

By the Committee on Environment and Natural Resources; and
Senators Bradley and Mayfield

592-03058-20

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1 A bill to be entitled
2 An act relating to environmental protection; creating
3 s. 373.477, F.S.; requiring a minimum annual
4 appropriation for Everglades restoration and the
5 protection of water resources in this state beginning
6 in a specified fiscal year; specifying requirements
7 for the allocation of such funding; providing for
8 future repeal of the appropriation unless reviewed and
9 saved from repeal through reenactment by the
10 Legislature; amending s. 375.041, F.S.; revising the
11 minimum annual appropriation for certain
12 appropriations from the Land Acquisition Trust Fund;
13 providing that such revisions expire on a specified
14 date; providing an effective date.

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

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18 Section 1. Section 373.477, Florida Statutes, is created to
19 read:

20 373.477 Everglades restoration and protection of water
21 resources.—For fiscal year 2020-2021, and annually thereafter, a
22 minimum of \$625 million shall be appropriated as provided in
23 this section for the purposes of Everglades restoration and the
24 protection of water resources in this state. The funding must be
25 used for a science-based process to identify projects that are
26 needed to achieve such restoration and protection.

27 (1) For fiscal year 2020-2021, and annually thereafter, a
28 minimum of \$625 million shall be appropriated in the following
29 distributions as delineated in the 2020-2021 General

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30 Appropriations Act:31 (a) A minimum of \$236 million for Everglades projects in
32 accordance with the provisions of s. 375.041(3)(b)1.33 (b) The sum of \$64 million in accordance with s.
34 375.041(3)(b)4., for the Everglades Agricultural Area reservoir
35 project.36 (c) The sum of \$50 million for springs restoration in
37 accordance with s. 375.041(3)(b)2.38 (d) A minimum of \$40 million for alternative water supplies
39 or water conservation.40 (e) A minimum of \$25 million as delineated in the 2020-2021
41 General Appropriations Act for projects within the watersheds of
42 the St. Johns River, the Suwannee River, and the Apalachicola
43 River.44 (f) A minimum of \$10 million for the Florida Resilient
45 Coastline Initiative.46 (g) A minimum of \$50 million to the South Florida Water
47 Management District for the design, engineering, and
48 construction of aquifer storage and recovery wells.49 (h) A minimum of \$4 million as delineated in the 2020-2021
50 General Appropriations Act for red tide research.51 (2) Any remaining balance after the distributions indicated
52 in subsection (1) shall be allocated to fund any of the
53 following:54 (a) Targeted water quality improvements.55 (b) Alternative water supplies or water conservation.56 (c) Water quality enhancements and accountability,
57 innovative technologies, and harmful algal bloom prevention and
58 mitigation.

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59 (d) Land acquisition or easement acquisition, including,
60 but not limited to, lands or easements purchased pursuant to the
61 Florida Forever program or the Rural and Family Lands Protection
62 Program.

63 (e) Coral reef protection and restoration.

64 (f) Projects within the watersheds of the Indian River
65 Lagoon.

66 (3) This section is repealed on June 30, 2023, unless
67 reviewed and saved from repeal through reenactment by the
68 Legislature.

69 Section 2. Paragraph (b) of subsection (3) of section
70 375.041, Florida Statutes, is amended to read:

71 375.041 Land Acquisition Trust Fund.—

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

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

77 1. A minimum of \$236 million ~~the lesser of 25 percent or~~
78 ~~\$200 million~~ shall be appropriated annually for Everglades
79 projects that implement the Comprehensive Everglades Restoration
80 Plan as set forth in s. 373.470, including the Central
81 Everglades Planning Project subject to Congressional
82 authorization; the Long-Term Plan as defined in s. 373.4592(2);
83 and the Northern Everglades and Estuaries Protection Program as
84 set forth in s. 373.4595. From these funds, \$32 million shall be
85 distributed each fiscal year through the 2023-2024 fiscal year
86 to the South Florida Water Management District for the Long-Term
87 Plan as defined in s. 373.4592(2). After deducting the \$32

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88 million distributed under this subparagraph, from the funds
89 remaining, a minimum of the lesser of 76.5 percent or \$100
90 million shall be appropriated each fiscal year through the 2025-
91 2026 fiscal year for the planning, design, engineering, and
92 construction of the Comprehensive Everglades Restoration Plan as
93 set forth in s. 373.470, including the Central Everglades
94 Planning Project, the Everglades Agricultural Area Storage
95 Reservoir Project, the Lake Okeechobee Watershed Project, the C-
96 43 West Basin Storage Reservoir Project, the Indian River
97 Lagoon-South Project, the Western Everglades Restoration
98 Project, and the Picayune Strand Restoration Project. The
99 Department of Environmental Protection and the South Florida
100 Water Management District shall give preference to those
101 Everglades restoration projects that reduce harmful discharges
102 of water from Lake Okeechobee to the St. Lucie or Caloosahatchee
103 estuaries in a timely manner. For the purpose of performing the
104 calculation provided in this subparagraph, the amount of debt
105 service paid pursuant to paragraph (a) for bonds issued after
106 July 1, 2016, for the purposes set forth under paragraph (b)
107 shall be added to the amount remaining after the payments
108 required under paragraph (a). The amount of the distribution
109 calculated shall then be reduced by an amount equal to the debt
110 service paid pursuant to paragraph (a) on bonds issued after
111 July 1, 2016, for the purposes set forth under this
112 subparagraph.

113 2. A minimum of the lesser of 7.6 percent or \$50 million
114 shall be appropriated annually for spring restoration,
115 protection, and management projects. For the purpose of
116 performing the calculation provided in this subparagraph, the

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117 amount of debt service paid pursuant to paragraph (a) for bonds
118 issued after July 1, 2016, for the purposes set forth under
119 paragraph (b) shall be added to the amount remaining after the
120 payments required under paragraph (a). The amount of the
121 distribution calculated shall then be reduced by an amount equal
122 to the debt service paid pursuant to paragraph (a) on bonds
123 issued after July 1, 2016, for the purposes set forth under this
124 subparagraph.

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

132 4. The sum of \$64 million is appropriated and shall be
133 transferred to the Everglades Trust Fund for the 2018-2019
134 fiscal year, and each fiscal year thereafter, for the EAA
135 reservoir project pursuant to s. 373.4598. Any funds remaining
136 in any fiscal year shall be made available only for Phase II of
137 the C-51 reservoir project or projects identified in
138 subparagraph 1. and must be used in accordance with laws
139 relating to such projects. Any funds made available for such
140 purposes in a fiscal year are in addition to the amount
141 appropriated under subparagraph 1. This distribution shall be
142 reduced by an amount equal to the debt service paid pursuant to
143 paragraph (a) on bonds issued after July 1, 2017, for the
144 purposes set forth in this subparagraph.

145 5. Notwithstanding subparagraph 3., for the 2019-2020

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146 fiscal year, funds shall be appropriated as provided in the
147 General Appropriations Act. This subparagraph expires July 1,
148 2020.

149 Section 3. The amendment made to s. 375.041(3)(b), Florida
150 Statutes, by this act expires June 30, 2023, and the text of
151 that paragraph shall revert to that in existence on June 30,
152 2020, except that any amendments to such text enacted other than
153 by this act shall be preserved and continue to operate to the
154 extent that such amendments are not dependent upon the portions
155 of text which expire pursuant to this section.

156 Section 4. This act shall take effect July 1, 2020.