

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 | proceeds from Florida Forever bonds for water storage
37 | reservoir 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. 260.0142, F.S.;
67 revising the duties of the Florida Greenways and
68 Trails Council; amending s. 260.016, F.S.; revising
69 the criteria the Department of Environmental
70 Protection must consider for the acquisition of
71 greenways and trails; amending s. 373.089, F.S.;
72 prohibiting water management districts from disposing
73 of lands acquired with state funds under certain
74 conditions; requiring water management districts to
75 return specified state conservation funds to the state

76 | when certain lands purchased with such funds are sold;
77 | amending s. 373.139, F.S.; removing provisions
78 | prohibiting water management districts from disposing
79 | of lands acquired with state funds under certain
80 | conditions; amending s. 373.1391, F.S.; requiring
81 | revenue generated from the management of certain
82 | conservation lands to be retained by the
83 | jurisdictional water management district and used for
84 | specified purposes; amending s. 373.199, F.S.;
85 | limiting the use of Florida Forever funds for water
86 | management district projects; amending s. 373.4598,
87 | F.S.; revising requirements related to the operation
88 | of water storage and use for Phase I and Phase II of
89 | the C-51 reservoir project if state funds are
90 | appropriated for such phases; authorizing the South
91 | Florida Water Management District to enter into
92 | certain capacity allocation agreements and to request
93 | a waiver for repayment of certain loans; authorizing
94 | the Department of Environmental Protection to waive
95 | such loan repayment under certain conditions;
96 | providing that the district is not responsible for
97 | repayment of such loans; amending s. 373.713, F.S.;
98 | requiring regional water supply authorities to
99 | annually coordinate with water management districts on
100 | the status of certain water resource development

101 projects; amending s. 375.041, F.S.; requiring the
102 Department of Environmental Protection and the South
103 Florida Water Management District to give specified
104 funding priority to the C-43 West Basin Storage
105 Reservoir Project; requiring a specified amount of
106 funds in the Land Acquisition Trust Fund within the
107 Department of Environmental Protection to be
108 appropriated annually each fiscal year to the Florida
109 Forever Trust Fund; amending s. 380.508, F.S.;

110 directing the Florida Communities Trust to prioritize
111 certain projects for funding and technical assistance;
112 amending s. 388.261, F.S.; requiring the Department of
113 Agriculture and Consumer Services to use certain funds
114 for arthropod control research or demonstration
115 projects; amending 403.067, F.S.; authorizing the
116 Department of Environmental Protection to include
117 certain nutrient pilot projects in basin management
118 action plans and to provide cost-share funding for
119 such projects; amending s. 403.0891, F.S.; requiring
120 the Department of Transportation to coordinate with
121 the Department of Environmental Protection, water
122 management districts, and local governments to make
123 certain determinations regarding beneficial uses of
124 stormwater from road construction projects and to
125 implement such beneficial uses under certain

126 | conditions; authorizing the Department of
127 | Environmental Protection, in consultation with the
128 | Department of Transportation, to adopt rules; amending
129 | s. 403.814, F.S.; authorizing general permits for the
130 | construction, alteration, and maintenance of certain
131 | stormwater management systems for projects that do not
132 | contribute to adverse water quantity and quality
133 | impacts; creating s. 403.892, F.S.; providing
134 | legislative findings; requiring public water systems
135 | and domestic wastewater treatment systems to develop
136 | asset management plans by a specified date; defining
137 | the term "domestic wastewater treatment system";
138 | providing requirements for such plans; specifying
139 | eligibility criteria for state funding; creating s.
140 | 403.893, F.S.; providing a declaration of state
141 | policy; requiring public water and domestic wastewater
142 | treatment utilities that have infrastructure in
143 | certain flood hazard areas to build new infrastructure
144 | that meets specified criteria; amending s. 570.76,
145 | F.S.; authorizing the Department of Agriculture and
146 | Consumer Services to assist local governments in
147 | administering local rural-lands-protection easement
148 | programs; providing requirements and restrictions for
149 | such assistance; amending s. 1004.49, F.S.; renaming
150 | the Department of Fisheries and Aquaculture of the

151 Institute of Food and Agricultural Sciences at the
 152 University of Florida as the School of Forest
 153 Resources and Conservation's Fisheries and Aquatic
 154 Science Program; providing that the LAKEWATCH Program
 155 may train, supervise, and coordinate volunteers to
 156 collect water quality data from Florida's lakes,
 157 streams, and estuaries; providing that the Department
 158 of Environmental Protection may use the data collected
 159 if the data collection methods meet sufficient quality
 160 assurance and quality control requirements; amending
 161 ss. 20.3315, 253.027, 259.035, 259.037, 380.510,
 162 570.715, and 589.065, F.S.; conforming cross-
 163 references; providing a declaration of important state
 164 interest; providing an effective date.

165

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

167

168 Section 1. Subsections (4) and (5) are added to section
 169 125.35, Florida Statutes, to read:

170 125.35 County authorized to sell real and personal
 171 property and to lease real property.-

172 (4) Proceeds from the sale of surplus conservation lands
 173 purchased with Florida Forever funds before July 1, 2015, shall
 174 be deposited into the Florida Forever Trust Fund if the county
 175 does not use the proceeds for another purpose identified in the

176 Florida Forever Act within 3 years. If the county purchased the
177 conservation land with multiple revenue sources, the county
178 shall deposit an amount based on the percentage of Florida
179 Forever funds used for the original purchase.

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

193 Section 2. Paragraph (a) of subsection (14) of section
194 161.101, Florida Statutes, is amended, and paragraph (k) is
195 added to that subsection, to read:

196 161.101 State and local participation in authorized
197 projects and studies relating to beach management and erosion
198 control.—

199 (14) The intent of the Legislature in preserving and
200 protecting Florida's sandy beaches pursuant to this act is to

201 direct beach erosion control appropriations to the state's most
202 severely eroded beaches, and to prevent further adverse impact
203 caused by improved, modified, or altered inlets, coastal
204 armoring, or existing upland development. In establishing annual
205 project funding priorities, the department shall seek formal
206 input from local coastal governments, beach and general
207 government interest groups, and university experts. Criteria to
208 be considered by the department in determining annual funding
209 priorities shall include:

210 (a) The severity of erosion conditions, the threat to
211 existing upland development, and recreational ~~and/or economic~~
212 benefits.

213 (k) The economic benefit of the project as measured by the
214 ratio of the tourist development tax revenue collected pursuant
215 to s. 125.0104 for the most recent year to the state sales tax
216 and the tourist development tax revenues for the most recent
217 year. The department shall calculate this ratio using state
218 sales tax and the tourist development tax data of the county
219 having jurisdiction over the project area. If multiple counties
220 have jurisdiction over the project area, the department shall
221 assess each county individually using these ratios. The
222 department shall calculate the mean average of these ratios to
223 determine the final overall economic benefit of the project for
224 the multicounty project.
225

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

229 Section 3. Subsections (2) through (7) of section 161.161,
 230 Florida Statutes, are renumbered as subsections (3) through (8),
 231 respectively, subsection (1) and present subsection (2) are
 232 amended, and a new subsection (2) is added to that section, to
 233 read:

234 161.161 Procedure for approval of projects.—

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

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

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

247 ~~1.~~ the extent to which such inlet causes beach erosion and
 248 recommendations to mitigate the erosive impact of the inlet,
 249 including, but not limited to, ~~recommendations regarding~~ inlet
 250 sediment bypassing; improvement of infrastructure to facilitate

251 sand bypassing; modifications to channel dredging, jetty design,
252 and disposal of spoil material; establishment of feeder beaches;
253 and beach restoration and beach nourishment;~~and~~

254 ~~2. Cost estimates necessary to take inlet corrective~~
255 ~~measures and recommendations regarding cost sharing among the~~
256 ~~beneficiaries of such inlet.~~

257 (c) Evaluate ~~Design~~ criteria for beach restoration and
258 beach nourishment projects, including, but not limited to, 1.~~2.~~

259 ~~1. dune elevation and width and revegetation and~~
260 ~~stabilization requirements,~~ 1. and

261 ~~2. beach profiles~~ profile.

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

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

275 (f) ~~Identify shoreline development and degree of density~~

276 ~~and~~ Assess impacts of development and coastal protection
277 ~~shoreline protective~~ structures on shoreline change and erosion.

278 (g) Identify short-term and long-term economic costs and
279 benefits of beaches to the state and individual beach
280 communities, ~~including recreational value to user groups, tax~~
281 ~~base, revenues generated, and beach acquisition and maintenance~~
282 ~~costs.~~

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

288 (i) Identify beach areas used by marine turtles and
289 develop strategies for protection of the turtles and their nests
290 and nesting locations.

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

299 (k) Document procedures and policies for preparing
300 poststorm damage assessments and corresponding recovery plans,

301 including repair cost estimates ~~Establish criteria, including~~
302 ~~costs and specific implementation actions, for alternative~~
303 ~~management techniques.~~

304 (1) Identify and assess ~~Select and recommend~~ appropriate
305 management measures for all of the state's critically eroded
306 sandy beaches ~~in a beach management program.~~

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

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

315 (a) The strategic beach management plan must identify and
316 recommend appropriate measures for all of the state's critically
317 eroded sandy beaches and may incorporate plans ~~be prepared at~~
318 the regional level, taking into account ~~based upon~~ areas of
319 greatest need and probable federal and local funding. Upon
320 approval in accordance with this section, such regional plans
321 ~~shall be components of the statewide beach management plan and~~
322 ~~shall~~ serve as the basis for state funding decisions ~~upon~~
323 ~~approval in accordance with chapter 86-138, Laws of Florida. In~~
324 ~~accordance with a schedule established for the submission of~~
325 ~~regional plans by the department, any completed plan must be~~

326 ~~submitted to the secretary of the department for approval no~~
327 ~~later than March 1 of each year. These regional plans shall~~
328 ~~include, but shall not be limited to, recommendations of~~
329 ~~appropriate funding mechanisms for implementing projects in the~~
330 ~~beach management plan, giving consideration to the use of~~
331 ~~single-county and multicounty taxing districts or other revenue~~
332 ~~generation measures by state and local governments and the~~
333 ~~private sector. Before finalizing the strategic beach management~~
334 ~~Prior to presenting the plan to the secretary of the department,~~
335 the department shall hold a public meeting in the region areas
336 for which the plan is prepared or through a publicly noticed
337 webinar. ~~The plan submission schedule shall be submitted to the~~
338 ~~secretary for approval. Any revisions to such schedule must be~~
339 ~~approved in like manner.~~

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

343 (c) The statewide long-range budget plan must include at
344 least 5 years of planned beach restoration, beach nourishment,
345 and inlet management project funding needs as identified, and
346 subsequently refined, by local government sponsors. The plan
347 must identify the proposed schedule of the feasibility, design,
348 construction, and monitoring phases of the projects anticipated
349 in the next 5 years and the projected costs of those phases. The
350 projects may be presented by region and do not need to be

351 presented in priority order. However, the department should
352 identify issues that may prevent successful completion of such
353 projects and recommend solutions that would allow the projects
354 to progress.

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

362 Section 4. Paragraph (c) of subsection (6) of section
363 163.3177, Florida Statutes, is amended to read:

364 163.3177 Required and optional elements of comprehensive
365 plan; studies and surveys.—

366 (6) In addition to the requirements of subsections (1)-
367 (5), the comprehensive plan shall include the following
368 elements:

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

376 prime groundwater recharge.

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

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

397 3. Within 18 months after the governing board approves an
398 updated regional water supply plan, the element must incorporate
399 the alternative water supply project or projects selected by the
400 local government from those identified in the regional water

401 supply plan pursuant to s. 373.709(2)(a) or proposed by the
402 local government under s. 373.709(8)(b). If a local government
403 is located within two water management districts, the local
404 government shall adopt its comprehensive plan amendment within
405 18 months after the later updated regional water supply plan.
406 The element must identify such alternative water supply projects
407 and traditional water supply projects and conservation and reuse
408 necessary to meet the water needs identified in s. 373.709(2)(a)
409 within the local government's jurisdiction and include a work
410 plan, covering at least a 10-year planning period, for building
411 public, private, and regional water supply facilities, including
412 development of alternative water supplies, which are identified
413 in the element as necessary to serve existing and new
414 development. The work plan shall be updated, at a minimum, every
415 5 years within 18 months after the governing board of a water
416 management district approves an updated regional water supply
417 plan. A local government designated as a rural area of
418 opportunity pursuant to s. 288.0656 which does not own, operate,
419 or maintain its own water supply facilities, including, but not
420 limited to, wells, treatment facilities, and distribution
421 infrastructure, is not required to develop or maintain the work
422 plan required under this subparagraph. Local governments, public
423 and private utilities, regional water supply authorities,
424 special districts, and water management districts are encouraged
425 to cooperatively plan for the development of multijurisdictional

426 water supply facilities that are sufficient to meet projected
427 demands for established planning periods, including the
428 development of alternative water sources to supplement
429 traditional sources of groundwater and surface water supplies.

