

By Senator Burton

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1 A bill to be entitled  
2 An act relating to the Land Acquisition Trust Fund;  
3 providing legislative findings; amending s. 375.041,  
4 F.S.; providing an annual appropriation to the  
5 Department of Environmental Protection to implement  
6 the Heartland Headwaters Protection and Sustainability  
7 Act; requiring the funds to be used and distributed  
8 for specified purposes; removing an obsolete  
9 provision; providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
13 Section 1. The Legislature finds that:

14 (1) The Legislature unanimously approved CS/CS/HB 573, the  
15 Heartland Headwaters Protection and Sustainability Act, in 2017,  
16 to protect the headwaters of the Alafia, Hillsborough,  
17 Kissimmee, Ocklawaha, Peace, and Withlacoochee Rivers located in  
18 the Green Swamp and Polk County, which are some of the most  
19 important and vulnerable water resources in this state.

20 (2) In the same act, the Legislature declared that it is an  
21 important state interest to partner with regional water supply  
22 authorities and local governments, in accordance with s.  
23 373.705, Florida Statutes, to protect the water resources of the  
24 headwaters of the Alafia, Hillsborough, Kissimmee, Ocklawaha,  
25 Peace, and Withlacoochee Rivers and the surrounding areas.

26 (3) In 2020, the Central Florida Water Initiative (CFWI)  
27 Regional Water Supply Plan developed pursuant to s. 373.0465,  
28 Florida Statutes, projected the population of the region to  
29 reach 4.4 million by 2040, which is a 49 percent increase from a

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2015 estimate. The total average use of surface water and groundwater in the CFWI Planning Area is projected to increase 36 percent from 667 million gallons per day in 2015 to 908 million gallons per day in 2040.

(4) The CFWI Regional Water Supply Plan concluded that in some areas of the CFWI Planning Area, fresh groundwater is near or has exceeded the limits of groundwater availability and that alternative water sources will need to be developed along with additional water conservation efforts and local management strategies to meet the 2040 projected water demands or to meet the currently permitted allocations and allow currently stressed water resources and natural systems to recover.

(5) Consistent funding support is required in order to support the efforts of the water management districts to protect the rivers, springs, and wetlands in the region while providing for responsible development of these water resources to support growth and provide for public health and safety.

Section 2. Subsection (3) of section 375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.—

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

(a) First, to pay debt service or to fund debt service reserve funds, rebate obligations, or other amounts payable with respect to Florida Forever bonds issued under s. 215.618; and pay debt service, provide reserves, and pay rebate obligations and other amounts due with respect to Everglades restoration bonds issued under s. 215.619; and

(b) Of the funds remaining after the payments required

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59 under paragraph (a), but before funds may be appropriated,  
60 pledged, or dedicated for other uses:

61 1. A minimum of the lesser of 25 percent or \$200 million  
62 shall be appropriated annually for Everglades projects that  
63 implement the Comprehensive Everglades Restoration Plan as set  
64 forth in s. 373.470, including the Central Everglades Planning  
65 Project subject to Congressional authorization; the Long-Term  
66 Plan as defined in s. 373.4592(2); and the Northern Everglades  
67 and Estuaries Protection Program as set forth in s. 373.4595.  
68 From these funds, \$32 million shall be distributed each fiscal  
69 year through the 2023-2024 fiscal year to the South Florida  
70 Water Management District for the Long-Term Plan as defined in  
71 s. 373.4592(2). After deducting the \$32 million distributed  
72 under this subparagraph, from the funds remaining, a minimum of  
73 the lesser of 76.5 percent or \$100 million shall be appropriated  
74 each fiscal year through the 2025-2026 fiscal year for the  
75 planning, design, engineering, and construction of the  
76 Comprehensive Everglades Restoration Plan as set forth in s.  
77 373.470, including the Central Everglades Planning Project, the  
78 Everglades Agricultural Area Storage Reservoir Project, the Lake  
79 Okeechobee Watershed Project, the C-43 West Basin Storage  
80 Reservoir Project, the Indian River Lagoon-South Project, the  
81 Western Everglades Restoration Project, and the Picayune Strand  
82 Restoration Project. The Department of Environmental Protection  
83 and the South Florida Water Management District shall give  
84 preference to those Everglades restoration projects that reduce  
85 harmful discharges of water from Lake Okeechobee to the St.  
86 Lucie or Caloosahatchee estuaries in a timely manner. For the  
87 purpose of performing the calculation provided in this

