

By Senator Montford

3-00826B-19

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1 A bill to be entitled
2 An act relating to the Apalachicola Bay Area of
3 Critical State Concern; amending s. 375.041, F.S.;
4 appropriating a sum annually for a specified timeframe
5 from the Land Acquisition Trust Fund to a specified
6 area of critical state concern for specified purposes;
7 amending s. 380.0555, F.S.; providing additional
8 principles for guiding development within the
9 Apalachicola Bay Area of Critical State Concern to
10 include projects that protect and improve water
11 quality; providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Paragraph (b) of subsection (3) of section
16 375.041, Florida Statutes, is amended to read:

17 375.041 Land Acquisition Trust Fund.—

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

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

23 1. A minimum of the lesser of 25 percent or \$200 million
24 shall be appropriated annually for Everglades projects that
25 implement the Comprehensive Everglades Restoration Plan as set
26 forth in s. 373.470, including the Central Everglades Planning
27 Project subject to Congressional authorization; the Long-Term
28 Plan as defined in s. 373.4592(2); and the Northern Everglades
29 and Estuaries Protection Program as set forth in s. 373.4595.

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30 From these funds, \$32 million shall be distributed each fiscal
31 year through the 2023-2024 fiscal year to the South Florida
32 Water Management District for the Long-Term Plan as defined in
33 s. 373.4592(2). After deducting the \$32 million distributed
34 under this subparagraph, from the funds remaining, a minimum of
35 the lesser of 76.5 percent or \$100 million shall be appropriated
36 each fiscal year through the 2025-2026 fiscal year for the
37 planning, design, engineering, and construction of the
38 Comprehensive Everglades Restoration Plan as set forth in s.
39 373.470, including the Central Everglades Planning Project, the
40 Everglades Agricultural Area Storage Reservoir Project, the Lake
41 Okeechobee Watershed Project, the C-43 West Basin Storage
42 Reservoir Project, the Indian River Lagoon-South Project, the
43 Western Everglades Restoration Project, and the Picayune Strand
44 Restoration Project. The Department of Environmental Protection
45 and the South Florida Water Management District shall give
46 preference to those Everglades restoration projects that reduce
47 harmful discharges of water from Lake Okeechobee to the St.
48 Lucie or Caloosahatchee estuaries in a timely manner. For the
49 purpose of performing the calculation provided in this
50 subparagraph, the amount of debt service paid pursuant to
51 paragraph (a) for bonds issued after July 1, 2016, for the
52 purposes set forth under paragraph (b) shall be added to the
53 amount remaining after the payments required under paragraph
54 (a). The amount of the distribution calculated shall then be
55 reduced by an amount equal to the debt service paid pursuant to
56 paragraph (a) on bonds issued after July 1, 2016, for the
57 purposes set forth under this subparagraph.

58 2. A minimum of the lesser of 7.6 percent or \$50 million

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59 shall be appropriated annually for spring restoration,
60 protection, and management projects. For the purpose of
61 performing the calculation provided in this subparagraph, the
62 amount of debt service paid pursuant to paragraph (a) for bonds
63 issued after July 1, 2016, for the purposes set forth under
64 paragraph (b) shall be added to the amount remaining after the
65 payments required under paragraph (a). The amount of the
66 distribution calculated shall then be reduced by an amount equal
67 to the debt service paid pursuant to paragraph (a) on bonds
68 issued after July 1, 2016, for the purposes set forth under this
69 subparagraph.

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

77 4. The sum of \$64 million is appropriated and shall be
78 transferred to the Everglades Trust Fund for the 2018-2019
79 fiscal year, and each fiscal year thereafter, for the EAA
80 reservoir project pursuant to s. 373.4598. Any funds remaining
81 in any fiscal year shall be made available only for Phase II of
82 the C-51 reservoir project or projects identified in
83 subparagraph 1. and must be used in accordance with laws
84 relating to such projects. Any funds made available for such
85 purposes in a fiscal year are in addition to the amount
86 appropriated under subparagraph 1. This distribution shall be
87 reduced by an amount equal to the debt service paid pursuant to

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88 paragraph (a) on bonds issued after July 1, 2017, for the
89 purposes set forth in this subparagraph.

90 5. Notwithstanding subparagraph 3., for the 2018-2019
91 fiscal year, funds shall be appropriated as provided in the
92 General Appropriations Act. This subparagraph expires July 1,
93 2019.

94 6. The sum of \$20 million shall be appropriated annually
95 each fiscal year through 2029-2030 to the area designated as an
96 area of critical state concern pursuant to s. 380.0555, to be
97 used for the acquisition of lands and projects that improve
98 surface and groundwater quality in the Apalachicola River and
99 Bay, and includes projects such as construction and replacement
100 of stormwater management facilities, central sewage collection
101 and disposal facilities; the installation of onsite sewage
102 treatment and disposal systems; direct and indirect potable
103 reuse; and other water quality and water supply projects. At
104 least 25 percent of the appropriated funds shall be spent on
105 land acquisition. Increased priority must be given to land
106 acquisitions that achieve a combination of conservation goals,
107 including protecting and preserving fisheries and wildlife
108 habitats, recreational spaces, nearshore water quality, surface
109 water resources, and groundwater recharge. At least 3 percent
110 but no more than 10 percent of the funds allocated for land
111 acquisition shall be spent on projects and activities identified
112 during the time of acquisition, including for land management,
113 increased public access and recreational opportunities, and
114 greenways.

115 Section 2. Paragraph (k) is added to subsection (7) of
116 section 380.0555, Florida Statutes, to read:

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117 380.0555 Apalachicola Bay Area; protection and designation
118 as area of critical state concern.—

119 (7) PRINCIPLES FOR GUIDING DEVELOPMENT.—State, regional,
120 and local agencies and units of government in the Apalachicola
121 Bay Area shall coordinate their plans and conduct their programs
122 and regulatory activities consistently with the following
123 principles for guiding the development of the area:

124 (k) Water quality shall be protected and improved by the
125 construction, operation, maintenance, and replacement of
126 stormwater management facilities; central sewage collection;
127 treatment and disposal facilities; the installation and proper
128 operation and maintenance of onsite sewage treatment and
129 disposal systems; indirect and direct potable reuse; and other
130 water quality and water supply projects.

131 Section 3. This act shall take effect July 1, 2019.