 3. The number of acres of forestland acquired that will
 1319 serve to maintain natural groundwater recharge functions; or

1320 4. The percentage and number of acres identified for
 1321 restoration actually restored by reforestation.

1322 (h) Increase the amount of open space available in the
 1323 state's urban areas, as measured by:

1324 1. The percentage of local governments that participate in
 1325 land acquisition programs and acquire open space in urban cores;

1326 or

1327 2. The percentage and number of acres of purchases of open
1328 space within urban service areas.

1329

1330 Florida Forever projects and acquisitions funded pursuant to
1331 paragraph (3) (b) ~~(3) (c)~~ shall be measured by goals developed by
1332 rule by the Florida Communities Trust Governing Board created in
1333 s. 380.504.

1334 (5) (a) All lands acquired pursuant to this section shall
1335 be managed for multiple-use purposes, if ~~where~~ compatible with
1336 the resource values of and management objectives for such lands.
1337 As used in this section, "multiple-use" includes, but is not
1338 limited to, outdoor recreational activities as described in ss.
1339 253.034 and 259.032 (7) (b), ~~water resource development projects,~~
1340 sustainable forestry management, carbon sequestration, carbon
1341 mitigation, or carbon offsets.

1342 (b) Upon a decision by the entity in which title to lands
1343 acquired pursuant to this section has vested, such lands may be
1344 designated single use as defined in s. 253.034 (2) (b).

1345 (c) For purposes of this section, the board ~~of Trustees of~~
1346 ~~the Internal Improvement Trust Fund~~ shall adopt rules that
1347 pertain to the use of state lands for carbon sequestration,
1348 carbon mitigation, or carbon offsets and that provide for
1349 climate-change-related benefits.

1350 ~~(6) As provided in this section, a water resource or water~~

1351 ~~supply development project may be allowed only if the following~~
1352 ~~conditions are met: minimum flows and levels have been~~
1353 ~~established for those waters, if any, which may reasonably be~~
1354 ~~expected to experience significant harm to water resources as a~~
1355 ~~result of the project; the project complies with all applicable~~
1356 ~~permitting requirements; and the project is consistent with the~~
1357 ~~regional water supply plan, if any, of the water management~~
1358 ~~district and with relevant recovery or prevention strategies if~~
1359 ~~required pursuant to s. 373.0421(2).~~

1360 (6)~~(7)~~(a) Beginning no later than July 1, 2001, and every
1361 year thereafter, the ~~Acquisition and Restoration~~ council shall
1362 accept applications from state agencies, local governments,
1363 nonprofit and for-profit organizations, private land trusts, and
1364 individuals for project proposals eligible for funding pursuant
1365 to paragraph (3)(a) ~~(3)(b)~~. The council shall evaluate the
1366 proposals received pursuant to this subsection to ensure that
1367 they meet at least one of the criteria under subsection (8) ~~(9)~~.

1368 (b) Project applications shall contain, at a minimum, the
1369 following:

1370 1. A minimum of two numeric performance measures that
1371 directly relate to the overall goals adopted by the council.
1372 Each performance measure shall include a baseline measurement,
1373 which is the current situation; a performance standard which the
1374 project sponsor anticipates the project will achieve; and the
1375 performance measurement itself, which should reflect the

1376 incremental improvements the project accomplishes towards
1377 achieving the performance standard.

1378 2. Proof that property owners within any proposed
1379 acquisition have been notified of their inclusion in the
1380 proposed project. Any property owner may request the removal of
1381 such property from further consideration by submitting a request
1382 to the project sponsor or the Acquisition and Restoration
1383 Council by certified mail. Upon receiving this request, the
1384 council shall delete the property from the proposed project;
1385 however, the board ~~of trustees~~, at the time it votes to approve
1386 the proposed project lists pursuant to subsection (14) ~~(16)~~, may
1387 add the property back on to the project lists if it determines
1388 by a super majority of its members that such property is
1389 critical to achieve the purposes of the project.

1390 (c) The title to lands acquired under this section shall
1391 vest in the board ~~of Trustees of the Internal Improvement Trust~~
1392 ~~Fund~~, except that title to lands acquired by a water management
1393 district shall vest in the name of that district and lands
1394 acquired by a local government shall vest in the name of the
1395 purchasing local government.

1396 (7) ~~(8)~~ The ~~Acquisition and Restoration~~ council shall
1397 develop a project list that shall represent those projects
1398 submitted pursuant to subsection (6) ~~(7)~~.

1399 (8) ~~(9)~~ The ~~Acquisition and Restoration~~ council shall
1400 recommend rules for adoption by the board of trustees to

1401 competitively evaluate, select, and rank projects eligible for
1402 Florida Forever funds pursuant to paragraph (3) (a) ~~(3) (b)~~. In
1403 developing these proposed rules, the ~~Acquisition and Restoration~~
1404 council shall give weight to the following criteria:

1405 (a) The project meets multiple goals described in
1406 subsection (4).

1407 (b) The project is part of an ongoing governmental effort
1408 to restore, protect, or develop land areas or water resources.

1409 (c) The project enhances or facilitates management of
1410 properties already under public ownership.

1411 (d) The project has significant archaeological or historic
1412 value.

1413 (e) The project has funding sources that are identified
1414 and assured through at least the first 2 years of the project.

1415 (f) The project contributes to the solution of water
1416 resource problems on a regional basis.

1417 (g) The project has a significant portion of its land area
1418 in imminent danger of development, in imminent danger of losing
1419 its significant natural attributes or recreational open space,
1420 or in imminent danger of subdivision which would result in
1421 multiple ownership and make acquisition of the project costly or
1422 less likely to be accomplished.

1423 (h) The project implements an element from a plan
1424 developed by an ecosystem management team.

1425 (i) The project is one of the components of the Everglades

1426 restoration effort.

1427 (j) The project may be purchased at 80 percent of
1428 appraised value.

1429 (k) The project may be acquired, in whole or in part,
1430 using alternatives to fee simple, including but not limited to,
1431 tax incentives, mitigation funds, or other revenues; the
1432 purchase of development rights, hunting rights, agricultural or
1433 silvicultural rights, or mineral rights; or obtaining
1434 conservation easements or flowage easements.

1435 (l) The project is a joint acquisition, either among
1436 public agencies, nonprofit organizations, or private entities,
1437 or by a public-private partnership.

1438 (9)~~(10)~~ The council shall give increased priority to:

1439 (a) Projects for which matching funds are available.

1440 (b) Project elements previously identified on an
1441 acquisition list pursuant to this section that can be acquired
1442 at 80 percent or less of appraised value.

1443 (c) Projects that can be acquired in less than fee
1444 ownership, such as a permanent conservation easement.

1445 (d) Projects that contribute to improving the quality and
1446 quantity of surface water and groundwater.

1447 (e) Projects that contribute to improving the water
1448 quality and flow of springs.

