

By the Committee on Environment and Natural Resources; and
Senator Montford

592-02967-19

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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 requiring such appropriations to be reduced by an
8 amount equal to the debt service paid on bonds issued
9 for specified purposes; amending s. 380.0555, F.S.;
10 providing additional principles for guiding
11 development within the Apalachicola Bay Area of
12 Critical State Concern to include projects that
13 protect and improve water quality; providing an
14 effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Paragraph (b) of subsection (3) of section
19 375.041, Florida Statutes, is amended to read:

20 375.041 Land Acquisition Trust Fund.—

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

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

26 1. A minimum of the lesser of 25 percent or \$200 million
27 shall be appropriated annually for Everglades projects that
28 implement the Comprehensive Everglades Restoration Plan as set
29 forth in s. 373.470, including the Central Everglades Planning

592-02967-19

20191256c1

30 Project subject to Congressional authorization; the Long-Term
31 Plan as defined in s. 373.4592(2); and the Northern Everglades
32 and Estuaries Protection Program as set forth in s. 373.4595.
33 From these funds, \$32 million shall be distributed each fiscal
34 year through the 2023-2024 fiscal year to the South Florida
35 Water Management District for the Long-Term Plan as defined in
36 s. 373.4592(2). After deducting the \$32 million distributed
37 under this subparagraph, from the funds remaining, a minimum of
38 the lesser of 76.5 percent or \$100 million shall be appropriated
39 each fiscal year through the 2025-2026 fiscal year for the
40 planning, design, engineering, and construction of the
41 Comprehensive Everglades Restoration Plan as set forth in s.
42 373.470, including the Central Everglades Planning Project, the
43 Everglades Agricultural Area Storage Reservoir Project, the Lake
44 Okeechobee Watershed Project, the C-43 West Basin Storage
45 Reservoir Project, the Indian River Lagoon-South Project, the
46 Western Everglades Restoration Project, and the Picayune Strand
47 Restoration Project. The Department of Environmental Protection
48 and the South Florida Water Management District shall give
49 preference to those Everglades restoration projects that reduce
50 harmful discharges of water from Lake Okeechobee to the St.
51 Lucie or Caloosahatchee estuaries in a timely manner. For the
52 purpose of performing the calculation provided in this
53 subparagraph, the amount of debt service paid pursuant to
54 paragraph (a) for bonds issued after July 1, 2016, for the
55 purposes set forth under paragraph (b) shall be added to the
56 amount remaining after the payments required under paragraph
57 (a). The amount of the distribution calculated shall then be
58 reduced by an amount equal to the debt service paid pursuant to

592-02967-19

20191256c1

59 paragraph (a) on bonds issued after July 1, 2016, for the
60 purposes set forth under this subparagraph.

61 2. A minimum of the lesser of 7.6 percent or \$50 million
62 shall be appropriated annually for spring restoration,
63 protection, and management projects. For the purpose of
64 performing the calculation provided in this subparagraph, the
65 amount of debt service paid pursuant to paragraph (a) for bonds
66 issued after July 1, 2016, for the purposes set forth under
67 paragraph (b) shall be added to the amount remaining after the
68 payments required under paragraph (a). The amount of the
69 distribution calculated shall then be reduced by an amount equal
70 to the debt service paid pursuant to paragraph (a) on bonds
71 issued after July 1, 2016, for the purposes set forth under this
72 subparagraph.

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

80 4. The sum of \$64 million is appropriated and shall be
81 transferred to the Everglades Trust Fund for the 2018-2019
82 fiscal year, and each fiscal year thereafter, for the EAA
83 reservoir project pursuant to s. 373.4598. Any funds remaining
84 in any fiscal year shall be made available only for Phase II of
85 the C-51 reservoir project or projects identified in
86 subparagraph 1. and must be used in accordance with laws
87 relating to such projects. Any funds made available for such

592-02967-19

20191256c1

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

93 5. Notwithstanding subparagraph 3., for the 2018-2019
94 fiscal year, funds shall be appropriated as provided in the
95 General Appropriations Act. This subparagraph expires July 1,
96 2019.

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

592-02967-19

20191256c1

117 greenways. This distribution shall be reduced by an amount equal
118 to the debt service paid pursuant to paragraph (a) on bonds
119 issued after July 1, 2019, for the purposes set forth in this
120 subparagraph.

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

123 380.0555 Apalachicola Bay Area; protection and designation
124 as area of critical state concern.—

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

130 (k) Water quality shall be protected and improved by the
131 construction, operation, maintenance, and replacement of
132 stormwater management facilities; central sewage collection;
133 treatment and disposal facilities; the installation and proper
134 operation and maintenance of onsite sewage treatment and
135 disposal systems; indirect and direct potable reuse; and other
136 water quality and water supply projects.

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