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

445 Section 5. Section 166.0452, Florida Statutes, is created
446 to read:

447 166.0452 Disposition of municipal conservation land
448 purchased with state funds.-

449 (1) Proceeds from the sale of surplus conservation lands
450 purchased with Florida Forever funds before July 1, 2015, shall

451 be deposited into the Florida Forever Trust Fund if the
452 municipality does not use the proceeds for another purpose
453 identified in the Florida Forever Act within 3 years. If the
454 municipality purchased the conservation land with multiple
455 revenue sources, the municipality shall deposit an amount based
456 on the percentage of Florida Forever funds used for the original
457 purchase.

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

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

473 215.618 Bonds for acquisition and improvement of land,
474 water areas, and related property interests and resources.—

475 (1) (a) The issuance of Florida Forever bonds, not to

476 exceed \$5.3 billion, to finance or refinance the cost of
477 acquisition ~~and improvement~~ of land, water areas, and related
478 property interests and resources, in urban and rural settings,
479 for the purposes of restoration, conservation, recreation, water
480 resource development, or historical preservation, ~~and for~~
481 ~~capital improvements to lands and water areas that accomplish~~
482 ~~environmental restoration, enhance public access and~~
483 ~~recreational enjoyment, promote long term management goals, and~~
484 ~~facilitate water resource development is hereby authorized,~~
485 subject to s. 259.105, and to finance or refinance costs
486 identified in s. 373.4598(10)(b) is authorized. The issuance of
487 Florida Forever bonds shall be ~~and~~ pursuant to s. 11(e), Art.
488 VII of the State Constitution and, on or after July 1, 2015, to
489 also finance or refinance the acquisition ~~and improvement~~ of
490 land, water areas, and related property interests and the costs
491 identified in s. 373.4598(10)(b) as provided in s. 28, Art. X of
492 the State Constitution. The \$5.3 billion limitation on the
493 issuance of Florida Forever bonds does not apply to refunding
494 bonds. The duration of each series of Florida Forever bonds
495 issued may not exceed 20 annual maturities. Not more than 58.25
496 percent of documentary stamp taxes collected may be taken into
497 account for the purpose of satisfying an additional bonds test
498 set forth in any authorizing resolution for bonds issued on or
499 after July 1, 2015.

500 (6) ~~There shall be~~ No sale, disposition, lease, easement,

501 license, or other use of any land, water areas, or related
 502 property interests acquired ~~or improved~~ with proceeds of Florida
 503 Forever bonds may be made if it ~~which~~ would cause all or any
 504 portion of the interest of such bonds to lose the exclusion from
 505 gross income for federal income tax purposes.

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

508 253.0251 Alternatives to fee simple acquisition.—

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

524 Section 8. Subsection (3), paragraph (b) of subsection
 525 (5), and subsection (9) of section 253.034, Florida Statutes,

526 are amended to read:

527 253.034 State-owned lands; uses.—

528 (3) Recognizing that recreational trails purchased with
529 rails-to-trails funds pursuant to former s. 259.101(3)(g),
530 Florida Statutes 2014, or former s. 259.105(3)(h), Florida
531 Statutes 2017, have had historic transportation uses and that
532 their linear character may extend many miles, the Legislature
533 intends that if the necessity arises to serve public needs,
534 after balancing the need to protect trail users from collisions
535 with automobiles and a preference for the use of overpasses and
536 underpasses to the greatest extent feasible and practical,
537 transportation uses shall be allowed to cross recreational
538 trails purchased pursuant to former s. 259.101(3)(g), Florida
539 Statutes 2014, or former s. 259.105(3)(h), Florida Statutes
540 2017. When these crossings are needed, the location and design
541 should consider and mitigate the impact on humans and
542 environmental resources, and the value of the land shall be paid
543 based on fair market value.

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

551 addressed in the approved plan, or within 1 year after the
552 addition of significant new lands. Each manager of
553 nonconservation lands shall submit to the Division of State
554 Lands a land use plan at least every 10 years in a form and
555 manner adopted by rule of the board of trustees. The division
556 shall review each plan for compliance with the requirements of
557 this subsection and the requirements of the rules adopted by the
558 board of trustees pursuant to this section. All nonconservation
559 land use plans, whether for single-use or multiple-use
560 properties, shall be managed to provide the greatest benefit to
561 the state. Plans for managed areas larger than 1,000 acres shall
562 contain an analysis of the multiple-use potential of the
563 property which includes the potential of the property to
564 generate revenues to enhance the management of the property. In
565 addition, the plan shall contain an analysis of the potential
566 use of private land managers to facilitate the restoration or
567 management of these lands. If a newly acquired property has a
568 valid conservation plan that was developed by a soil and
569 conservation district, such plan shall be used to guide
570 management of the property until a formal land use plan is
571 completed.

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

575 1. Habitat restoration and improvement.

- 576 2. Public access and recreational opportunities.
- 577 3. Hydrological preservation and restoration.
- 578 4. Sustainable forest management.
- 579 5. Exotic and invasive species maintenance and control,
 580 including prioritizing the species that must be maintained or
 581 controlled and the areas where such maintenance and control must
 582 first be addressed.
- 583 6. Capital facilities and infrastructure.
- 584 7. Cultural and historical resources.
- 585 8. Imperiled species habitat maintenance, enhancement,
 586 restoration, or population restoration.
- 587 (9) The following additional uses of conservation lands
 588 acquired pursuant to the Florida Forever program and other
 589 state-funded conservation land purchase programs shall be
 590 authorized, upon a finding by the board of trustees, if they
 591 meet the criteria specified in paragraphs (a)-(e): water
 592 resource development projects, water supply development
 593 projects, stormwater management projects, linear facilities, and
 594 sustainable agriculture and forestry. Such additional uses are
 595 authorized if:
- 596 (a) The use is not inconsistent with the management plan
 597 for such lands;
- 598 (b) The use is compatible with the natural ecosystem and
 599 resource values of such lands;
- 600 (c) The use is appropriately located on such lands and due

601 consideration is given to the use of other available lands;

602 (d) The using entity reasonably compensates the
603 titleholder for such use based upon an appropriate measure of
604 value; and

605 (e) The use is consistent with the public interest.
606

607 A decision by the board of trustees pursuant to this section
608 shall be given a presumption of correctness. Moneys received
609 from the use of state lands pursuant to this section shall be
610 returned to the lead managing entity in accordance with s.
611 259.032(9)(b) ~~s. 259.032(9)(c)~~.

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

614 258.014 Fees for use of state parks.-

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

625 (a) Identification of what qualifies as volunteer hours

626 performed.

627 (b) A process to document and verify the individual
628 performed at least 50 hours of volunteer service for nonnative
629 and invasive species removal at state parks before receiving an
630 annual entrance pass at no charge.

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

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

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

639 259.03 Definitions.—The following terms and phrases when
640 used in this chapter shall have the meanings ascribed to them in
641 this section, except where the context clearly indicates a
642 different meaning:

643 ~~(3) "Capital improvement" or "capital project expenditure"~~
644 ~~means those activities relating to the acquisition, restoration,~~
645 ~~public access, and recreational uses of such lands, water areas,~~
646 ~~and related resources deemed necessary to accomplish the~~
647 ~~purposes of this chapter. Eligible activities include, but are~~
648 ~~not limited to: the initial removal of invasive plants; the~~
649 ~~construction, improvement, enlargement or extension of~~
650 ~~facilities' signs, firelanes, access roads, and trails; or any~~

651 ~~other activities that serve to restore, conserve, protect, or~~
652 ~~provide public access, recreational opportunities, or necessary~~
653 ~~services for land or water areas. Such activities shall be~~
654 ~~identified prior to the acquisition of a parcel or the approval~~
655 ~~of a project. The continued expenditures necessary for a capital~~
656 ~~improvement approved under this subsection shall not be eligible~~
657 ~~for funding provided in this chapter.~~

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

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

671 259.032 Conservation and recreation lands.—

672 (9)

673 ~~(b) An amount of not less than 1.5 percent of the~~
674 ~~cumulative total of funds ever deposited into the former Florida~~
675 ~~Preservation 2000 Trust Fund and the Florida Forever Trust Fund~~

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

701 ~~minimum requirements.~~

702 ~~(d) Up to one fifth of the funds appropriated for the~~
703 ~~purposes identified in paragraph (b) shall be reserved by the~~
704 ~~board for interim management of acquisitions and for associated~~
705 ~~contractual services, to ensure the conservation and protection~~
706 ~~of natural resources on project sites and to allow limited~~
707 ~~public recreational use of lands. Interim management activities~~
708 ~~may include, but not be limited to, resource assessments,~~
709 ~~control of invasive, nonnative species, habitat restoration,~~
710 ~~fencing, law enforcement, controlled burning, and public access~~
711 ~~consistent with preliminary determinations made pursuant to~~
712 ~~paragraph (7) (f). The board shall make these interim funds~~
713 ~~available immediately upon purchase.~~

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

724 Section 12. Section 259.105, Florida Statutes, is amended
725 to read:

726 259.105 The Florida Forever Act.—

727 (1) This section may be cited as the "Florida Forever
728 Act."

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

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

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

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

748 4. It is essential to protect the state's ecosystems by
749 promoting a more efficient use of land, to ensure opportunities
750 for viable agricultural activities on working lands, and to

751 promote vital rural and urban communities that support and
752 produce development patterns consistent with natural resource
753 protection.

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

767 6. The needs of urban, suburban, and small communities in
768 the state for high-quality outdoor recreational opportunities,
769 greenways, trails, and open space have not been fully met by
770 previous acquisition programs. Through such programs as the
771 Florida Communities Trust and the Florida Recreation Development
772 Assistance Program, the state shall place additional emphasis on
773 acquiring, protecting, preserving, and restoring open space,
774 ecological greenways, and recreation properties within urban,
775 suburban, and rural areas where pristine natural communities or

776 water bodies no longer exist because of the proximity of
777 developed property.

778 7. Many of the state's unique ecosystems, such as the
779 Florida Everglades, are facing ecological collapse due to the
780 state's burgeoning population growth and other economic
781 activities. To preserve these valuable ecosystems for future
782 generations, essential parcels of land must be acquired to
783 facilitate ecosystem restoration.

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

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

801 10. The state has embraced performance-based program
802 budgeting as a tool to evaluate the achievements of publicly
803 funded agencies, build in accountability, and reward those
804 agencies which are able to consistently achieve quantifiable
805 goals. While previous and existing state environmental programs
806 have achieved varying degrees of success, few of these programs
807 can be evaluated as to the extent of their achievements,
808 primarily because performance measures, standards, outcomes, and
809 goals were not established at the outset. Therefore, the Florida
810 Forever program shall be developed and implemented in the
811 context of measurable state goals and objectives.

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

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

851 restore, enhance, manage, repopulate, or acquire land and to
852 implement land management plans developed under s. 253.034 or a
853 land management prospectus developed and implemented under this
854 chapter. Such fees shall be deposited into a foundation or fund
855 created by each land management agency under s. 379.223, s.
856 589.012, or s. 259.032(9)(b) ~~s. 259.032(9)(c)~~, to be used solely
857 to restore, manage, enhance, repopulate, or acquire imperiled
858 species habitat.

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

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

876 financial cost to the public, and to provide private landowners
877 with the opportunity to enjoy and benefit from their property.

878 (c) Public agencies or other entities that receive funds
879 under this section shall coordinate their expenditures so that
880 project acquisitions, when combined with acquisitions under
881 Florida Forever, Preservation 2000, Save Our Rivers, the Florida
882 Communities Trust, other public land acquisition programs, and
883 the techniques, partnerships, and tools referenced in
884 subparagraph (a)11. and paragraph (b), are used to form more
885 complete patterns of protection for natural areas, ecological
886 greenways, and functioning ecosystems, to better accomplish the
887 intent of this section.