1449 (f) Projects for which the state's land conservation plans
1450 overlap with the military's need to protect lands, water, and

1451 habitat to ensure the sustainability of military missions
1452 including:

1453 1. Protecting habitat on nonmilitary land for any species
1454 found on military land that is designated as threatened or
1455 endangered, or is a candidate for such designation under the
1456 Endangered Species Act or any Florida statute;

1457 2. Protecting areas underlying low-level military air
1458 corridors or operating areas; and

1459 3. Protecting areas identified as clear zones, accident
1460 potential zones, and air installation compatible use buffer
1461 zones delineated by our military partners, and for which federal
1462 or other funding is available to assist with the project.

1463 ~~(11) For the purposes of funding projects pursuant to~~
1464 ~~paragraph (3) (a), the Secretary of Environmental Protection~~
1465 ~~shall ensure that each water management district receives the~~
1466 ~~following percentage of funds annually:~~

1467 ~~(a) Thirty-five percent to the South Florida Water~~
1468 ~~Management District, of which amount \$25 million for 2 years~~
1469 ~~beginning in fiscal year 2000-2001 shall be transferred by the~~
1470 ~~Department of Environmental Protection into the Save Our~~
1471 ~~Everglades Trust Fund and shall be used exclusively to implement~~
1472 ~~the comprehensive plan under s. 373.470.~~

1473 ~~(b) Twenty-five percent to the Southwest Florida Water~~
1474 ~~Management District.~~

1475 ~~(c) Twenty-five percent to the St. Johns River Water~~

1476 ~~Management District.~~

1477 ~~(d) Seven and one-half percent to the Suwannee River Water~~

1478 ~~Management District.~~

1479 ~~(e) Seven and one-half percent to the Northwest Florida~~

1480 ~~Water Management District.~~

1481 (10)~~(12)~~ Water management districts may not use funds

1482 received from the Florida Forever Trust Fund ~~It is the intent of~~

1483 ~~the Legislature that in developing the list of projects for~~

1484 ~~funding pursuant to paragraph (3) (a), that these funds not be~~

1485 ~~used to abrogate the financial responsibility of those point and~~

1486 ~~nonpoint sources that have contributed to the degradation of~~

1487 ~~water or land areas. Therefore, an increased priority shall be~~

1488 ~~given by~~ The water management district governing boards shall

1489 give increased priority to those projects that have secured a

1490 cost-sharing agreement allocating responsibility for the cleanup

1491 of point and nonpoint sources.

1492 (11)~~(13)~~ An affirmative vote of at least five members of

1493 the council shall be required in order to place a project

1494 submitted pursuant to subsection (6) ~~(7)~~ on the proposed project

1495 list developed pursuant to subsection (7) ~~(8)~~. Any member of the

1496 council who by family or a business relationship has a

1497 connection with any project proposed to be ranked shall declare

1498 such interest before voting for a project's inclusion on the

1499 list.

1500 (12)~~(14)~~ Each year that cash disbursements or bonds are to

1501 be issued pursuant to this section, the ~~Acquisition and~~
 1502 ~~Restoration~~ council shall review the most current approved
 1503 project list and shall, by the first board meeting in May,
 1504 present to the board ~~of Trustees of the Internal Improvement~~
 1505 ~~Trust Fund~~ for approval a listing of projects developed pursuant
 1506 to subsection (7) ~~(8)~~. The board ~~of trustees~~ may remove projects
 1507 from the list developed pursuant to this subsection, but may not
 1508 add projects or rearrange project rankings.

1509 ~~(13)(15)~~ The council shall submit to the board, with its
 1510 list of projects, a report that includes, but need not be
 1511 limited to, the following information for each project listed:

- 1512 (a) The stated purpose for inclusion.
- 1513 (b) Projected costs to achieve the project goals.
- 1514 (c) An interim management budget that includes all costs
 1515 associated with immediate public access.
- 1516 (d) Specific performance measures.
- 1517 (e) Plans for public access.
- 1518 (f) An identification of the essential parcel or parcels
 1519 within the project without which the project cannot be properly
 1520 managed.
- 1521 (g) Where applicable, an identification of those projects
 1522 or parcels within projects which should be acquired in fee
 1523 simple or in less than fee simple.
- 1524 (h) An identification of those lands being purchased for
 1525 conservation purposes.

1526 (i) A management policy statement for the project and a
 1527 management prospectus pursuant to s. 259.032(7)(c).

1528 (j) An estimate of land value based on county tax assessed
 1529 values.

1530 (k) A map delineating project boundaries.

1531 (l) An assessment of the project's ecological value,
 1532 outdoor recreational value, forest resources, wildlife
 1533 resources, ownership pattern, utilization, and location.

1534 (m) A discussion of whether alternative uses are proposed
 1535 for the property and what those uses are.

1536 (n) A designation of the management agency or agencies.

1537 (14)~~(16)~~ All proposals for projects pursuant to paragraph
 1538 (3)(a) ~~(3)(b)~~ shall be implemented only if adopted by the
 1539 ~~Acquisition and Restoration~~ council and approved by the board of
 1540 ~~trustees~~. The council shall consider and evaluate in writing the
 1541 merits and demerits of each project that is proposed for Florida
 1542 Forever funding. The council shall ensure that each proposed
 1543 project will meet a stated public purpose for the restoration,
 1544 conservation, or preservation of environmentally sensitive lands
 1545 and water areas or for providing outdoor recreational
 1546 opportunities. The council also shall determine whether the
 1547 project or addition conforms, where applicable, with the
 1548 comprehensive plan developed pursuant to s. 259.04(1)(a), the
 1549 comprehensive multipurpose outdoor recreation plan developed
 1550 pursuant to s. 375.021, the state lands management plan adopted

1551 pursuant to s. 253.03(7), the water resources work plans
1552 developed pursuant to s. 373.199, and the provisions of this
1553 section. Grants provided pursuant to s. 375.075 which are funded
1554 under paragraph (3)(b) are not subject to review or approval by
1555 the council.

1556 (15)~~(17)~~ On an annual basis, the Division of State Lands
1557 shall prepare an annual work plan that prioritizes projects on
1558 the Florida Forever list and sets forth the funding available in
1559 the fiscal year for land acquisition. The work plan shall
1560 consider the following categories of expenditure for land
1561 conservation projects already selected for the Florida Forever
1562 list pursuant to subsection (7) ~~(8)~~:

1563 (a) A critical natural lands category, including
1564 functional landscape-scale natural systems, intact large
1565 hydrological systems, lands that have significant imperiled
1566 natural communities, and corridors linking large landscapes, as
1567 identified and developed by the best available scientific
1568 analysis.

1569 (b) A partnerships or regional incentive category,
1570 including:

1571 1. Projects where local and regional cost-share agreements
1572 provide a lower cost and greater conservation benefit to the
1573 people of the state. Additional consideration shall be provided
1574 under this category where parcels are identified as part of a
1575 local or regional visioning process and are supported by

1576 scientific analysis; and

1577 2. Bargain and shared projects where the state will
1578 receive a significant reduction in price for public ownership of
1579 land as a result of the removal of development rights or other
1580 interests in lands or receives alternative or matching funds.

1581 (c) A substantially complete category of projects where
1582 mainly inholdings, additions, and linkages between preserved
1583 areas will be acquired and where 85 percent of the project is
1584 complete.