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88 subparagraph, the amount of debt service paid pursuant to  
89 paragraph (a) for bonds issued after July 1, 2016, for the  
90 purposes set forth under this paragraph shall be added to the  
91 amount remaining after the payments required under paragraph  
92 (a). The amount of the distribution calculated shall then be  
93 reduced by an amount equal to the debt service paid pursuant to  
94 paragraph (a) on bonds issued after July 1, 2016, for the  
95 purposes set forth under this subparagraph.

96 2. A minimum of the lesser of 7.6 percent or \$50 million  
97 shall be appropriated annually for spring restoration,  
98 protection, and management projects. For the purpose of  
99 performing the calculation provided in this subparagraph, the  
100 amount of debt service paid pursuant to paragraph (a) for bonds  
101 issued after July 1, 2016, for the purposes set forth under this  
102 paragraph shall be added to the amount remaining after the  
103 payments required under paragraph (a). The amount of the  
104 distribution calculated shall then be reduced by an amount equal  
105 to the debt service paid pursuant to paragraph (a) on bonds  
106 issued after July 1, 2016, for the purposes set forth under this  
107 subparagraph.

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

115 4. The sum of \$64 million is appropriated and shall be  
116 transferred to the Everglades Trust Fund for the 2018-2019

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117 fiscal year, and each fiscal year thereafter, for the EAA  
118 reservoir project pursuant to s. 373.4598. Any funds remaining  
119 in any fiscal year shall be made available only for Phase II of  
120 the C-51 reservoir project or projects identified in  
121 subparagraph 1. and must be used in accordance with laws  
122 relating to such projects. Any funds made available for such  
123 purposes in a fiscal year are in addition to the amount  
124 appropriated under subparagraph 1. This distribution shall be  
125 reduced by an amount equal to the debt service paid pursuant to  
126 paragraph (a) on bonds issued after July 1, 2017, for the  
127 purposes set forth in this subparagraph.

128 5. The sum of \$50 million shall be appropriated annually to  
129 the South Florida Water Management District for the Lake  
130 Okeechobee Watershed Restoration Project in accordance with s.  
131 373.4599. This distribution must be reduced by an amount equal  
132 to the debt service paid pursuant to paragraph (a) on bonds  
133 issued after July 1, 2021, for the purposes set forth in this  
134 subparagraph.

135 6. The sum of \$20 million shall be appropriated annually to  
136 the Department of Environmental Protection to implement the  
137 Heartland Headwaters Protection and Sustainability Act pursuant  
138 to chapter 2017-111, Laws of Florida. The funds must be used to  
139 enter into financial assistance agreements and must be  
140 distributed in accordance with the projects identified in the  
141 heartland headwaters annual report submitted to the Legislature  
142 pursuant to s. 373.463 to finance the cost of designing or  
143 constructing projects that protect, restore, or enhance the  
144 headwaters of the river systems located in the Heartland Region  
145 of Central Florida. This distribution must be reduced by an

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146 amount equal to the debt service paid pursuant to paragraph (a)  
147 on bonds issued after July 1, 2023, for the purposes set forth  
148 in this subparagraph ~~Notwithstanding subparagraph 3., for the~~  
149 ~~2022-2023 fiscal year, funds shall be appropriated as provided~~  
150 ~~in the General Appropriations Act. This subparagraph expires~~  
151 ~~July 1, 2023.~~

152 Section 3. This act shall take effect July 1, 2023.