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

900 (e) With limited dollars available for ~~restoration,~~

901 ~~enhancement, management, and~~ acquisition of land and water areas
902 ~~and for providing long-term management and capital improvements,~~
903 a competitive selection process shall select those projects best
904 able to meet the goals of the Florida Forever program and
905 maximize the efficient use of the program's funding.

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

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

926 | responsible manner, by issuing bonds to be repaid with
 927 | documentary stamp tax or other revenue sources, including those
 928 | identified in subparagraph (a)11.

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

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

943 | 2. Protecting areas underlying low-level military air
 944 | corridors or operating areas;

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

948 | 4. Providing the military with technical assistance to
 949 | restore, enhance, and manage military land as habitat for
 950 | imperiled species or species designated as threatened or

951 endangered, or a candidate for such designation, and for the
952 recovery or reestablishment of such species.

953 (3) Less the costs of issuing and the costs of funding
954 reserve accounts and other costs associated with bonds, the
955 proceeds of cash payments or bonds issued pursuant to this
956 section shall be deposited into the Florida Forever Trust Fund
957 created by s. 259.1051. The proceeds shall be distributed by the
958 department ~~of Environmental Protection~~ in the following manner:

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

968 (a)(b) Thirty-three and one-third Thirty-five percent to
969 the department of Environmental Protection for the acquisition
970 of lands and capital project expenditures described in this
971 section and lands necessary to implement the water management
972 district priority lists developed pursuant to s. 373.199; to
973 purchase inholdings for lands managed by the department, the
974 Fish and Wildlife Conservation Commission, and the Florida
975 Forest Service within the Department of Agriculture and Consumer

976 Services; and to provide grants for the acquisition of lands
 977 pursuant to s. 375.075. Of the proceeds distributed pursuant to
 978 this paragraph, it is the intent of the Legislature that an
 979 increased priority be given to those acquisitions that ~~which~~
 980 achieve a combination of conservation goals, including
 981 protecting the state's ~~Florida's~~ water resources and natural
 982 groundwater recharge. ~~At a minimum, 3 percent, and no more than~~
 983 ~~10 percent, of the funds allocated pursuant to this paragraph~~
 984 ~~shall be spent on capital project expenditures identified during~~
 985 ~~the time of acquisition which meet land management planning~~
 986 ~~activities necessary for public access.~~

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

999 2. An agency that receives funds for the acquisition of
 1000 inholdings shall develop an acquisition or restoration list in

1001 accordance with specific criteria and numeric performance
 1002 measures developed pursuant to s. 259.035(4). Proposed additions
 1003 may be acquired if the proposed additions are identified within
 1004 the original project boundary, the management plan required
 1005 pursuant to s. 253.034(5), or the management prospectus required
 1006 pursuant to s. 259.032(7)(c). Proposed additions not meeting the
 1007 requirements of this subparagraph shall be submitted to the
 1008 council for approval. The council may only approve the proposed
 1009 addition if it meets two or more of the following criteria:
 1010 a. Serves as a link or corridor to other publicly owned
 1011 property.
 1012 b. Enhances the protection or management of the property.
 1013 c. Adds a desirable resource to the property.
 1014 d. Creates a more manageable boundary configuration.
 1015 e. Protects a high resource value that would otherwise not
 1016 be protected.
 1017 f. Can be acquired at less than fair market value.
 1018 3. Beginning in the 2017-2018 fiscal year and continuing
 1019 through the 2026-2027 fiscal year, at least \$5 million of the
 1020 funds allocated pursuant to this paragraph shall be spent on
 1021 land acquisition within the Florida Keys Area of Critical State
 1022 Concern as authorized pursuant to s. 259.045.
 1023 (b)(e) ~~Thirty-three and one-third~~ ~~Twenty-one~~ percent to
 1024 the department of ~~Environmental Protection~~ for use by the
 1025 Florida Communities Trust for the purposes of part III of

1026 | chapter 380, including the Stan Mayfield Working Waterfronts
 1027 | Program pursuant to s. 380.5105, as described and limited by
 1028 | this subsection, and grants to local governments or nonprofit
 1029 | environmental organizations that are tax-exempt under s.
 1030 | 501(c)(3) of the United States Internal Revenue Code for the
 1031 | acquisition of community-based projects, urban open spaces,
 1032 | parks, and greenways to implement local government comprehensive
 1033 | plans. From funds available to the trust and used for land
 1034 | acquisition, 75 percent shall be matched by local governments on
 1035 | a dollar-for-dollar basis. ~~The Legislature intends that the~~
 1036 | ~~Florida Communities Trust emphasize funding projects in low-~~
 1037 | ~~income or otherwise disadvantaged communities and projects that~~
 1038 | ~~provide areas for direct water access and water-dependent~~
 1039 | ~~facilities that are open to the public and offer public access~~
 1040 | ~~by vessels to waters of the state, including boat ramps and~~
 1041 | ~~associated parking and other support facilities. At least 30~~
 1042 | ~~percent of the total allocation provided to the trust shall be~~
 1043 | ~~used in Standard Metropolitan Statistical Areas, but one-half of~~
 1044 | ~~that amount shall be used in localities in which the project~~
 1045 | ~~site is located in built-up commercial, industrial, or mixed-use~~
 1046 | ~~areas and functions to intersperse open spaces within congested~~
 1047 | ~~urban core areas. From funds allocated to the trust, no less~~
 1048 | ~~than 5 percent shall be used to acquire lands for recreational~~
 1049 | ~~trail systems, provided that in the event these funds are not~~
 1050 | ~~needed for such projects, they will be available for other trust~~

1051 ~~projects.~~ Local governments may use federal grants or loans,
1052 private donations, or environmental mitigation funds for any
1053 part or all of any local match required for acquisitions funded
1054 through the Florida Communities Trust. Any lands purchased by
1055 nonprofit organizations using funds allocated under this
1056 paragraph must provide for such lands to remain permanently in
1057 public use through a reversion of title to local or state
1058 government, conservation easement, or other appropriate
1059 mechanism. Projects funded with funds allocated to the trust
1060 shall be selected in a competitive process measured against
1061 criteria adopted in rule by the trust.

1062 ~~(d) Two percent to the Department of Environmental~~
1063 ~~Protection for grants pursuant to s. 375.075.~~

1064 ~~(e) One and five-tenths percent to the Department of~~
1065 ~~Environmental Protection for the purchase of inholdings and~~
1066 ~~additions to state parks and for capital project expenditures as~~
1067 ~~described in this section. At a minimum, 1 percent, and no more~~
1068 ~~than 10 percent, of the funds allocated pursuant to this~~
1069 ~~paragraph shall be spent on capital project expenditures~~
1070 ~~identified during the time of acquisition which meet land~~
1071 ~~management planning activities necessary for public access. For~~
1072 ~~the purposes of this paragraph, "state park" means any real~~
1073 ~~property in the state which is under the jurisdiction of the~~
1074 ~~Division of Recreation and Parks of the department, or which may~~
1075 ~~come under its jurisdiction.~~

1076 ~~(f) One and five-tenths percent to the Florida Forest~~
1077 ~~Service of the Department of Agriculture and Consumer Services~~
1078 ~~to fund the acquisition of state forest inholdings and additions~~
1079 ~~pursuant to s. 589.07, the implementation of reforestation plans~~
1080 ~~or sustainable forestry management practices, and for capital~~
1081 ~~project expenditures as described in this section. At a minimum,~~
1082 ~~1 percent, and no more than 10 percent, of the funds allocated~~
1083 ~~for the acquisition of inholdings and additions pursuant to this~~
1084 ~~paragraph shall be spent on capital project expenditures~~
1085 ~~identified during the time of acquisition which meet land~~
1086 ~~management planning activities necessary for public access.~~

1087 ~~(g) One and five-tenths percent to the Fish and Wildlife~~
1088 ~~Conservation Commission to fund the acquisition of inholdings~~
1089 ~~and additions to lands managed by the commission which are~~
1090 ~~important to the conservation of fish and wildlife and for~~
1091 ~~capital project expenditures as described in this section. At a~~
1092 ~~minimum, 1 percent, and no more than 10 percent, of the funds~~
1093 ~~allocated pursuant to this paragraph shall be spent on capital~~
1094 ~~project expenditures identified during the time of acquisition~~
1095 ~~which meet land management planning activities necessary for~~
1096 ~~public access.~~

1097 ~~(h) One and five-tenths percent to the Department of~~
1098 ~~Environmental Protection for the Florida Greenways and Trails~~
1099 ~~Program, to acquire greenways and trails or greenways and trail~~
1100 ~~systems pursuant to chapter 260, including, but not limited to,~~

1101 ~~abandoned railroad rights-of-way and the Florida National Scenic~~
1102 ~~Trail and for capital project expenditures as described in this~~
1103 ~~section. At a minimum, 1 percent, and no more than 10 percent,~~
1104 ~~of the funds allocated pursuant to this paragraph shall be spent~~
1105 ~~on capital project expenditures identified during the time of~~
1106 ~~acquisition which meet land management planning activities~~
1107 ~~necessary for public access.~~

1108 (c)(i) Thirty-three and one-third ~~Three and five tenths~~
1109 percent to the Department of Agriculture and Consumer Services
1110 for the acquisition of agricultural lands, through perpetual
1111 conservation easements and other perpetual less than fee
1112 techniques, which will achieve the objectives of the Florida
1113 Forever program and s. 570.71. Rules concerning the application,
1114 acquisition, and priority ranking process for such easements
1115 shall be developed pursuant to s. 570.71(10) and as provided by
1116 this paragraph. Increased priority shall be given to the
1117 acquisition of rural-lands-protection easements for which local
1118 governments are willing to provide cost-share funding for the
1119 acquisition. The board shall ensure that such rules are
1120 consistent with the acquisition process provided for in s.
1121 570.715. The rules developed pursuant to s. 570.71(10), shall
1122 also provide for the following:

1123 1. An annual priority list shall be developed pursuant to
1124 s. 570.71(10), submitted to the council for review, and approved
1125 by the board pursuant to s. 259.04.

1126 2. Terms of easements and acquisitions proposed pursuant
 1127 to this paragraph shall be approved by the board and may not be
 1128 delegated by the board to any other entity receiving funds under
 1129 this section.

1130 3. All acquisitions pursuant to this paragraph shall
 1131 contain a clear statement that they are subject to legislative
 1132 appropriation.

1133

1134 ~~Funds provided under this paragraph may not be expended until~~
 1135 ~~final adoption of rules by the board pursuant to s. 570.71.~~

1136 ~~(j) Two and five tenths percent to the Department of~~
 1137 ~~Environmental Protection for the acquisition of land and capital~~
 1138 ~~project expenditures necessary to implement the Stan Mayfield~~
 1139 ~~Working Waterfronts Program within the Florida Communities Trust~~
 1140 ~~pursuant to s. 380.5105.~~

1141 (d) ~~(k)~~ It is the intent of the Legislature that cash
 1142 payments or proceeds of Florida Forever bonds distributed under
 1143 this section shall be expended in an efficient and fiscally
 1144 responsible manner. An agency that receives proceeds from
 1145 Florida Forever bonds under this section may not maintain a
 1146 balance of unencumbered funds in its Florida Forever subaccount
 1147 beyond 3 fiscal years from the date of deposit of funds from
 1148 each bond issue. Any funds that have not been expended or
 1149 encumbered after 3 fiscal years from the date of deposit shall
 1150 be distributed by the Legislature at its next regular session

1151 for use in the Florida Forever program.