1585 (d) A climate-change category list of lands where
1586 acquisition or other conservation measures will address the
1587 challenges of global climate change, such as through protection,
1588 restoration, mitigation, and strengthening of the state's
1589 ~~Florida's~~ land, water, and coastal resources. This category
1590 includes lands that provide opportunities to sequester carbon,
1591 provide habitat, protect coastal lands or barrier islands, and
1592 otherwise mitigate and help adapt to the effects of sea-level
1593 rise and meet other objectives of the program.

1594 (e) A less-than-fee category for working agricultural
1595 lands that significantly contribute to resource protection
1596 through conservation easements and other less-than-fee
1597 techniques, tax incentives, life estates, landowner agreements,
1598 and other partnerships, including conservation easements
1599 acquired in partnership with federal conservation programs,
1600 which will achieve the objectives of the Florida Forever program

1601 while allowing the continuation of compatible agricultural uses
 1602 on the land. Terms of easements proposed for acquisition under
 1603 this category shall be developed by the Division of State Lands
 1604 in coordination with the Department of Agriculture and Consumer
 1605 Services.

1606
 1607 Projects within each category shall be ranked by order of
 1608 priority. The work plan shall be adopted by the ~~Acquisition and~~
 1609 ~~Restoration~~ council after at least one public hearing. A copy of
 1610 the work plan shall be provided to the board ~~of trustees of the~~
 1611 ~~Internal Improvement Trust Fund~~ no later than October 1 of each
 1612 year.

1613 (16) ~~(18)~~ (a) The board ~~of Trustees of the Internal~~
 1614 ~~Improvement Trust Fund~~, or, in the case of water management
 1615 district lands, the owning water management district, may
 1616 authorize the granting of a lease, easement, or license for the
 1617 use of certain lands acquired pursuant to this section, for
 1618 certain uses that are determined by the appropriate board to be
 1619 compatible with the resource values of and management objectives
 1620 for such lands.

1621 (b) Any existing lease, easement, or license acquired for
 1622 incidental public or private use on, under, or across any lands
 1623 acquired pursuant to this section shall be presumed to be
 1624 compatible with the purposes for which such lands were acquired.

1625 (c) Notwithstanding the provisions of paragraph (a), no

1626 such lease, easement, or license may ~~shall~~ be entered into by
1627 the department ~~of Environmental Protection~~ or other appropriate
1628 state agency if the granting of such lease, easement, or license
1629 would adversely affect the exclusion of the interest on any
1630 revenue bonds issued to fund the acquisition of the affected
1631 lands from gross income for federal income tax purposes,
1632 pursuant to Internal Revenue Service regulations.

1633 (17) ~~(19)~~ The council shall recommend adoption of rules by
1634 the board necessary to implement this section relating to
1635 solicitation, scoring, selecting, and ranking of Florida Forever
1636 project proposals; disposing of or leasing lands or water areas
1637 selected for funding through the Florida Forever program; and
1638 the process of reviewing and recommending for approval or
1639 rejection the land management plans associated with publicly
1640 owned properties.

1641 (18) ~~(20)~~ Lands listed as projects for acquisition under
1642 the Florida Forever program may be managed for conservation
1643 pursuant to s. 259.032, on an interim basis by a private party
1644 in anticipation of a state purchase in accordance with a
1645 contractual arrangement between the acquiring agency and the
1646 private party that may include management service contracts,
1647 leases, cost-share arrangements, or resource conservation
1648 agreements. Lands designated as eligible under this subsection
1649 shall be managed to maintain or enhance the resources the state
1650 is seeking to protect by acquiring the land and to accelerate

1651 public access to the lands as soon as practicable. Funding for
1652 these contractual arrangements may originate from the
1653 documentary stamp tax revenue deposited into the Land
1654 Acquisition Trust Fund. No more than \$6.2 million may be
1655 expended from the Land Acquisition Trust Fund for this purpose.

1656 Section 13. Subsections (9), (10), and (11) are added to
1657 section 373.089, Florida Statutes, to read:

1658 373.089 Sale or exchange of lands, or interests or rights
1659 in lands.—The governing board of the district may sell lands, or
1660 interests or rights in lands, to which the district has acquired
1661 title or to which it may hereafter acquire title in the
1662 following manner:

1663 (9) No disposition of land may be made if it would cause
1664 all or any portion of the interest on any revenue bonds to fund
1665 acquisitions made by the district to lose the exclusion from
1666 gross income for purposes of federal income taxation. Proceeds
1667 derived from such disposition may not be used for any purpose
1668 except the purchase of other lands meeting the criteria
1669 specified in s. 373.139 or payment of debt service on revenue
1670 bonds or notes issued under s. 373.584.

1671 (10) Proceeds from the sale of surplus conservation lands
1672 purchased with Florida Forever funds before July 1, 2015, shall
1673 be deposited into the Florida Forever Trust Fund if the district
1674 does not use the proceeds to purchase other lands meeting the
1675 criteria specified in s. 373.139 or payment of debt service on

1676 revenue bonds or notes issued under s. 373.584 within 3 years.
1677 If the district purchased the conservation land with multiple
1678 revenue sources, the district shall deposit an amount based on
1679 the percentage of Florida Forever funds used for the original
1680 purchase.

1681 (11) Proceeds from the sale of surplus conservation lands
1682 purchased with state funds on or after July 1, 2015, shall be
1683 deposited into the Land Acquisition Trust Fund if the district
1684 does not use the proceeds to purchase other lands meeting the
1685 criteria specified in s. 373.139 or payment of debt service on
1686 revenue bonds or notes issued under s. 373.584 within 3 years.
1687 If the district purchased the conservation land with funds other
1688 than those from the Land Acquisition Trust Fund or a land
1689 acquisition trust fund created to implement s. 28, Art. X of the
1690 State Constitution, the proceeds shall be deposited into the
1691 fund from which the land was purchased. If the district
1692 purchased the conservation land with multiple revenue sources,
1693 the district shall deposit an amount based on the percentage of
1694 state funds used for the original purchase.

1695
1696 If the Board of Trustees of the Internal Improvement Trust Fund
1697 declines to accept title to the lands offered under this
1698 section, the land may be disposed of by the district under the
1699 provisions of this section.

1700 Section 14. Subsection (6) of section 373.139, Florida

1701 Statutes, is amended to read:

1702 373.139 Acquisition of real property.—

1703 ~~(6) A district may dispose of land acquired under this~~
 1704 ~~section pursuant to s. 373.056 or s. 373.089. However, no such~~
 1705 ~~disposition of land shall be made if it would have the effect of~~
 1706 ~~causing all or any portion of the interest on any revenue bonds~~
 1707 ~~issued pursuant to s. 259.101 or s. 259.105 to fund the~~
 1708 ~~acquisition programs detailed in this section to lose the~~
 1709 ~~exclusion from gross income for purposes of federal income~~
 1710 ~~taxation. Revenue derived from such disposition may not be used~~
 1711 ~~for any purpose except the purchase of other lands meeting the~~
 1712 ~~criteria specified in this section or payment of debt service on~~
 1713 ~~revenue bonds or notes issued under s. 373.584.~~

1714 Section 15. Subsection (7) is added to section 373.1391,
 1715 Florida Statutes, to read:

1716 373.1391 Management of real property.—

1717 (7) All revenues generated through multiple-use management
 1718 or compatible secondary-use management of district conservation
 1719 lands purchased with state funds shall be retained by the
 1720 district responsible for such management and shall be used to
 1721 pay for management activities on all conservation, preservation,
 1722 and recreation lands under the district's jurisdiction. In
 1723 addition, such revenues shall be segregated in a district trust
 1724 fund or special revenue account and shall remain available to
 1725 the district in subsequent fiscal years to fund land management

1726 | activities.