1152 ~~(l) For the purposes of paragraphs (e), (f), (g), and (h),~~
1153 ~~the agencies that receive the funds shall develop their~~
1154 ~~individual acquisition or restoration lists in accordance with~~
1155 ~~specific criteria and numeric performance measures developed~~
1156 ~~pursuant to s. 259.035(4). Proposed additions may be acquired if~~
1157 ~~they are identified within the original project boundary, the~~
1158 ~~management plan required pursuant to s. 253.034(5), or the~~
1159 ~~management prospectus required pursuant to s. 259.032(7)(c).~~
1160 ~~Proposed additions not meeting the requirements of this~~
1161 ~~paragraph shall be submitted to the council for approval. The~~
1162 ~~council may only approve the proposed addition if it meets two~~
1163 ~~or more of the following criteria: serves as a link or corridor~~
1164 ~~to other publicly owned property; enhances the protection or~~
1165 ~~management of the property; would add a desirable resource to~~
1166 ~~the property; would create a more manageable boundary~~
1167 ~~configuration; has a high resource value that otherwise would be~~
1168 ~~unprotected; or can be acquired at less than fair market value.~~

1169 ~~(m) Notwithstanding paragraphs (a)-(j) and for the 2016-~~
1170 ~~2017 fiscal year only:~~

1171 ~~1. The amount of \$15,156,206 to only the Division of State~~
1172 ~~Lands within the Department of Environmental Protection for the~~
1173 ~~Board of Trustees Florida Forever Priority List land acquisition~~
1174 ~~projects.~~

1175 ~~2. Thirty-five million dollars to the Department of~~

1176 ~~Agriculture and Consumer Services for the acquisition of~~
1177 ~~agricultural lands through perpetual conservation easements and~~
1178 ~~other perpetual less-than-fee techniques, which will achieve the~~
1179 ~~objectives of Florida Forever and s. 570.71.~~

1180 ~~3.a. Notwithstanding any allocation required pursuant to~~
1181 ~~paragraph (c), \$10 million shall be allocated to the Florida~~
1182 ~~Communities Trust for projects acquiring conservation or~~
1183 ~~recreation lands to enhance recreational opportunities for~~
1184 ~~individuals with unique abilities.~~

1185 ~~b. The Department of Environmental Protection may waive~~
1186 ~~the local government matching fund requirement of paragraph (c)~~
1187 ~~for projects acquiring conservation or recreation lands to~~
1188 ~~enhance recreational opportunities for individuals with unique~~
1189 ~~abilities.~~

1190 ~~e. Notwithstanding sub-subparagraphs a. and b., any funds~~
1191 ~~required to be used to acquire conservation or recreation lands~~
1192 ~~to enhance recreational opportunities for individuals with~~
1193 ~~unique abilities which have not been awarded for those purposes~~
1194 ~~by May 1, 2017, may be awarded to redevelop or renew outdoor~~
1195 ~~recreational facilities on public lands, including recreational~~
1196 ~~trails, parks, and urban open spaces, together with improvements~~
1197 ~~required to enhance recreational enjoyment and public access to~~
1198 ~~public lands, if such redevelopment and renewal is primarily~~
1199 ~~geared toward enhancing recreational opportunities for~~
1200 ~~individuals with unique abilities. The department may waive the~~

1201 ~~local matching requirement of paragraph (c) for such~~
1202 ~~redevelopment and renewal projects.~~

1203

1204 ~~This paragraph expires July 1, 2017.~~

1205 (4) It is the intent of the Legislature that projects or
1206 acquisitions funded pursuant to paragraph (3) (a) ~~paragraphs~~
1207 ~~(3) (a) and (b)~~ contribute to the achievement of the following
1208 goals, which shall be evaluated in accordance with specific
1209 criteria and numeric performance measures developed pursuant to
1210 s. 259.035(4):

1211 (a) Enhance the coordination and completion of the state's
1212 land acquisition projects, as measured by:

1213 1. The number of acres acquired through the state's land
1214 acquisition programs that contribute to the enhancement of
1215 essential natural resources, ecosystem service parcels, and
1216 connecting linkage corridors as identified and developed by the
1217 best available scientific analysis;

1218 2. The number of acres protected through the use of
1219 alternatives to fee simple acquisition; or

1220 3. The number of shared acquisition projects among Florida
1221 Forever funding partners and partners with other funding
1222 sources, including local governments and the Federal Government.

1223 (b) Increase the protection of the state's ~~Florida's~~
1224 biodiversity at the species, natural community, and landscape
1225 levels, as measured by:

- 1226 1. The number of acres acquired of significant strategic
 1227 habitat conservation areas;
- 1228 2. The number of acres acquired of highest priority
 1229 conservation areas for the state's ~~Florida's~~ rarest species;
- 1230 3. The number of acres acquired of significant landscapes,
 1231 landscape linkages, wildlife crossings, and conservation
 1232 corridors, giving priority to completing linkages;
- 1233 4. The number of acres acquired of underrepresented native
 1234 ecosystems;
- 1235 5. The number of landscape-sized protection areas of at
 1236 least 50,000 acres that exhibit a mosaic of predominantly intact
 1237 or restorable natural communities established through new
 1238 acquisition projects or augmentations to previous projects; or
- 1239 6. The percentage increase in the number of occurrences of
 1240 imperiled species on publicly managed conservation areas.
- 1241 (c) Protect, restore, and maintain the quality and natural
 1242 functions of the state's land, water, and wetland systems of the
 1243 state, as measured by:
- 1244 1. The number of acres of publicly owned land identified
 1245 as needing restoration, enhancement, and management, acres
 1246 undergoing restoration or enhancement, acres with restoration
 1247 activities completed, and acres managed to maintain such
 1248 restored or enhanced conditions; the number of acres which
 1249 represent actual or potential imperiled species habitat; the
 1250 number of acres which are available pursuant to a management

1251 plan to restore, enhance, repopulate, and manage imperiled
 1252 species habitat; and the number of acres of imperiled species
 1253 habitat managed, restored, enhanced, repopulated, or acquired;
 1254 2. The percentage of water segments that fully meet,
 1255 partially meet, or do not meet their designated uses as reported
 1256 in the department's ~~Department of Environmental Protection's~~
 1257 State Water Quality Assessment 305(b) Report;
 1258 ~~3. The percentage completion of targeted capital~~
 1259 ~~improvements in surface water improvement and management plans~~
 1260 ~~created under s. 373.453(2), regional or master stormwater~~
 1261 ~~management system plans, or other adopted restoration plans;~~
 1262 3.4. The number of acres acquired that protect natural
 1263 floodplain functions;
 1264 4.5. The number of acres acquired that protect surface
 1265 waters ~~of the state~~;
 1266 5.6. The number of acres identified for acquisition to
 1267 minimize damage from flooding and the percentage of those acres
 1268 acquired;
 1269 6.7. The number of acres acquired that protect fragile
 1270 coastal resources;
 1271 7.8. The number of acres of functional wetland systems
 1272 protected;
 1273 8.9. The percentage of miles of critically eroding beaches
 1274 contiguous with public lands that are restored or protected from
 1275 further erosion;

1276 ~~9.10.~~ The percentage of public lakes and rivers in which
 1277 invasive, nonnative aquatic plants are under maintenance
 1278 control; or

1279 ~~10.11.~~ The number of acres of public conservation lands in
 1280 which upland invasive, exotic plants are under maintenance
 1281 control.

1282 (d) Ensure that sufficient quantities of water are
 1283 available to meet the current and future needs of the state's
 1284 natural systems and ~~the citizens of the state~~, as measured by:

1285 1. The number of acres acquired which provide retention
 1286 and storage of surface water in naturally occurring storage
 1287 areas, such as lakes and wetlands, consistent with the
 1288 maintenance of water resources or water supplies and consistent
 1289 with district water supply plans; or

1290 ~~2. The quantity of water made available through the water
 1291 resource development component of a district water supply plan
 1292 for which a water management district is responsible; or~~

1293 ~~2.3.~~ The number of acres acquired of groundwater recharge
 1294 areas critical to springs, sinks, aquifers, other natural
 1295 systems, or water supply.

1296 (e) Increase the state's natural resource-based public
 1297 recreational and educational opportunities, as measured by:

1298 1. The number of acres acquired that are available for
 1299 natural resource-based public recreation or education;

1300 2. The miles of trails that are available for public

1301 recreation, giving priority to those that provide significant
 1302 connections including those that will assist in completing the
 1303 Florida National Scenic Trail; or

1304 3. The number of new resource-based recreation facilities,
 1305 by type, made available on public land.

1306 (f) Preserve the state's significant archaeological or
 1307 historic sites, as measured by:

1308 1. The increase in the number of and percentage of
 1309 historic and archaeological properties listed in the Florida
 1310 Master Site File or National Register of Historic Places which
 1311 are protected or preserved for public use; or

1312 2. The increase in the number and percentage of historic
 1313 and archaeological properties that are in state ownership.

1314 (g) Increase the amount of forestland available for
 1315 sustainable management of the state's natural resources, as
 1316 measured by:

1317 1. The number of acres acquired that are available for
 1318 sustainable forest management;

1319 2. The number of acres of state-owned forestland managed
 1320 for economic return in accordance with current best management
 1321 practices;

1322 3. The number of acres of forestland acquired that will
 1323 serve to maintain natural groundwater recharge functions; or

1324 4. The percentage and number of acres identified for
 1325 restoration actually restored by reforestation.

1326 (h) Increase the amount of open space available in the
 1327 state's urban areas, as measured by:
 1328 1. The percentage of local governments that participate in
 1329 land acquisition programs and acquire open space in urban cores;
 1330 or
 1331 2. The percentage and number of acres of purchases of open
 1332 space within urban service areas.
 1333
 1334 Florida Forever projects and acquisitions funded pursuant to
 1335 paragraph (3)(b) ~~(3)(e)~~ shall be measured by goals developed by
 1336 rule by the Florida Communities Trust Governing Board created in
 1337 s. 380.504.
 1338 (5)(a) All lands acquired pursuant to this section shall
 1339 be managed for multiple-use purposes, if ~~where~~ compatible with
 1340 the resource values of and management objectives for such lands.
 1341 As used in this section, "multiple-use" includes, but is not
 1342 limited to, outdoor recreational activities as described in ss.
 1343 253.034 and 259.032(7)(b), ~~water resource development projects,~~
 1344 sustainable forestry management, carbon sequestration, carbon
 1345 mitigation, or carbon offsets.
 1346 (b) Upon a decision by the entity in which title to lands
 1347 acquired pursuant to this section has vested, such lands may be
 1348 designated single use as defined in s. 253.034(2)(b).
 1349 (c) For purposes of this section, the board ~~of Trustees of~~
 1350 ~~the Internal Improvement Trust Fund~~ shall adopt rules that

1351 | pertain to the use of state lands for carbon sequestration,
 1352 | carbon mitigation, or carbon offsets and that provide for
 1353 | climate-change-related benefits.

1354 | ~~(6) As provided in this section, a water resource or water~~
 1355 | ~~supply development project may be allowed only if the following~~
 1356 | ~~conditions are met: minimum flows and levels have been~~
 1357 | ~~established for those waters, if any, which may reasonably be~~
 1358 | ~~expected to experience significant harm to water resources as a~~
 1359 | ~~result of the project; the project complies with all applicable~~
 1360 | ~~permitting requirements; and the project is consistent with the~~
 1361 | ~~regional water supply plan, if any, of the water management~~
 1362 | ~~district and with relevant recovery or prevention strategies if~~
 1363 | ~~required pursuant to s. 373.0421(2).~~

1364 | (6)~~(7)~~(a) Beginning no later than July 1, 2001, and every
 1365 | year thereafter, the ~~Acquisition and Restoration~~ council shall
 1366 | accept applications from state agencies, local governments,
 1367 | nonprofit and for-profit organizations, private land trusts, and
 1368 | individuals for project proposals eligible for funding pursuant
 1369 | to paragraph (3) (a) ~~(3) (b)~~. The council shall evaluate the
 1370 | proposals received pursuant to this subsection to ensure that
 1371 | they meet at least one of the criteria under subsection (8) ~~(9)~~.

1372 | (b) Project applications shall contain, at a minimum, the
 1373 | following:

1374 | 1. A minimum of two numeric performance measures that
 1375 | directly relate to the overall goals adopted by the council.

1376 Each performance measure shall include a baseline measurement,
1377 which is the current situation; a performance standard which the
1378 project sponsor anticipates the project will achieve; and the
1379 performance measurement itself, which should reflect the
1380 incremental improvements the project accomplishes towards
1381 achieving the performance standard.

1382 2. Proof that property owners within any proposed
1383 acquisition have been notified of their inclusion in the
1384 proposed project. Any property owner may request the removal of
1385 such property from further consideration by submitting a request
1386 to the project sponsor or the Acquisition and Restoration
1387 Council by certified mail. Upon receiving this request, the
1388 council shall delete the property from the proposed project;
1389 however, the board ~~of trustees~~, at the time it votes to approve
1390 the proposed project lists pursuant to subsection (14) ~~(16)~~, may
1391 add the property back on to the project lists if it determines
1392 by a super majority of its members that such property is
1393 critical to achieve the purposes of the project.

1394 (c) The title to lands acquired under this section shall
1395 vest in the board ~~of Trustees of the Internal Improvement Trust~~
1396 ~~Fund~~, except that title to lands acquired by a water management
1397 district shall vest in the name of that district and lands
1398 acquired by a local government shall vest in the name of the
1399 purchasing local government.

1400 (7) ~~(8)~~ The ~~Acquisition and Restoration~~ council shall

1401 develop a project list that shall represent those projects
1402 submitted pursuant to subsection (6) ~~(7)~~.

1403 (8) ~~(9)~~ The ~~Acquisition and Restoration~~ council shall
1404 recommend rules for adoption by the board of trustees to
1405 competitively evaluate, select, and rank projects eligible for
1406 Florida Forever funds pursuant to paragraph (3) (a) ~~(3) (b)~~. In
1407 developing these proposed rules, the ~~Acquisition and Restoration~~
1408 council shall give weight to the following criteria:

1409 (a) The project meets multiple goals described in
1410 subsection (4).

1411 (b) The project is part of an ongoing governmental effort
1412 to restore, protect, or develop land areas or water resources.

1413 (c) The project enhances or facilitates management of
1414 properties already under public ownership.

1415 (d) The project has significant archaeological or historic
1416 value.

1417 (e) The project has funding sources that are identified
1418 and assured through at least the first 2 years of the project.

1419 (f) The project contributes to the solution of water
1420 resource problems on a regional basis.

1421 (g) The project has a significant portion of its land area
1422 in imminent danger of development, in imminent danger of losing
1423 its significant natural attributes or recreational open space,
1424 or in imminent danger of subdivision which would result in
1425 multiple ownership and make acquisition of the project costly or

1426 | less likely to be accomplished.

1427 | (h) The project implements an element from a plan
1428 | developed by an ecosystem management team.

1429 | (i) The project is one of the components of the Everglades
1430 | restoration effort.

1431 | (j) The project may be purchased at 80 percent of
1432 | appraised value.

1433 | (k) The project may be acquired, in whole or in part,
1434 | using alternatives to fee simple, including but not limited to,
1435 | tax incentives, mitigation funds, or other revenues; the
1436 | purchase of development rights, hunting rights, agricultural or
1437 | silvicultural rights, or mineral rights; or obtaining
1438 | conservation easements or flowage easements.

1439 | (l) The project is a joint acquisition, either among
1440 | public agencies, nonprofit organizations, or private entities,
1441 | or by a public-private partnership.

1442 | (9)~~(10)~~ The council shall give increased priority to:

1443 | (a) Projects for which matching funds are available.

1444 | (b) Project elements previously identified on an
1445 | acquisition list pursuant to this section that can be acquired
1446 | at 80 percent or less of appraised value.

1447 | (c) Projects that can be acquired in less than fee
1448 | ownership, such as a permanent conservation easement.

1449 | (d) Projects that contribute to improving the quality and
1450 | quantity of surface water and groundwater.

1451 (e) Projects that contribute to improving the water
1452 quality and flow of springs.

1453 (f) Projects for which the state's land conservation plans
1454 overlap with the military's need to protect lands, water, and
1455 habitat to ensure the sustainability of military missions
1456 including:

1457 1. Protecting habitat on nonmilitary land for any species
1458 found on military land that is designated as threatened or
1459 endangered, or is a candidate for such designation under the
1460 Endangered Species Act or any Florida statute;

1461 2. Protecting areas underlying low-level military air
1462 corridors or operating areas; and

1463 3. Protecting areas identified as clear zones, accident
1464 potential zones, and air installation compatible use buffer
1465 zones delineated by our military partners, and for which federal
1466 or other funding is available to assist with the project.

1467 ~~(11) For the purposes of funding projects pursuant to~~
1468 ~~paragraph (3) (a), the Secretary of Environmental Protection~~
1469 ~~shall ensure that each water management district receives the~~
1470 ~~following percentage of funds annually:~~

1471 ~~(a) Thirty five percent to the South Florida Water~~
1472 ~~Management District, of which amount \$25 million for 2 years~~
1473 ~~beginning in fiscal year 2000-2001 shall be transferred by the~~
1474 ~~Department of Environmental Protection into the Save Our~~
1475 ~~Everglades Trust Fund and shall be used exclusively to implement~~

1476 ~~the comprehensive plan under s. 373.470.~~

1477 ~~(b) Twenty five percent to the Southwest Florida Water~~

1478 ~~Management District.~~

1479 ~~(c) Twenty five percent to the St. Johns River Water~~

1480 ~~Management District.~~

1481 ~~(d) Seven and one half percent to the Suwannee River Water~~

1482 ~~Management District.~~

1483 ~~(e) Seven and one half percent to the Northwest Florida~~

1484 ~~Water Management District.~~

1485 (10)-(12) Water management districts may not use funds

1486 received from the Florida Forever Trust Fund ~~It is the intent of~~

1487 ~~the Legislature that in developing the list of projects for~~

1488 ~~funding pursuant to paragraph (3) (a), that these funds not be~~

1489 ~~used to abrogate the financial responsibility of those point and~~

1490 ~~nonpoint sources that have contributed to the degradation of~~

1491 ~~water or land areas. Therefore, an increased priority shall be~~

1492 ~~given by~~ The water management district governing boards shall

1493 give increased priority to those projects that have secured a

1494 cost-sharing agreement allocating responsibility for the cleanup

1495 of point and nonpoint sources.

1496 (11)-(13) An affirmative vote of at least five members of

1497 the council shall be required in order to place a project

1498 submitted pursuant to subsection (6) ~~(7)~~ on the proposed project

1499 list developed pursuant to subsection (7) ~~(8)~~. Any member of the

1500 council who by family or a business relationship has a

1501 connection with any project proposed to be ranked shall declare
 1502 such interest before voting for a project's inclusion on the
 1503 list.

1504 (12)~~(14)~~ Each year that cash disbursements or bonds are to
 1505 be issued pursuant to this section, the ~~Acquisition and~~
 1506 ~~Restoration~~ council shall review the most current approved
 1507 project list and shall, by the first board meeting in May,
 1508 present to the board ~~of Trustees of the Internal Improvement~~
 1509 ~~Trust Fund~~ for approval a listing of projects developed pursuant
 1510 to subsection (7) ~~(8)~~. The board ~~of trustees~~ may remove projects
 1511 from the list developed pursuant to this subsection, but may not
 1512 add projects or rearrange project rankings.

1513 (13)~~(15)~~ The council shall submit to the board, with its
 1514 list of projects, a report that includes, but need not be
 1515 limited to, the following information for each project listed:

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

1526 or parcels within projects which should be acquired in fee
 1527 simple or in less than fee simple.

1528 (h) An identification of those lands being purchased for
 1529 conservation purposes.

1530 (i) A management policy statement for the project and a
 1531 management prospectus pursuant to s. 259.032(7)(c).

1532 (j) An estimate of land value based on county tax assessed
 1533 values.

1534 (k) A map delineating project boundaries.

1535 (l) An assessment of the project's ecological value,
 1536 outdoor recreational value, forest resources, wildlife
 1537 resources, ownership pattern, utilization, and location.

1538 (m) A discussion of whether alternative uses are proposed
 1539 for the property and what those uses are.

1540 (n) A designation of the management agency or agencies.

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

1551 project or addition conforms, where applicable, with the
1552 comprehensive plan developed pursuant to s. 259.04(1)(a), the
1553 comprehensive multipurpose outdoor recreation plan developed
1554 pursuant to s. 375.021, the state lands management plan adopted
1555 pursuant to s. 253.03(7), the water resources work plans
1556 developed pursuant to s. 373.199, and the provisions of this
1557 section. Grants provided pursuant to s. 375.075 which are funded
1558 under paragraph (3)(b) are not subject to review or approval by
1559 the council.

1560 (15)~~(17)~~ On an annual basis, the Division of State Lands
1561 shall prepare an annual work plan that prioritizes projects on
1562 the Florida Forever list and sets forth the funding available in
1563 the fiscal year for land acquisition. The work plan shall
1564 consider the following categories of expenditure for land
1565 conservation projects already selected for the Florida Forever
1566 list pursuant to subsection (7) ~~(8)~~:

1567 (a) A critical natural lands category, including
1568 functional landscape-scale natural systems, intact large
1569 hydrological systems, lands that have significant imperiled
1570 natural communities, and corridors linking large landscapes, as
1571 identified and developed by the best available scientific
1572 analysis.

1573 (b) A partnerships or regional incentive category,
1574 including:

1575 1. Projects where local and regional cost-share agreements

1576 provide a lower cost and greater conservation benefit to the
1577 people of the state. Additional consideration shall be provided
1578 under this category where parcels are identified as part of a
1579 local or regional visioning process and are supported by
1580 scientific analysis; and

1581 2. Bargain and shared projects where the state will
1582 receive a significant reduction in price for public ownership of
1583 land as a result of the removal of development rights or other
1584 interests in lands or receives alternative or matching funds.

1585 (c) A substantially complete category of projects where
1586 mainly inholdings, additions, and linkages between preserved
1587 areas will be acquired and where 85 percent of the project is
1588 complete.

1589 (d) A climate-change category list of lands where
1590 acquisition or other conservation measures will address the
1591 challenges of global climate change, such as through protection,
1592 restoration, mitigation, and strengthening of the state's
1593 ~~Florida's~~ land, water, and coastal resources. This category
1594 includes lands that provide opportunities to sequester carbon,
1595 provide habitat, protect coastal lands or barrier islands, and
1596 otherwise mitigate and help adapt to the effects of sea-level
1597 rise and meet other objectives of the program.

1598 (e) A less-than-fee category for working agricultural
1599 lands that significantly contribute to resource protection
1600 through conservation easements and other less-than-fee

1601 techniques, tax incentives, life estates, landowner agreements,
1602 and other partnerships, including conservation easements
1603 acquired in partnership with federal conservation programs,
1604 which will achieve the objectives of the Florida Forever program
1605 while allowing the continuation of compatible agricultural uses
1606 on the land. Terms of easements proposed for acquisition under
1607 this category shall be developed by the Division of State Lands
1608 in coordination with the Department of Agriculture and Consumer
1609 Services.

1610
1611 Projects within each category shall be ranked by order of
1612 priority. The work plan shall be adopted by the ~~Acquisition and~~
1613 ~~Restoration~~ council after at least one public hearing. A copy of
1614 the work plan shall be provided to the board ~~of trustees of the~~
1615 ~~Internal Improvement Trust Fund~~ no later than October 1 of each
1616 year.

1617 (16) ~~(18)~~ (a) The board ~~of Trustees of the Internal~~
1618 ~~Improvement Trust Fund~~, or, in the case of water management
1619 district lands, the owning water management district, may
1620 authorize the granting of a lease, easement, or license for the
1621 use of certain lands acquired pursuant to this section, for
1622 certain uses that are determined by the appropriate board to be
1623 compatible with the resource values of and management objectives
1624 for such lands.

1625 (b) Any existing lease, easement, or license acquired for

1626 incidental public or private use on, under, or across any lands
1627 acquired pursuant to this section shall be presumed to be
1628 compatible with the purposes for which such lands were acquired.

1629 (c) Notwithstanding the provisions of paragraph (a), no
1630 such lease, easement, or license may ~~shall~~ be entered into by
1631 the department ~~of Environmental Protection~~ or other appropriate
1632 state agency if the granting of such lease, easement, or license
1633 would adversely affect the exclusion of the interest on any
1634 revenue bonds issued to fund the acquisition of the affected
1635 lands from gross income for federal income tax purposes,
1636 pursuant to Internal Revenue Service regulations.

1637 ~~(17)-(19)~~ The council shall recommend adoption of rules by
1638 the board necessary to implement this section relating to
1639 solicitation, scoring, selecting, and ranking of Florida Forever
1640 project proposals; disposing of or leasing lands or water areas
1641 selected for funding through the Florida Forever program; and
1642 the process of reviewing and recommending for approval or
1643 rejection the land management plans associated with publicly
1644 owned properties.