1727 | Section 16. Paragraph (h) of subsection (4) of section
1728 | 373.199, Florida Statutes, is amended to read:

1729 | 373.199 Florida Forever Water Management District Work
1730 | Plan.—

1731 | (4) The list submitted by the districts shall include,
1732 | where applicable, the following information for each project:

1733 | (h) A clear and concise estimate of the funding needed to
1734 | carry out the restoration, protection, or improvement project,
1735 | or the development of new water resources, where applicable, and
1736 | a clear and concise identification of the projected sources and
1737 | uses of Florida Forever funds. Only the land acquisition
1738 | elements and associated land acquisition costs for projects
1739 | identified on the list may receive Florida Forever funding. All
1740 | other project elements must use other funding sources.

1741 | Section 17. Paragraph (d) of subsection (9) of section
1742 | 373.4598, Florida Statutes, is amended and paragraph (f) is
1743 | added to that subsection to read:

1744 | 373.4598 Water storage reservoirs.—

1745 | (9) C-51 RESERVOIR PROJECT.—

1746 | (d) If state funds are appropriated for Phase I or Phase
1747 | II of the C-51 reservoir project:

1748 | 1. The district, to the extent practicable, shall operate
1749 | either Phase I or Phase II of the reservoir to maximize the
1750 | reduction of high-volume Lake Okeechobee regulatory releases to

1751 the St. Lucie or Caloosahatchee estuaries, in addition to
1752 maximizing the reduction of harmful discharges ~~providing relief~~
1753 to the Lake Worth Lagoon. However, the operation of Phase I of
1754 the C-51 reservoir project must be in accordance with any
1755 operation and maintenance agreement adopted by the district;

1756 2. Water made available by Phase I or Phase II of the
1757 reservoir must ~~shall~~ be used for natural systems in addition to
1758 any permitted ~~allocated~~ amounts for water supply issued in
1759 accordance with executed capacity allocation agreements; and

1760 3. ~~Any~~ Water received from Lake Okeechobee may only ~~not~~ be
1761 available to support consumptive use permits if such use is in
1762 accordance with the South Florida Water Management District
1763 rules for the applicable restricted allocation area as defined
1764 in s. 373.037(1).

1765 (f) The South Florida Water Management District may enter
1766 into a capacity allocation agreement with a water supply entity
1767 for a pro rata share of unreserved capacity in the water storage
1768 facility and may request the department to waive repayment of
1769 all or a portion of the loan issued pursuant to s. 373.475. The
1770 department may authorize such waiver if the department
1771 determines it has received reasonable value for such waiver.

1772 Section 18. Subsection (10) is added to section 373.713,
1773 Florida Statutes, to read:

1774 373.713 Regional water supply authorities.—

1775 (10) Each regional water supply authority shall annually

1776 coordinate with the appropriate water management district to
 1777 submit a status report on water resource development projects
 1778 receiving state funding for inclusion in the consolidated water
 1779 management district annual report required by s. 373.036(7).

1780 Section 19. Paragraph (b) of subsection (3) of section
 1781 375.041, Florida Statutes, is amended to read:

1782 375.041 Land Acquisition Trust Fund.—

1783 (3) Funds distributed into the Land Acquisition Trust Fund
 1784 pursuant to s. 201.15 shall be applied:

1785 (b) Of the funds remaining after the payments required
 1786 under paragraph (a), but before funds may be appropriated,
 1787 pledged, or dedicated for other uses:

1788 1. A minimum of the lesser of 25 percent or \$200 million
 1789 shall be appropriated annually for Everglades projects that
 1790 implement the Comprehensive Everglades Restoration Plan as set
 1791 forth in s. 373.470, including the Central Everglades Planning
 1792 Project subject to Congressional authorization; the Long-Term
 1793 Plan as defined in s. 373.4592(2); and the Northern Everglades
 1794 and Estuaries Protection Program as set forth in s. 373.4595.
 1795 From these funds, \$32 million shall be distributed each fiscal
 1796 year through the 2023-2024 fiscal year to the South Florida
 1797 Water Management District for the Long-Term Plan as defined in
 1798 s. 373.4592(2). After deducting the \$32 million distributed
 1799 under this subparagraph, from the funds remaining, a minimum of
 1800 the lesser of 76.5 percent or \$100 million shall be appropriated

1801 each fiscal year through the 2025-2026 fiscal year for the
1802 planning, design, engineering, and construction of the
1803 Comprehensive Everglades Restoration Plan as set forth in s.
1804 373.470, including the Central Everglades Planning Project , the
1805 Everglades Agricultural Area Storage Reservoir Project, the Lake
1806 Okeechobee Watershed Project, the C-43 West Basin Storage
1807 Reservoir Project, the Indian River Lagoon-South Project, the
1808 Western Everglades Restoration Project, and the Picayune Strand
1809 Restoration Project. The Department of Environmental Protection
1810 and the South Florida Water Management District shall give
1811 preference to those Everglades restoration projects that reduce
1812 harmful discharges of water from Lake Okeechobee to the St.
1813 Lucie or Caloosahatchee estuaries in a timely manner, with the
1814 highest priority given to the C-43 West Basin Storage Reservoir
1815 Project. For the purpose of performing the calculation provided
1816 in this subparagraph, the amount of debt service paid pursuant
1817 to paragraph (a) for bonds issued after July 1, 2016, for the
1818 purposes set forth under paragraph (b) shall be added to the
1819 amount remaining after the payments required under paragraph
1820 (a). The amount of the distribution calculated shall then be
1821 reduced by an amount equal to the debt service paid pursuant to
1822 paragraph (a) on bonds issued after July 1, 2016, for the
1823 purposes set forth under this subparagraph.

1824 2. A minimum of the lesser of 7.6 percent or \$50 million
1825 shall be appropriated annually for spring restoration,

1826 protection, and management projects. For the purpose of
1827 performing the calculation provided in this subparagraph, the
1828 amount of debt service paid pursuant to paragraph (a) for bonds
1829 issued after July 1, 2016, for the purposes set forth under
1830 paragraph (b) shall be added to the amount remaining after the
1831 payments required under paragraph (a). The amount of the
1832 distribution calculated shall then be reduced by an amount equal
1833 to the debt service paid pursuant to paragraph (a) on bonds
1834 issued after July 1, 2016, for the purposes set forth under this
1835 subparagraph.