1645 ~~(18)-(20)~~ Lands listed as projects for acquisition under
1646 the Florida Forever program may be managed for conservation
1647 pursuant to s. 259.032, on an interim basis by a private party
1648 in anticipation of a state purchase in accordance with a
1649 contractual arrangement between the acquiring agency and the
1650 private party that may include management service contracts,

1651 leases, cost-share arrangements, or resource conservation
 1652 agreements. Lands designated as eligible under this subsection
 1653 shall be managed to maintain or enhance the resources the state
 1654 is seeking to protect by acquiring the land and to accelerate
 1655 public access to the lands as soon as practicable. Funding for
 1656 these contractual arrangements may originate from the
 1657 documentary stamp tax revenue deposited into the Land
 1658 Acquisition Trust Fund. No more than \$6.2 million may be
 1659 expended from the Land Acquisition Trust Fund for this purpose.

1660 Section 13. Subsection (4) of section 260.0142, Florida
 1661 Statutes, is amended to read:

1662 260.0142 Florida Greenways and Trails Council;
 1663 composition; powers and duties.—

1664 (4) The duties of the council shall include the following:

1665 (j) Assist state agencies, local governments, and trail
 1666 support organizations seeking recognition and designation as
 1667 outstanding and interconnected trail systems or trail centers
 1668 from regional and national recreation organizations.

1669 Section 14. Paragraph (a) of subsection (2) of section
 1670 260.016, Florida Statutes, is amended to read:

1671 260.016 General powers of the department.—

1672 (2) The department shall:

1673 (a) Evaluate lands for the acquisition of greenways and
 1674 trails and compile a list of suitable corridors, greenways, and
 1675 trails, ranking them in order of priority for proposed

1676 acquisition. The department shall devise a method of evaluation
 1677 which includes, but is not limited to, the consideration of:

1678 1. The importance and function of such corridors within
 1679 the statewide system as reflected on the opportunity maps; and

1680 2. The willingness of landowners ~~landowners' willingness~~
 1681 to negotiate;

1682 3. The ability of the trail system to connect communities,
 1683 developed and natural areas, and other recreational
 1684 opportunities; and

1685 4. The potential of the trail system to receive
 1686 recognition and designation as outstanding and interconnected
 1687 trail systems or trail centers from regional and national
 1688 recreation organizations.

1689 Section 15. Subsections (9), (10), and (11) are added to
 1690 section 373.089, Florida Statutes, to read:

1691 373.089 Sale or exchange of lands, or interests or rights
 1692 in lands.—The governing board of the district may sell lands, or
 1693 interests or rights in lands, to which the district has acquired
 1694 title or to which it may hereafter acquire title in the
 1695 following manner:

1696 (9) No disposition of land may be made if it would cause
 1697 all or any portion of the interest on any revenue bonds to fund
 1698 acquisitions made by the district to lose the exclusion from
 1699 gross income for purposes of federal income taxation. Proceeds
 1700 derived from such disposition may not be used for any purpose

1701 except the purchase of other lands meeting the criteria
1702 specified in s. 373.139 or payment of debt service on revenue
1703 bonds or notes issued under s. 373.584.

1704 (10) Proceeds from the sale of surplus conservation lands
1705 purchased with Florida Forever funds before July 1, 2015, shall
1706 be deposited into the Florida Forever Trust Fund if the district
1707 does not use the proceeds to purchase other lands meeting the
1708 criteria specified in s. 373.139 or payment of debt service on
1709 revenue bonds or notes issued under s. 373.584 within 3 years.
1710 If the district purchased the conservation land with multiple
1711 revenue sources, the district shall deposit an amount based on
1712 the percentage of Florida Forever funds used for the original
1713 purchase.

1714 (11) Proceeds from the sale of surplus conservation lands
1715 purchased with state funds on or after July 1, 2015, shall be
1716 deposited into the Land Acquisition Trust Fund if the district
1717 does not use the proceeds to purchase other lands meeting the
1718 criteria specified in s. 373.139 or payment of debt service on
1719 revenue bonds or notes issued under s. 373.584 within 3 years.
1720 If the district purchased the conservation land with funds other
1721 than those from the Land Acquisition Trust Fund or a land
1722 acquisition trust fund created to implement s. 28, Art. X of the
1723 State Constitution, the proceeds shall be deposited into the
1724 fund from which the land was purchased. If the district
1725 purchased the conservation land with multiple revenue sources,

1726 the district shall deposit an amount based on the percentage of
 1727 state funds used for the original purchase.

1728
 1729 If the Board of Trustees of the Internal Improvement Trust Fund
 1730 declines to accept title to the lands offered under this
 1731 section, the land may be disposed of by the district under the
 1732 provisions of this section.

1733 Section 16. Subsection (6) of section 373.139, Florida
 1734 Statutes, is amended to read:

1735 373.139 Acquisition of real property.—

1736 ~~(6) A district may dispose of land acquired under this~~
 1737 ~~section pursuant to s. 373.056 or s. 373.089. However, no such~~
 1738 ~~disposition of land shall be made if it would have the effect of~~
 1739 ~~causing all or any portion of the interest on any revenue bonds~~
 1740 ~~issued pursuant to s. 259.101 or s. 259.105 to fund the~~
 1741 ~~acquisition programs detailed in this section to lose the~~
 1742 ~~exclusion from gross income for purposes of federal income~~
 1743 ~~taxation. Revenue derived from such disposition may not be used~~
 1744 ~~for any purpose except the purchase of other lands meeting the~~
 1745 ~~criteria specified in this section or payment of debt service on~~
 1746 ~~revenue bonds or notes issued under s. 373.584.~~

1747 Section 17. Subsection (7) is added to section 373.1391,
 1748 Florida Statutes, to read:

1749 373.1391 Management of real property.—

1750 (7) All revenues generated through multiple-use management

1751 or compatible secondary-use management of district conservation
1752 lands purchased with state funds shall be retained by the
1753 district responsible for such management and shall be used to
1754 pay for management activities on all conservation, preservation,
1755 and recreation lands under the district's jurisdiction. In
1756 addition, such revenues shall be segregated in a district trust
1757 fund or special revenue account and shall remain available to
1758 the district in subsequent fiscal years to fund land management
1759 activities.

1760 Section 18. Paragraph (h) of subsection (4) of section
1761 373.199, Florida Statutes, is amended to read:

1762 373.199 Florida Forever Water Management District Work
1763 Plan.—

1764 (4) The list submitted by the districts shall include,
1765 where applicable, the following information for each project:

1766 (h) A clear and concise estimate of the funding needed to
1767 carry out the restoration, protection, or improvement project,
1768 or the development of new water resources, where applicable, and
1769 a clear and concise identification of the projected sources and
1770 uses of Florida Forever funds. Only the land acquisition
1771 elements and associated land acquisition costs for projects
1772 identified on the list may receive Florida Forever funding. All
1773 other project elements must use other funding sources.

1774 Section 19. Paragraph (d) of subsection (9) of section
1775 373.4598, Florida Statutes, is amended and paragraph (f) is

1776 added to that subsection to read:

1777 373.4598 Water storage reservoirs.—

1778 (9) C-51 RESERVOIR PROJECT.—

1779 (d) If state funds are appropriated for Phase I or Phase
1780 II of the C-51 reservoir project:

1781 1. The district, to the extent practicable, must ~~shall~~
1782 operate either Phase I or Phase II of the reservoir project to
1783 maximize the reduction of high-volume Lake Okeechobee regulatory
1784 releases to the St. Lucie or Caloosahatchee estuaries, in
1785 addition to maximizing the reduction of harmful discharges
1786 ~~providing relief~~ to the Lake Worth Lagoon. However, the
1787 operation of Phase I of the C-51 reservoir project must be in
1788 accordance with any operation and maintenance agreement adopted
1789 by the district;

1790 2. Water made available by Phase I or Phase II of the
1791 reservoir must ~~shall~~ be used for natural systems in addition to
1792 any permitted ~~allocated~~ amounts for water supply; and

1793 3. ~~Any~~ Water received from Lake Okeechobee may only ~~not~~ be
1794 available to support consumptive use permits if such use is in
1795 accordance with district rules.

1796 (f) The district may enter into a capacity allocation
1797 agreement with a water supply entity for a pro rata share of
1798 unreserved capacity in the water storage facility and may
1799 request the department to waive repayment of all or a portion of
1800 the loan issued pursuant to s. 373.475. The department may

1801 authorize such waiver if the department determines it has
1802 received reasonable value for such waiver. The district is not
1803 responsible for repaying any portion of a loan issued pursuant
1804 to s. 373.475 which is waived pursuant to this paragraph.

1805 Section 20. Subsection (10) is added to section 373.713,
1806 Florida Statutes, to read:

1807 373.713 Regional water supply authorities.—

1808 (10) Each regional water supply authority shall annually
1809 coordinate with the appropriate water management district to
1810 submit a status report on water resource development projects
1811 receiving state funding for inclusion in the consolidated water
1812 management district annual report required by s. 373.036(7).

1813 Section 21. Paragraph (b) of subsection (3) of section
1814 375.041, Florida Statutes, is amended to read:

1815 375.041 Land Acquisition Trust Fund.—

1816 (3) Funds distributed into the Land Acquisition Trust Fund
1817 pursuant to s. 201.15 shall be applied:

1818 (b) Of the funds remaining after the payments required
1819 under paragraph (a), but before funds may be appropriated,
1820 pledged, or dedicated for other uses:

1821 1. A minimum of the lesser of 25 percent or \$200 million
1822 shall be appropriated annually for Everglades projects that
1823 implement the Comprehensive Everglades Restoration Plan as set
1824 forth in s. 373.470, including the Central Everglades Planning
1825 Project subject to Congressional authorization; the Long-Term

1826 Plan as defined in s. 373.4592(2); and the Northern Everglades
 1827 and Estuaries Protection Program as set forth in s. 373.4595.
 1828 From these funds, \$32 million shall be distributed each fiscal
 1829 year through the 2023-2024 fiscal year to the South Florida
 1830 Water Management District for the Long-Term Plan as defined in
 1831 s. 373.4592(2). After deducting the \$32 million distributed
 1832 under this subparagraph, from the funds remaining, a minimum of
 1833 the lesser of 76.5 percent or \$100 million shall be appropriated
 1834 each fiscal year through the 2025-2026 fiscal year for the
 1835 planning, design, engineering, and construction of the
 1836 Comprehensive Everglades Restoration Plan as set forth in s.
 1837 373.470, including the Central Everglades Planning Project , the
 1838 Everglades Agricultural Area Storage Reservoir Project, the Lake
 1839 Okeechobee Watershed Project, the C-43 West Basin Storage
 1840 Reservoir Project, the Indian River Lagoon-South Project, the
 1841 Western Everglades Restoration Project, and the Picayune Strand
 1842 Restoration Project. The Department of Environmental Protection
 1843 and the South Florida Water Management District shall give
 1844 preference to those Everglades restoration projects that reduce
 1845 harmful discharges of water from Lake Okeechobee to the St.
 1846 Lucie or Caloosahatchee estuaries in a timely manner, with the
 1847 highest priority given to the C-43 West Basin Storage Reservoir
 1848 Project. For the purpose of performing the calculation provided
 1849 in this subparagraph, the amount of debt service paid pursuant
 1850 to paragraph (a) for bonds issued after July 1, 2016, for the

1851 purposes set forth under paragraph (b) shall be added to the
1852 amount remaining after the payments required under paragraph
1853 (a). The amount of the distribution calculated shall then be
1854 reduced by an amount equal to the debt service paid pursuant to
1855 paragraph (a) on bonds issued after July 1, 2016, for the
1856 purposes set forth under this subparagraph.

1857 2. A minimum of the lesser of 7.6 percent or \$50 million
1858 shall be appropriated annually for spring restoration,
1859 protection, and management projects. For the purpose of
1860 performing the calculation provided in this subparagraph, the
1861 amount of debt service paid pursuant to paragraph (a) for bonds
1862 issued after July 1, 2016, for the purposes set forth under
1863 paragraph (b) shall be added to the amount remaining after the
1864 payments required under paragraph (a). The amount of the
1865 distribution calculated shall then be reduced by an amount equal
1866 to the debt service paid pursuant to paragraph (a) on bonds
1867 issued after July 1, 2016, for the purposes set forth under this
1868 subparagraph.

1869 3. The sum of \$5 million shall be appropriated annually
1870 each fiscal year through the 2025-2026 fiscal year to the St.
1871 Johns River Water Management District for projects dedicated to
1872 the restoration of Lake Apopka. This distribution shall be
1873 reduced by an amount equal to the debt service paid pursuant to
1874 paragraph (a) on bonds issued after July 1, 2016, for the
1875 purposes set forth in this subparagraph.

1876 4. The sum of \$64 million is appropriated and shall be
 1877 transferred to the Everglades Trust Fund for the 2018-2019
 1878 fiscal year, and each fiscal year thereafter, for the EAA
 1879 reservoir project pursuant to s. 373.4598. Any funds remaining
 1880 in any fiscal year shall be made available only for Phase II of
 1881 the C-51 reservoir project or projects identified in
 1882 subparagraph 1. and must be used in accordance with laws
 1883 relating to such projects. Any funds made available for such
 1884 purposes in a fiscal year are in addition to the amount
 1885 appropriated under subparagraph 1. This distribution shall be
 1886 reduced by an amount equal to the debt service paid pursuant to
 1887 paragraph (a) on bonds issued after July 1, 2017, for the
 1888 purposes set forth in this subparagraph.

1889 5. The following sums shall be appropriated annually each
 1890 fiscal year to the Florida Forever Trust Fund for distribution
 1891 by the Department of Environmental Protection pursuant to s.
 1892 259.105(3):

1893 a. For the 2019-2020 fiscal year and the 2020-2021 fiscal
 1894 year, the sum of \$57 million.

1895 b. For the 2021-2022 fiscal year, the sum of \$78 million.

1896 c. For the 2022-2023 fiscal year, the sum of \$89 million.

1897 d. For the 2023-2024 fiscal year and the 2024-2025 fiscal
 1898 year, the sum of \$110 million.

1899 e. For the 2025-2026 fiscal year, the sum of \$127 million.

1900 f. For the 2026-2027 fiscal year, the sum of \$147 million.

- 1901 g. For the 2027-2028 fiscal year, the sum of \$157 million.
- 1902 h. For the 2028-2029 fiscal year, the sum of \$179 million.
- 1903 i. For the 2029-2030 fiscal year and each fiscal year
- 1904 through the 2035-2036 fiscal year, the sum of \$200 million.

1905

1906 The distribution shall be reduced by an amount equal to the debt

1907 service paid pursuant to paragraph (a) on bonds issued after

1908 July 1, 2018, for the purposes set forth in this subparagraph.

1909 ~~5. Notwithstanding subparagraph 3., for the 2017-2018~~

1910 ~~fiscal year, funds shall be appropriated as provided in the~~

1911 ~~General Appropriations Act. This subparagraph expires July 1,~~

1912 ~~2018.~~

1913 Section 22. Subsection (3) of section 380.508, Florida

1914 Statutes, is amended to read:

1915 380.508 Projects; development, review, and approval.—

1916 (3) In accordance with procedures adopted by the trust,

1917 local governments and nonprofit organizations may propose

1918 projects for the trust to consider for funding or technical

1919 assistance. When a local government demonstrates the need for

1920 assistance in preparing a project proposal, the trust, whenever

1921 possible, shall provide such assistance. When selecting projects

1922 for funding or technical assistance, the trust shall give

1923 increased priority to projects that enhance the coordination and

1924 completion of land acquisition projects, as measured by:

1925 (a) The number of acres acquired that enhance essential

1926 | natural resources, contribute to ecosystem service parcels, and
 1927 | connect linkage corridors;

1928 | (b) The number of shared acquisition projects between
 1929 | Florida Forever funding partners and partners with other funding
 1930 | sources, including local governments and the Federal Government;
 1931 | and

1932 | (c) For urban greenways and open space projects, the
 1933 | number of acres acquired that connect communities, developed and
 1934 | natural areas, and other recreational opportunities that have
 1935 | the potential to receive recognition and designation as
 1936 | outstanding and interconnected trail systems or trail centers
 1937 | from regional and national recreation organizations.

1938 | Section 23. Subsection (4) of section 388.261, Florida
 1939 | Statutes, is amended to read:

1940 | 388.261 State aid to counties and districts for arthropod
 1941 | control; distribution priorities and limitations.—

1942 | (4) The department must use ~~Up to~~ 20 percent of the annual
 1943 | funds appropriated to local governments for ~~arthropod control~~
 1944 | ~~may be used for~~ arthropod control research or demonstration
 1945 | ~~projects as approved by the department.~~

1946 | Section 24. Paragraph (c) is added to subsection (12) of
 1947 | section 403.067, Florida Statutes, to read:

1948 | 403.067 Establishment and implementation of total maximum
 1949 | daily loads.—

1950 | (12) IMPLEMENTATION OF ADDITIONAL PROGRAMS.—

1951 (c) The department may consider and include innovative
 1952 nutrient reduction pilot projects designed to reduce nutrient
 1953 pollution as part of basin management action plans pursuant to
 1954 subsection (7). The department may also provide cost-share
 1955 funding for innovative nutrient reduction pilot projects.

1956 Section 25. Section 403.0891, Florida Statutes, is amended
 1957 to read:

1958 403.0891 State, regional, and local stormwater management
 1959 plans and programs.—The department, the water management
 1960 districts, ~~and~~ local governments, and the Department of
 1961 Transportation shall have the responsibility for the development
 1962 of mutually compatible stormwater management programs.

1963 (1) The department shall include goals in the water
 1964 resource implementation rule for the proper management of
 1965 stormwater.

1966 (2) Each water management district to which the state's
 1967 stormwater management program is delegated shall establish
 1968 district and, where appropriate, watershed or drainage basin
 1969 stormwater management goals which are consistent with the goals
 1970 adopted by the state and with plans adopted pursuant to ss.
 1971 373.451–373.4595, the Surface Water Improvement and Management
 1972 Act.

1973 (3) (a) Each local government required by chapter 163 to
 1974 submit a comprehensive plan, whose plan is submitted after July
 1975 1, 1992, and the others when updated after July 1, 1992, in the

1976 development of its stormwater management program described by
1977 elements within its comprehensive plan shall consider the water
1978 resource implementation rule, district stormwater management
1979 goals, plans approved pursuant to the Surface Water Improvement
1980 and Management Act, ss. 373.451-373.4595, and technical
1981 assistance information provided by the water management
1982 districts pursuant to s. 373.711.

1983 (b) Local governments are encouraged to consult with the
1984 water management districts, the Department of Transportation,
1985 and the department before adopting or updating their local
1986 government comprehensive plan or public facilities report as
1987 required by s. 189.08, whichever is applicable.

1988 (4) The department, in coordination and cooperation with
1989 water management districts and local governments, shall conduct
1990 a continuing review of the costs of stormwater management
1991 systems and the effect on water quality and quantity, and fish
1992 and wildlife values. The department, the water management
1993 districts, and local governments shall use the review for
1994 planning purposes and to establish priorities for watersheds and
1995 stormwater management systems which require better management
1996 and treatment of stormwater with emphasis on the costs and
1997 benefits of needed improvements to stormwater management systems
1998 to better meet needs for flood protection and protection of
1999 water quality, and fish and wildlife values.

2000 (5) The results of the review shall be maintained by the

2001 department and the water management districts and shall be
2002 provided to appropriate local governments or other parties on
2003 request. The results also shall be used in the development of
2004 the goals developed pursuant to subsections (1) and (2).

2005 (6) The department and the Department of Economic
2006 Opportunity, in cooperation with local governments in the
2007 coastal zone, shall develop a model stormwater management
2008 program that could be adopted by local governments. The model
2009 program shall contain dedicated funding options, including a
2010 stormwater utility fee system based upon an equitable unit cost
2011 approach. Funding options shall be designed to generate capital
2012 to retrofit existing stormwater management systems, build new
2013 treatment systems, operate facilities, and maintain and service
2014 debt.

2015 (7) The Department of Transportation shall coordinate with
2016 the department, water management districts, and local
2017 governments to determine whether it is economically feasible to
2018 use stormwater resulting from road construction projects for the
2019 beneficial use of providing alternative water supplies,
2020 including, but not limited to, directing stormwater to reclaimed
2021 water facilities or water storage reservoirs. If the affected
2022 parties determine that beneficial use of such stormwater is
2023 economically feasible, such use shall be implemented by the
2024 parties. The department, in consultation with the Department of
2025 Transportation, may adopt rules to implement this subsection.

2026 Section 26. Subsection (12) of section 403.814, Florida
2027 Statutes, is amended to read:

2028 403.814 General permits; delegation.—

2029 (12) A general permit is granted for the construction,
2030 alteration, and maintenance of a stormwater management system
2031 serving a total project area of up to 10 acres meeting the
2032 criteria of this subsection. Such stormwater management systems
2033 must be designed, operated, and maintained in accordance with
2034 applicable rules adopted pursuant to part IV of chapter 373.
2035 There is a rebuttable presumption that the discharge from such
2036 systems complies with state water quality standards. The
2037 construction of such a system may proceed without any further
2038 agency action by the department or water management district if,
2039 before construction begins, an electronic self-certification is
2040 submitted to the department or water management district which
2041 certifies that the proposed system was designed by a Florida
2042 registered professional and that the registered professional has
2043 certified that the proposed system meets the requirements of
2044 this section and will meet the following additional
2045 requirements:

2046 (a) The total project area involves less than 10 acres and
2047 less than 2 acres of impervious surface;

2048 (b) Activities will not impact wetlands or other surface
2049 waters;

2050 (c) Activities are not conducted in, on, or over wetlands

2051 or other surface waters;

2052 (d) Drainage facilities will not include pipes having
 2053 diameters greater than 24 inches, or the hydraulic equivalent,
 2054 and will not use pumps in any manner;

2055 (e) The project is not part of a larger common plan,
 2056 development, or sale; and

2057 (f) The project does not cause or contribute to:

2058 1. ~~Cause~~ Adverse water quantity or flooding impacts to
 2059 receiving water and adjacent lands;

2060 2. ~~Cause~~ Adverse impacts to existing surface water storage
 2061 and conveyance capabilities;

2062 3. ~~Cause~~ A violation of state water quality standards; or

2063 4. ~~Cause~~ An adverse impact to the maintenance of surface
 2064 or ground water levels or surface water flows established
 2065 pursuant to s. 373.042 or a work of the district established
 2066 pursuant to s. 373.086.

2067 Section 27. Section 403.892, Florida Statutes, is created
 2068 to read:

2069 403.892 Asset management plan.—

2070 (1) The Legislature finds that the development and
 2071 implementation of an asset management program by public water
 2072 systems and domestic wastewater treatment systems which includes
 2073 a long-range financial planning component is consistent with
 2074 industry best practices and is necessary to achieve sustainable
 2075 infrastructure and protect public health.

2076 (2) By August 1, 2020, each public water system, as
2077 defined in s. 403.852, and domestic wastewater treatment system
2078 shall develop a written asset management plan in accordance with
2079 the United States Environmental Protection Agency's asset
2080 management guidelines for water and wastewater utilities. The
2081 plan must include detailed asset inventories, sustainable levels
2082 of service and performance goals, identification and ranking of
2083 assets critical to sustainable performance, analysis of minimum
2084 life-cycle costs, and optimum long-term funding strategies and
2085 must be updated annually. The plan and annual updates to the
2086 plan must be posted on a publicly available website. As used in
2087 this section, the term "domestic wastewater treatment system"
2088 means any plant or other works used to treat, stabilize, or hold
2089 domestic wastes, including pipelines or conduits, pumping
2090 stations, and force mains and all other structures, devices,
2091 appurtenances, and facilities used for collecting or conducting
2092 wastes to an ultimate point for treatment or disposal. A
2093 domestic wastewater treatment system does not include an onsite
2094 sewage treatment and disposal system as defined in s. 381.0065.
2095 (3) To be eligible for state funding, a public water
2096 system or domestic wastewater treatment system must demonstrate
2097 that it is implementing an asset management plan in accordance
2098 with this section and that the plan adequately addresses long-
2099 term funding strategies for maintaining assets to meet required
2100 levels of service and long-term system needs. Funding strategies

2101 may include a rate structure appropriate for the customer base,
2102 the use of reserves or other forms of asset annuities, and
2103 financing mechanisms for repair and replacement of assets.

2104 Section 28. Section 403.893, Florida Statutes, is created
2105 to read:

2106 403.893 Public water system and domestic wastewater
2107 treatment system infrastructure floodplain resiliency.—It is the
2108 policy of the state to encourage public water systems and
2109 domestic wastewater treatment systems to increase the resilience
2110 of their critical infrastructure against flooding. Any new
2111 infrastructure for a public water system or domestic wastewater
2112 treatment system located within an area identified in accordance
2113 with the Federal Emergency Management Agency's 100-year and 500-
2114 year flood maps as a special flood hazard area or a moderate
2115 flood hazard area must be built to withstand the respective
2116 flood conditions. Such new infrastructure must include, at a
2117 minimum, elevated control panels and appurtenant structures
2118 above the flood prone elevation and submersible components,
2119 including pumps and flow meters.