1836 3. The sum of \$5 million shall be appropriated annually
1837 each fiscal year through the 2025-2026 fiscal year to the St.
1838 Johns River Water Management District for projects dedicated to
1839 the restoration of Lake Apopka. This distribution shall be
1840 reduced by an amount equal to the debt service paid pursuant to
1841 paragraph (a) on bonds issued after July 1, 2016, for the
1842 purposes set forth in this subparagraph.

1843 4. The sum of \$64 million is appropriated and shall be
1844 transferred to the Everglades Trust Fund for the 2018-2019
1845 fiscal year, and each fiscal year thereafter, for the EAA
1846 reservoir project pursuant to s. 373.4598. Any funds remaining
1847 in any fiscal year shall be made available only for Phase II of
1848 the C-51 reservoir project or projects identified in
1849 subparagraph 1. and must be used in accordance with laws
1850 relating to such projects. Any funds made available for such

1851 purposes in a fiscal year are in addition to the amount
1852 appropriated under subparagraph 1. This distribution shall be
1853 reduced by an amount equal to the debt service paid pursuant to
1854 paragraph (a) on bonds issued after July 1, 2017, for the
1855 purposes set forth in this subparagraph.

1856 5. The following sums shall be appropriated annually each
1857 fiscal year to the Florida Forever Trust Fund for distribution
1858 by the Department of Environmental Protection pursuant to s.
1859 259.105(3):

1860 a. For the 2019-2020 fiscal year and the 2020-2021 fiscal
1861 year, the sum of \$57 million.

1862 b. For the 2021-2022 fiscal year, the sum of \$78 million.

1863 c. For the 2022-2023 fiscal year, the sum of \$89 million.

1864 d. For the 2023-2024 fiscal year and the 2024-2025 fiscal
1865 year, the sum of \$110 million.

1866 e. For the 2025-2026 fiscal year, the sum of \$127 million.

1867 f. For the 2026-2027 fiscal year, the sum of \$147 million.

1868 g. For the 2027-2028 fiscal year, the sum of \$157 million.

1869 h. For the 2028-2029 fiscal year, the sum of \$179 million.

1870 i. For the 2029-2030 fiscal year and each fiscal year
1871 through the 2035-2036 fiscal year, the sum of \$200 million.

1872
1873 The distribution shall be reduced by an amount equal to the debt
1874 service paid pursuant to paragraph (a) on bonds issued after
1875 July 1, 2018, for the purposes set forth in this subparagraph.

1876 ~~5. Notwithstanding subparagraph 3., for the 2017-2018~~
 1877 ~~fiscal year, funds shall be appropriated as provided in the~~
 1878 ~~General Appropriations Act. This subparagraph expires July 1,~~
 1879 ~~2018.~~

1880 Section 20. Paragraph (c) is added to subsection (12) of
 1881 section 403.067, Florida Statutes, to read:

1882 403.067 Establishment and implementation of total maximum
 1883 daily loads.—

1884 (12) IMPLEMENTATION OF ADDITIONAL PROGRAMS.—

1885 (c) The department may consider and include innovative
 1886 nutrient reduction pilot projects designed to reduce nutrient
 1887 pollution as part of basin management action plans pursuant to
 1888 subsection (7). The department may also provide cost-share
 1889 funding for innovative nutrient reduction pilot projects.

1890 Section 21. Paragraphs (e) and (f) of subsection (3) of
 1891 section 403.087, Florida Statutes, are amended and paragraph (g)
 1892 is added to that subsection to read:

1893 403.087 Permits; general issuance; denial; revocation;
 1894 prohibition; penalty.—

1895 (3) A renewal of an operation permit for a domestic
 1896 wastewater treatment facility other than a facility regulated
 1897 under the National Pollutant Discharge Elimination System
 1898 (NPDES) Program under s. 403.0885 must be issued upon request
 1899 for a term of up to 10 years, for the same fee and under the
 1900 same conditions as a 5-year permit, in order to provide the

1901 owner or operator with a financial incentive, if:

1902 (e) The treatment facility has generally met water quality
1903 standards in the preceding 2 years, except for violations
1904 attributable to events beyond the control of the treatment plant
1905 or its operator, such as destruction of equipment by fire, wind,
1906 or other abnormal events that could not reasonably be expected
1907 to occur; ~~and~~

1908 (f) The department, or a local program approved under s.
1909 403.182, has conducted, in the preceding 12 months, an
1910 inspection of the facility and has verified in writing to the
1911 operator of the facility that it is not exceeding the permitted
1912 capacity and is in substantial compliance; and

1913 (g) The department has reviewed the annual status reports
1914 required by s. 403.892 and is satisfied that the treatment
1915 facility is timely implementing its asset management plan.

1916
1917 The department shall keep records of the number of 10-year
1918 permits applied for and the number and duration of permits
1919 issued for longer than 5 years.

1920 Section 22. Section 403.0891, Florida Statutes, is amended
1921 to read:

1922 403.0891 State, regional, and local stormwater management
1923 plans and programs.—The department, the water management
1924 districts, ~~and~~ local governments, and the Department of
1925 Transportation shall have the responsibility for the development

1926 | of mutually compatible stormwater management programs.

1927 | (1) The department shall include goals in the water
1928 | resource implementation rule for the proper management of
1929 | stormwater.

1930 | (2) Each water management district to which the state's
1931 | stormwater management program is delegated shall establish
1932 | district and, where appropriate, watershed or drainage basin
1933 | stormwater management goals which are consistent with the goals
1934 | adopted by the state and with plans adopted pursuant to ss.
1935 | 373.451-373.4595, the Surface Water Improvement and Management
1936 | Act.

1937 | (3) (a) Each local government required by chapter 163 to
1938 | submit a comprehensive plan, whose plan is submitted after July
1939 | 1, 1992, and the others when updated after July 1, 1992, in the
1940 | development of its stormwater management program described by
1941 | elements within its comprehensive plan shall consider the water
1942 | resource implementation rule, district stormwater management
1943 | goals, plans approved pursuant to the Surface Water Improvement
1944 | and Management Act, ss. 373.451-373.4595, and technical
1945 | assistance information provided by the water management
1946 | districts pursuant to s. 373.711.

1947 | (b) Local governments are encouraged to consult with the
1948 | water management districts, the Department of Transportation,
1949 | and the department before adopting or updating their local
1950 | government comprehensive plan or public facilities report as

1951 required by s. 189.08, whichever is applicable.

1952 (4) The department, in coordination and cooperation with
1953 water management districts and local governments, shall conduct
1954 a continuing review of the costs of stormwater management
1955 systems and the effect on water quality and quantity, and fish
1956 and wildlife values. The department, the water management
1957 districts, and local governments shall use the review for
1958 planning purposes and to establish priorities for watersheds and
1959 stormwater management systems which require better management
1960 and treatment of stormwater with emphasis on the costs and
1961 benefits of needed improvements to stormwater management systems
1962 to better meet needs for flood protection and protection of
1963 water quality, and fish and wildlife values.

1964 (5) The results of the review shall be maintained by the
1965 department and the water management districts and shall be
1966 provided to appropriate local governments or other parties on
1967 request. The results also shall be used in the development of
1968 the goals developed pursuant to subsections (1) and (2).

1969 (6) The department and the Department of Economic
1970 Opportunity, in cooperation with local governments in the
1971 coastal zone, shall develop a model stormwater management
1972 program that could be adopted by local governments. The model
1973 program shall contain dedicated funding options, including a
1974 stormwater utility fee system based upon an equitable unit cost
1975 approach. Funding options shall be designed to generate capital

1976 to retrofit existing stormwater management systems, build new
 1977 treatment systems, operate facilities, and maintain and service
 1978 debt.

1979 (7) The Department of Transportation shall coordinate with
 1980 the department, water management districts, and local
 1981 governments to determine whether it is economically feasible to
 1982 use stormwater resulting from road construction projects for the
 1983 beneficial use of providing alternative water supplies,
 1984 including, but not limited to, directing stormwater to reclaimed
 1985 water facilities or water storage reservoirs. If the affected
 1986 parties determine that beneficial use of such stormwater is
 1987 economically feasible, such use shall be implemented by the
 1988 parties. The department, in consultation with the Department of
 1989 Transportation, may adopt rules to implement this subsection.

1990 Section 23. Subsection (5) of section 403.412, Florida
 1991 Statutes, is amended to read:

1992 403.412 Environmental Protection Act.—

1993 (5) In any administrative, licensing, or other proceedings
 1994 authorized by law for the protection of the air, water, or other
 1995 natural resources of the state from pollution, impairment, or
 1996 destruction, the Department of Legal Affairs, a political
 1997 subdivision or municipality of the state, or a citizen of the
 1998 state shall have standing to intervene as a party on the filing
 1999 of a verified pleading asserting that the activity, conduct, or
 2000 product to be licensed or permitted has or will have the effect

2001 of impairing, polluting, or otherwise injuring the air, water,
 2002 or other natural resources of the state. As used in this section
 2003 and as it relates to citizens, the term "intervene" means to
 2004 join an ongoing s. 120.569 or s. 120.57 proceeding.‡ This
 2005 section does not authorize a citizen to institute, initiate,
 2006 petition for, or request a proceeding under s. 120.569 or s.
 2007 120.57 and does not limit or prohibit. ~~Nothing herein limits or~~
 2008 ~~prohibits~~ a citizen whose substantial interests will be
 2009 determined or affected by a proposed agency action from
 2010 initiating a formal administrative proceeding under s. 120.569
 2011 or s. 120.57. A citizen's substantial interests will be
 2012 considered to be determined or affected if the party
 2013 demonstrates it may suffer an injury in fact which is of
 2014 sufficient immediacy and is of the type and nature intended to
 2015 be protected by this chapter. No demonstration of special injury
 2016 different in kind from the general public at large is required.
 2017 A sufficient demonstration of a substantial interest may be made
 2018 by a petitioner who establishes that the proposed activity,
 2019 conduct, or product to be licensed or permitted affects the
 2020 petitioner's use or enjoyment of air, water, or natural
 2021 resources protected by this chapter. The final order in a
 2022 proceeding under s. 120.57(1) may award reasonable costs and
 2023 reasonable attorney fees to the prevailing party from an
 2024 intervener when the intervener is a nonprevailing adverse party,
 2025 as defined in s. 120.595, as determined by the administrative

2026 | law judge. The final order may only require the intervener to
 2027 | pay the portion of the reasonable costs and reasonable attorney
 2028 | fees related to the intervener's participation in the
 2029 | administrative proceeding.

2030 | Section 24. Subsection (12) of section 403.814, Florida
 2031 | Statutes, is amended to read:

2032 | 403.814 General permits; delegation.—

2033 | (12) A general permit is granted for the construction,
 2034 | alteration, and maintenance of a stormwater management system
 2035 | serving a total project area of up to 10 acres meeting the
 2036 | criteria of this subsection. Such stormwater management systems
 2037 | must be designed, operated, and maintained in accordance with
 2038 | applicable rules adopted pursuant to part IV of chapter 373.
 2039 | There is a rebuttable presumption that the discharge from such
 2040 | systems complies with state water quality standards. The
 2041 | construction of such a system may proceed without any further
 2042 | agency action by the department or water management district if,
 2043 | before construction begins, an electronic self-certification is
 2044 | submitted to the department or water management district which
 2045 | certifies that the proposed system was designed by a Florida
 2046 | registered professional and that the registered professional has
 2047 | certified that the proposed system meets the requirements of
 2048 | this section and will meet the following additional
 2049 | requirements:

2050 | (a) The total project area involves less than 10 acres and

2051 less than 2 acres of impervious surface;

2052 (b) Activities will not impact wetlands or other surface

2053 waters;

2054 (c) Activities are not conducted in, on, or over wetlands

2055 or other surface waters;

2056 (d) Drainage facilities will not include pipes having

2057 diameters greater than 24 inches, or the hydraulic equivalent,

2058 and will not use pumps in any manner;

2059 (e) The project is not part of a larger common plan,

2060 development, or sale; and

2061 (f) The project does not cause or contribute to:

2062 1. ~~Cause~~ Adverse water quantity or flooding impacts to

2063 receiving water and adjacent lands;

2064 2. ~~Cause~~ Adverse impacts to existing surface water storage

2065 and conveyance capabilities;

2066 3. ~~Cause~~ A violation of state water quality standards; or

2067 4. ~~Cause~~ An adverse impact to the maintenance of surface

2068 or ground water levels or surface water flows established

2069 pursuant to s. 373.042 or a work of the district established

2070 pursuant to s. 373.086.

2071 Section 25. Section 403.892, Florida Statutes, is created

2072 to read:

2073 403.892 Asset management plan and reserve fund.—

2074 (1) The Legislature finds that the systematic management

2075 of public water system and domestic wastewater treatment system

2076 assets is essential to the protection of public health and
2077 natural resources. The development and implementation of an
2078 asset management plan focusing on the long-term life cycle and
2079 performance of system assets, including transmission,
2080 distribution, and collection lines, is necessary to ensure the
2081 timely planning, assessment, maintenance, repair, and
2082 replacement of these system components. The establishment and
2083 proper funding of a reserve fund is necessary to ensure the
2084 timely implementation of an asset management plan.

2085 (2) By August 1, 2022, each public water system, as
2086 defined in s. 403.852, and domestic wastewater treatment system
2087 shall develop an asset management plan and create a reserve fund
2088 to implement the asset management plan in a cost effective and
2089 timely manner. Each August 1 thereafter, each public water
2090 system and domestic wastewater treatment system shall post on
2091 its website the implementation status of its asset management
2092 plan and reserve fund and shall provide a report regarding such
2093 information to the department. As used in this subsection, the
2094 term "domestic wastewater treatment system" means any plant or
2095 other works used to treat, stabilize, or hold domestic wastes,
2096 including pipelines or conduits, pumping stations, and force
2097 mains and all other structures, devices, appurtenances, and
2098 facilities used for collecting or conducting wastes to an
2099 ultimate point for treatment or disposal. A domestic wastewater
2100 treatment system does not include an onsite sewage treatment and

2101 disposal system as defined in s. 381.0065.