2120 Section 29. Subsection (9) is added to section 570.76,
2121 Florida Statutes, to read:

2122 570.76 Department of Agriculture and Consumer Services;
2123 powers and duties.—For the accomplishment of the purposes
2124 specified in this act, the department shall have all powers and
2125 duties necessary, including, but not limited to, the power and

2126 duty to:

2127 (9) Provide assistance to local governments in
 2128 administering local rural-lands-protection easement programs.
 2129 The department may provide technical support to review
 2130 applications for inclusion in the local government's program and
 2131 monitor compliance with the conservation easements. The
 2132 department may not use any state funds to assist in the purchase
 2133 of such easements or pay any acquisition costs. The local
 2134 government must compensate the department for its services. The
 2135 agreement for assistance must be documented in a memorandum of
 2136 agreement between the department and the local government. The
 2137 title to such conservation easements shall be held in the name
 2138 of the local government.

2139 Section 30. Section 1004.49, Florida Statutes, is amended
 2140 to read:

2141 1004.49 Florida LAKEWATCH Program.—The Florida LAKEWATCH
 2142 Program is hereby created within the School of Forest Resources
 2143 and Conservation's Fisheries and Aquatic Sciences Program
 2144 ~~Department of Fisheries and Aquaculture~~ of the Institute of Food
 2145 and Agricultural Sciences at the University of Florida. The
 2146 purpose of the program is to provide public education and
 2147 training with respect to the water quality of Florida's lakes.
 2148 The Fisheries and Aquatic Sciences Program ~~Department of~~
 2149 ~~Fisheries and Aquaculture~~ may, in implementing the LAKEWATCH
 2150 program:

2151 (1) Train, supervise, and coordinate volunteers to collect
 2152 water quality data from Florida's lakes, streams, and estuaries.

2153 (2) Compile the data collected by volunteers.

2154 (3) Disseminate information to the public about the
 2155 LAKEWATCH program.

2156 (4) Provide or loan equipment to volunteers in the
 2157 program.

2158 (5) Perform other functions as may be necessary or
 2159 beneficial in coordinating the LAKEWATCH program.

2160

2161 Data collected and compiled shall be used to establish trends
 2162 and provide general background information and may ~~shall in no~~
 2163 ~~instance~~ be used by the Department of Environmental Protection
 2164 if the data collection methods meet sufficient quality assurance
 2165 and quality control requirements approved by the Department of
 2166 Environmental Protection in a regulatory proceeding.

2167 Section 31. Subsection (1) of section 20.3315, Florida
 2168 Statutes, is amended to read:

2169 20.3315 Florida Forever Program Trust Fund of the Florida
 2170 Fish and Wildlife Conservation Commission.—

2171 (1) There is created a Florida Forever Program Trust Fund
 2172 within the Florida Fish and Wildlife Conservation Commission to
 2173 carry out the duties of the commission under the Florida Forever
 2174 Act as specified in s. 259.105 ~~s. 259.105(3)(g)~~. The trust fund
 2175 shall receive funds pursuant to s. 259.105 ~~s. 259.105(3)(g)~~.

2176 Section 32. Subsection (4) and paragraph (b) of subsection
 2177 (5) of section 253.027, Florida Statutes, are amended to read:

2178 253.027 Emergency archaeological property acquisition.—

2179 (4) EMERGENCY ARCHAEOLOGICAL ACQUISITION.—The sum of \$2
 2180 million shall be reserved annually within the Florida Forever
 2181 Trust Fund for the purpose of emergency archaeological
 2182 acquisition. Any portion of that amount not spent or obligated
 2183 by the end of the third quarter of the fiscal year may be used
 2184 for approved acquisitions pursuant to s. 259.105(3)(a) ~~s.~~
 2185 ~~259.105(3)(b)~~.

2186 (5) ACCOUNT EXPENDITURES.—

2187 (b) Funds may not ~~No moneys shall~~ be spent from the
 2188 account for excavation or restoration of the properties
 2189 acquired. Funds may be spent for preliminary surveys to
 2190 determine if the sites meet the criteria of this section. An
 2191 amount not to exceed \$100,000 may also be spent from the account
 2192 to inventory and evaluate archaeological and historic resources
 2193 on properties purchased, or proposed for purchase, pursuant to
 2194 s. 259.105(3)(a) ~~s. 259.105(3)(b)~~.

2195 Section 33. Subsection (3), paragraph (b) of
 2196 subsection(4), and subsection (6) of section 259.035, Florida
 2197 Statutes, are amended to read:

2198 259.035 Acquisition and Restoration Council.—

2199 (3) The council shall provide assistance to the board in
 2200 reviewing the recommendations and plans for state-owned

2201 conservation lands required under s. 253.034 and this chapter.
 2202 The council shall, in reviewing such plans, consider the
 2203 optimization of multiple-use and conservation strategies to
 2204 accomplish the provisions funded pursuant to former s.
 2205 259.101(3)(a), Florida Statutes 2014, and to s. 259.105(3)(a) ~~s.~~
 2206 ~~259.105(3)(b)~~.
 2207 (4)
 2208 (b) In developing or amending rules, the council shall
 2209 give weight to the criteria included in s. 259.105(8) ~~s.~~
 2210 ~~259.105(9)~~. The board of trustees shall review the
 2211 recommendations and shall adopt rules necessary to administer
 2212 this section.
 2213 (6) The proposal for a project pursuant to this section or
 2214 s. 259.105(3)(a) ~~s. 259.105(3)(b)~~ may be implemented only if
 2215 adopted by the council and approved by the board of trustees.
 2216 The council shall consider and evaluate in writing the merits
 2217 and demerits of each project that is proposed for acquisition
 2218 using funds available pursuant to s. 28, Art. X of the State
 2219 Constitution or Florida Forever funding and shall ensure that
 2220 each proposed project meets the requirements of s. 28, Art. X of
 2221 the State Constitution. The council also shall determine whether
 2222 the project conforms, where applicable, with the comprehensive
 2223 plan developed pursuant to s. 259.04(1)(a), the comprehensive
 2224 multipurpose outdoor recreation plan developed pursuant to s.
 2225 375.021, the state lands management plan adopted pursuant to s.

2226 253.03(7), the water resources work plans developed pursuant to
 2227 s. 373.199, and the provisions of s. 259.032, s. 259.101, or s.
 2228 259.105, whichever is applicable.

2229 Section 34. Paragraph (b) of subsection (3) of section
 2230 259.037, Florida Statutes, is amended to read:

2231 259.037 Land Management Uniform Accounting Council.-

2232 (3)

2233 (b) Each reporting agency shall also:

2234 1. Include a report of the available public use
 2235 opportunities for each management unit of state land, the total
 2236 management cost for public access and public use, and the cost
 2237 associated with each use option.

2238 2. List the acres of land requiring minimal management
 2239 effort, moderate management effort, and significant management
 2240 effort pursuant to s. 259.032(9)(b) ~~s. 259.032(9)(c)~~. For each
 2241 category created in paragraph (a), the reporting agency shall
 2242 include the amount of funds requested, the amount of funds
 2243 received, and the amount of funds expended for land management.

2244 3. List acres managed and cost of management for each
 2245 park, preserve, forest, reserve, or management area.

2246 4. List acres managed, cost of management, and lead
 2247 manager for each state lands management unit for which secondary
 2248 management activities were provided.

2249 5. Include a report of the estimated calculable financial
 2250 benefits to the public for the ecosystem services provided by

2251 conservation lands, based on the best readily available
 2252 information or science that provides a standard measurement
 2253 methodology to be consistently applied by the land managing
 2254 agencies. Such information may include, but need not be limited
 2255 to, the value of natural lands for protecting the quality and
 2256 quantity of drinking water through natural water filtration and
 2257 recharge, contributions to protecting and improving air quality,
 2258 benefits to agriculture through increased soil productivity and
 2259 preservation of biodiversity, and savings to property and lives
 2260 through flood control.

2261 Section 35. Subsection (7) of section 380.510, Florida
 2262 Statutes, is amended to read:

2263 380.510 Conditions of grants and loans.—

2264 (7) Any funds received by the trust pursuant to s.
 2265 259.105(3)(b) ~~s. 259.105(3)(e)~~ or s. 375.041 shall be held
 2266 separate and apart from any other funds held by the trust and
 2267 used for the land acquisition purposes of this part.

2268 (a) The administration and use of Florida Forever funds
 2269 are subject to such terms and conditions imposed thereon by the
 2270 agency of the state responsible for the bonds, the proceeds of
 2271 which are deposited into the Florida Forever Trust Fund,
 2272 including restrictions imposed to ensure that the interest on
 2273 any such bonds issued by the state as tax-exempt bonds is not
 2274 included in the gross income of the holders of such bonds for
 2275 federal income tax purposes.

2276 (b) All deeds or leases with respect to any real property
2277 acquired with funds received by the trust from the former
2278 Preservation 2000 Trust Fund, the Florida Forever Trust Fund, or
2279 the Land Acquisition Trust Fund must contain such covenants and
2280 restrictions as are sufficient to ensure that the use of such
2281 real property at all times complies with s. 375.051 and s. 9,
2282 Art. XII of the State Constitution. Each deed or lease with
2283 respect to any real property acquired with funds received by the
2284 trust from the Florida Forever Trust Fund before July 1, 2015,
2285 must contain covenants and restrictions sufficient to ensure
2286 that the use of such real property at all times complies with s.
2287 11(e), Art. VII of the State Constitution. Each deed or lease
2288 with respect to any real property acquired with funds received
2289 by the trust from the Florida Forever Trust Fund after July 1,
2290 2015, must contain covenants and restrictions sufficient to
2291 ensure that the use of such real property at all times complies
2292 with s. 28, Art. X of the State Constitution. Each deed or lease
2293 must contain a reversion, conveyance, or termination clause that
2294 vests title in the Board of Trustees of the Internal Improvement
2295 Trust Fund if any of the covenants or restrictions are violated
2296 by the titleholder or leaseholder or by some third party with
2297 the knowledge of the titleholder or leaseholder.

2298 Section 36. Paragraph (d) of subsection (1) of section
2299 570.715, Florida Statutes, is amended to read:

2300 570.715 Conservation easement acquisition procedures.—

2301 (1) For less than fee simple acquisitions pursuant to s.
 2302 570.71, the Department of Agriculture and Consumer Services
 2303 shall comply with the following acquisition procedures:

2304 (d) On behalf of the board of trustees and before the
 2305 appraisal of parcels approved for purchase under ss.
 2306 259.105(3)(c) ~~ss. 259.105(3)(i)~~ and 570.71, the department may
 2307 enter into option contracts to buy less than fee simple interest
 2308 in such parcels. Any such option contract shall state that the
 2309 final purchase price is subject to approval by the board of
 2310 trustees and that the final purchase price may not exceed the
 2311 maximum offer authorized by law. Any such option contract
 2312 presented to the board of trustees for final purchase price
 2313 approval shall explicitly state that payment of the final
 2314 purchase price is subject to an appropriation by the
 2315 Legislature. The consideration for any such option contract may
 2316 not exceed \$1,000 or 0.01 percent of the estimate by the
 2317 department of the value of the parcel, whichever amount is
 2318 greater.

2319 Section 37. Subsection (1) of section 589.065, Florida
 2320 Statutes, is amended to read:

2321 589.065 Florida Forever Program Trust Fund of the
 2322 Department of Agriculture and Consumer Services.—

2323 (1) There is created a Florida Forever Program Trust Fund
 2324 within the Department of Agriculture and Consumer Services to
 2325 carry out the duties of the department under the Florida Forever

2326 Act as specified in s. 259.105 ~~s. 259.105(3)(f)~~. The trust fund
 2327 shall receive funds pursuant to s. 259.105 ~~s. 259.105(3)(f)~~.

2328 Section 38. The Legislature finds that the systematic
 2329 management of public water system and domestic wastewater
 2330 treatment system assets and the resiliency of public water
 2331 system and domestic wastewater system infrastructure in
 2332 floodplains is essential to the protection of public health and
 2333 natural resources. Therefore, the Legislature determines and
 2334 declares that this act fulfills an important state interest.

2335 Section 39. This act shall take effect July 1, 2018.