2102 (3) To be eligible for state funding, a public water
2103 system or domestic wastewater treatment system must demonstrate
2104 that it is adequately implementing its asset management plan and
2105 has reserves available in its reserve fund.

2106 (4) By July 1, 2019, the department shall adopt rules
2107 establishing the asset management plan requirements, including,
2108 but not limited to:

2109 (a) Identification of each asset;

2110 (b) Evaluation of the current age, condition, and useful
2111 life of each asset;

2112 (c) A risk-benefit analysis to determine the optimum
2113 repair or replacement time of each asset;

2114 (d) A list of repair and replacement projects with
2115 projected timeframes for completion and estimated costs;

2116 (e) Identification of funding options, including a
2117 separate reserve account or other comparable fund or account,
2118 for implementation of the repair or replacement projects; and

2119 (f) Identification of plans comparable to an asset
2120 management plan.

2121 Section 26. Section 403.893, Florida Statutes, is created
2122 to read:

2123 403.893 Public water system and domestic wastewater
2124 treatment system infrastructure floodplain resiliency.—It is the
2125 policy of the state to encourage public water systems and

2126 domestic wastewater treatment systems to increase the resilience
2127 of their critical infrastructure against flooding. Any new
2128 infrastructure for a public water system or domestic wastewater
2129 treatment system located within an area identified in accordance
2130 with the Federal Emergency Management Agency's 100-year and 500-
2131 year flood maps as a special flood hazard area or a moderate
2132 flood hazard area must be built to withstand the respective
2133 flood conditions. Such new infrastructure must include, at a
2134 minimum, elevated control panels and appurtenant structures
2135 above the flood prone elevation and submersible components,
2136 including pumps and flow meters.

2137 Section 27. Subsection (9) is added to section 570.76,
2138 Florida Statutes, to read:

2139 570.76 Department of Agriculture and Consumer Services;
2140 powers and duties.—For the accomplishment of the purposes
2141 specified in this act, the department shall have all powers and
2142 duties necessary, including, but not limited to, the power and
2143 duty to:

2144 (9) Provide assistance to local governments in
2145 administering local rural-lands-protection easement programs.
2146 The department may provide technical support to review
2147 applications for inclusion in the local government's program and
2148 monitor compliance with the conservation easements. The
2149 department may not use any state funds to assist in the purchase
2150 of such easements or pay any acquisition costs. The local

2151 government must compensate the department for its services. The
 2152 agreement for assistance must be documented in a memorandum of
 2153 agreement between the department and the local government. The
 2154 title to such conservation easements shall be held in the name
 2155 of the local government.

2156 Section 28. Section 1004.49, Florida Statutes, is amended
 2157 to read:

2158 1004.49 Florida LAKEWATCH Program.—The Florida LAKEWATCH
 2159 Program is hereby created within the School of Forest Resources
 2160 and Conservation's Fisheries and Aquatic Sciences Program
 2161 ~~Department of Fisheries and Aquaculture~~ of the Institute of Food
 2162 and Agricultural Sciences at the University of Florida. The
 2163 purpose of the program is to provide public education and
 2164 training with respect to the water quality of Florida's lakes.
 2165 The Fisheries and Aquatic Sciences Program ~~Department of~~
 2166 ~~Fisheries and Aquaculture~~ may, in implementing the LAKEWATCH
 2167 program:

2168 (1) Train, supervise, and coordinate volunteers to collect
 2169 water quality data from Florida's lakes, streams, and estuaries.

2170 (2) Compile the data collected by volunteers.

2171 (3) Disseminate information to the public about the
 2172 LAKEWATCH program.

2173 (4) Provide or loan equipment to volunteers in the
 2174 program.

2175 (5) Perform other functions as may be necessary or

2176 beneficial in coordinating the LAKEWATCH program.

2177
 2178 Data collected and compiled shall be used to establish trends
 2179 and provide general background information and ~~may shall in no~~
 2180 ~~instance~~ be used by the Department of Environmental Protection
 2181 if the data collection methods meet sufficient quality assurance
 2182 and quality control requirements approved by the Department of
 2183 Environmental Protection in a regulatory proceeding.

2184 Section 29. Subsection (1) of section 20.3315, Florida
 2185 Statutes, is amended to read:

2186 20.3315 Florida Forever Program Trust Fund of the Florida
 2187 Fish and Wildlife Conservation Commission.—

2188 (1) There is created a Florida Forever Program Trust Fund
 2189 within the Florida Fish and Wildlife Conservation Commission to
 2190 carry out the duties of the commission under the Florida Forever
 2191 Act as specified in s. 259.105 ~~s. 259.105(3)(g)~~. The trust fund
 2192 shall receive funds pursuant to s. 259.105 ~~s. 259.105(3)(g)~~.

2193 Section 30. Subsection (4) and paragraph (b) of subsection
 2194 (5) of section 253.027, Florida Statutes, are amended to read:

2195 253.027 Emergency archaeological property acquisition.—

2196 (4) EMERGENCY ARCHAEOLOGICAL ACQUISITION.—The sum of \$2
 2197 million shall be reserved annually within the Florida Forever
 2198 Trust Fund for the purpose of emergency archaeological
 2199 acquisition. Any portion of that amount not spent or obligated
 2200 by the end of the third quarter of the fiscal year may be used

2201 for approved acquisitions pursuant to s. 259.105(3)(a) ~~s.~~
 2202 ~~259.105(3)(b)~~.

2203 (5) ACCOUNT EXPENDITURES.—

2204 (b) Funds may not ~~No moneys shall~~ be spent from the
 2205 account for excavation or restoration of the properties
 2206 acquired. Funds may be spent for preliminary surveys to
 2207 determine if the sites meet the criteria of this section. An
 2208 amount not to exceed \$100,000 may also be spent from the account
 2209 to inventory and evaluate archaeological and historic resources
 2210 on properties purchased, or proposed for purchase, pursuant to
 2211 s. 259.105(3)(a) ~~s. 259.105(3)(b)~~.

2212 Section 31. Subsection (3), paragraph (b) of
 2213 subsection(4), and subsection (6) of section 259.035, Florida
 2214 Statutes, are amended to read:

2215 259.035 Acquisition and Restoration Council.—

2216 (3) The council shall provide assistance to the board in
 2217 reviewing the recommendations and plans for state-owned
 2218 conservation lands required under s. 253.034 and this chapter.
 2219 The council shall, in reviewing such plans, consider the
 2220 optimization of multiple-use and conservation strategies to
 2221 accomplish the provisions funded pursuant to former s.
 2222 259.101(3)(a), Florida Statutes 2014, and to s. 259.105(3)(a) ~~s.~~
 2223 ~~259.105(3)(b)~~.

2224 (4)

2225 (b) In developing or amending rules, the council shall

2226 | give weight to the criteria included in s. 259.105(8) ~~s.~~
 2227 | ~~259.105(9)~~. The board of trustees shall review the
 2228 | recommendations and shall adopt rules necessary to administer
 2229 | this section.

2230 | (6) The proposal for a project pursuant to this section or
 2231 | s. 259.105(3)(a) ~~s. 259.105(3)(b)~~ may be implemented only if
 2232 | adopted by the council and approved by the board of trustees.
 2233 | The council shall consider and evaluate in writing the merits
 2234 | and demerits of each project that is proposed for acquisition
 2235 | using funds available pursuant to s. 28, Art. X of the State
 2236 | Constitution or Florida Forever funding and shall ensure that
 2237 | each proposed project meets the requirements of s. 28, Art. X of
 2238 | the State Constitution. The council also shall determine whether
 2239 | the project conforms, where applicable, with the comprehensive
 2240 | plan developed pursuant to s. 259.04(1)(a), the comprehensive
 2241 | multipurpose outdoor recreation plan developed pursuant to s.
 2242 | 375.021, the state lands management plan adopted pursuant to s.
 2243 | 253.03(7), the water resources work plans developed pursuant to
 2244 | s. 373.199, and the provisions of s. 259.032, s. 259.101, or s.
 2245 | 259.105, whichever is applicable.

2246 | Section 32. Paragraph (b) of subsection (3) of section
 2247 | 259.037, Florida Statutes, is amended to read:

2248 | 259.037 Land Management Uniform Accounting Council.—

2249 | (3)

2250 | (b) Each reporting agency shall also:

2251 1. Include a report of the available public use
2252 opportunities for each management unit of state land, the total
2253 management cost for public access and public use, and the cost
2254 associated with each use option.

2255 2. List the acres of land requiring minimal management
2256 effort, moderate management effort, and significant management
2257 effort pursuant to s. 259.032(9)(b) ~~s. 259.032(9)(e)~~. For each
2258 category created in paragraph (a), the reporting agency shall
2259 include the amount of funds requested, the amount of funds
2260 received, and the amount of funds expended for land management.

2261 3. List acres managed and cost of management for each
2262 park, preserve, forest, reserve, or management area.

2263 4. List acres managed, cost of management, and lead
2264 manager for each state lands management unit for which secondary
2265 management activities were provided.

2266 5. Include a report of the estimated calculable financial
2267 benefits to the public for the ecosystem services provided by
2268 conservation lands, based on the best readily available
2269 information or science that provides a standard measurement
2270 methodology to be consistently applied by the land managing
2271 agencies. Such information may include, but need not be limited
2272 to, the value of natural lands for protecting the quality and
2273 quantity of drinking water through natural water filtration and
2274 recharge, contributions to protecting and improving air quality,
2275 benefits to agriculture through increased soil productivity and

2276 preservation of biodiversity, and savings to property and lives
 2277 through flood control.

2278 Section 33. Subsection (7) of section 380.510, Florida
 2279 Statutes, is amended to read:

2280 380.510 Conditions of grants and loans.—

2281 (7) Any funds received by the trust pursuant to s.
 2282 259.105(3)(b) ~~s. 259.105(3)(e)~~ or s. 375.041 shall be held
 2283 separate and apart from any other funds held by the trust and
 2284 used for the land acquisition purposes of this part.

2285 (a) The administration and use of Florida Forever funds
 2286 are subject to such terms and conditions imposed thereon by the
 2287 agency of the state responsible for the bonds, the proceeds of
 2288 which are deposited into the Florida Forever Trust Fund,
 2289 including restrictions imposed to ensure that the interest on
 2290 any such bonds issued by the state as tax-exempt bonds is not
 2291 included in the gross income of the holders of such bonds for
 2292 federal income tax purposes.

2293 (b) All deeds or leases with respect to any real property
 2294 acquired with funds received by the trust from the former
 2295 Preservation 2000 Trust Fund, the Florida Forever Trust Fund, or
 2296 the Land Acquisition Trust Fund must contain such covenants and
 2297 restrictions as are sufficient to ensure that the use of such
 2298 real property at all times complies with s. 375.051 and s. 9,
 2299 Art. XII of the State Constitution. Each deed or lease with
 2300 respect to any real property acquired with funds received by the

2301 trust from the Florida Forever Trust Fund before July 1, 2015,
 2302 must contain covenants and restrictions sufficient to ensure
 2303 that the use of such real property at all times complies with s.
 2304 11(e), Art. VII of the State Constitution. Each deed or lease
 2305 with respect to any real property acquired with funds received
 2306 by the trust from the Florida Forever Trust Fund after July 1,
 2307 2015, must contain covenants and restrictions sufficient to
 2308 ensure that the use of such real property at all times complies
 2309 with s. 28, Art. X of the State Constitution. Each deed or lease
 2310 must contain a reversion, conveyance, or termination clause that
 2311 vests title in the Board of Trustees of the Internal Improvement
 2312 Trust Fund if any of the covenants or restrictions are violated
 2313 by the titleholder or leaseholder or by some third party with
 2314 the knowledge of the titleholder or leaseholder.

2315 Section 34. Paragraph (d) of subsection (1) of section
 2316 570.715, Florida Statutes, is amended to read:

2317 570.715 Conservation easement acquisition procedures.—

2318 (1) For less than fee simple acquisitions pursuant to s.
 2319 570.71, the Department of Agriculture and Consumer Services
 2320 shall comply with the following acquisition procedures:

2321 (d) On behalf of the board of trustees and before the
 2322 appraisal of parcels approved for purchase under ss.
 2323 259.105(3)(c) ~~ss. 259.105(3)(i)~~ and 570.71, the department may
 2324 enter into option contracts to buy less than fee simple interest
 2325 in such parcels. Any such option contract shall state that the

2326 final purchase price is subject to approval by the board of
2327 trustees and that the final purchase price may not exceed the
2328 maximum offer authorized by law. Any such option contract
2329 presented to the board of trustees for final purchase price
2330 approval shall explicitly state that payment of the final
2331 purchase price is subject to an appropriation by the
2332 Legislature. The consideration for any such option contract may
2333 not exceed \$1,000 or 0.01 percent of the estimate by the
2334 department of the value of the parcel, whichever amount is
2335 greater.

2336 Section 35. Subsection (1) of section 589.065, Florida
2337 Statutes, is amended to read:

2338 589.065 Florida Forever Program Trust Fund of the
2339 Department of Agriculture and Consumer Services.—

2340 (1) There is created a Florida Forever Program Trust Fund
2341 within the Department of Agriculture and Consumer Services to
2342 carry out the duties of the department under the Florida Forever
2343 Act as specified in s. 259.105 ~~s. 259.105(3)(f)~~. The trust fund
2344 shall receive funds pursuant to s. 259.105 ~~s. 259.105(3)(f)~~.

2345 Section 36. The Legislature finds that the systematic
2346 management of public water system and domestic wastewater
2347 treatment system assets is essential to the protection of public
2348 health and natural resources. Therefore, the Legislature
2349 determines and declares that this act fulfills an important
2350 state interest.

2351 | Section 37. This act shall take effect July 1, 2018. |