

By the Committee on Appropriations

576-03200-25

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1 A bill to be entitled
2 An act relating to natural resources; amending s.
3 253.0251, F.S.; revising requirements for applications
4 for full fee simple acquisition projects; amending s.
5 259.032, F.S.; revising the entities that certain
6 state agencies may contract with; revising the
7 requirements for certain provisions in certain land
8 management contracts; amending s. 380.093, F.S.;
9 revising the scoring system for assessing project
10 eligibility for inclusion in the statewide flooding
11 and sea-level rise plan; amending s. 380.095, F.S.;
12 revising the schedule for the distribution of funds
13 from the Indian Gaming Revenue Clearing Trust Fund
14 within the Department of Financial Services; requiring
15 that funds remaining after such distribution be
16 transferred to the General Revenue Fund; amending s.
17 403.0673, F.S.; revising the projects that the
18 Department of Environmental Protection must consider
19 and prioritize for the water quality improvement grant
20 program; requiring the department to dedicate a
21 certain amount of funds to projects located in a rural
22 area of opportunity; requiring the department to
23 announce grant awards by a certain date; amending s.
24 403.891, F.S.; requiring that any excess funds
25 distributed to the water protection and sustainability
26 program trust fund be transferred to the general
27 revenue fund by a certain date; conforming provisions
28 to changes made by the act; amending s. 570.93, F.S.;
29 requiring the Department of Agriculture and Consumer

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30 Services to establish an agricultural nonpoint source
31 regional water program; providing construction;
32 providing a purpose; providing an effective date.
33

34 Be It Enacted by the Legislature of the State of Florida:
35

36 Section 1. Subsection (2) of section 253.0251, Florida
37 Statutes, is amended to read:

38 253.0251 Alternatives to fee simple acquisition.-

39 (2) All applications for full ~~alternatives to~~ fee simple
40 acquisition projects must ~~shall~~ identify, within their
41 acquisition plans, the reasons the projects ~~that~~ require a full
42 fee simple interest to achieve the public policy goals, together
43 with the reasons full title is determined to be necessary. The
44 state agencies and the water management districts may use
45 alternatives to fee simple acquisition to bring the remaining
46 projects in their acquisition plans under public protection. For
47 purposes of this section, the phrase "alternatives to fee simple
48 acquisition" includes, but is not limited to, purchase of
49 development rights; obtaining conservation easements; obtaining
50 flowage easements; purchase of timber rights, mineral rights, or
51 hunting rights; purchase of agricultural interests or
52 silvicultural interests; fee simple acquisitions with
53 reservations; creating life estates; or any other acquisition
54 technique that achieves the public policy goals listed in
55 subsection (1). It is presumed that a private landowner retains
56 the full range of uses for all the rights or interests in the
57 landowner's land which are not specifically acquired by the
58 public agency. The lands upon which hunting rights are

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59 specifically acquired pursuant to this section shall be
60 available for hunting in accordance with the management plan or
61 hunting regulations adopted by the Fish and Wildlife
62 Conservation Commission, unless the hunting rights are purchased
63 specifically to protect activities on adjacent lands.

64 Section 2. Paragraph (d) of subsection (7) of section
65 259.032, Florida Statutes, is amended to read:

66 259.032 Conservation and recreation lands.—

67 (7)

68 (d) State agencies designated to manage lands acquired
69 under this chapter or with funds deposited into the Land
70 Acquisition Trust Fund, except those lands acquired under s.
71 259.1052, may contract with local governments, water control
72 districts designated pursuant to chapter 298, and soil and water
73 conservation districts to assist in management activities,
74 including the responsibility of being the lead land manager.
75 Such land management contracts must ~~may~~ include a provision for
76 the transfer of management funding to the local government,
77 water control district, or soil and water conservation district
78 from the land acquisition trust fund or other applicable trust
79 fund of the lead land managing agency in an amount adequate for
80 the local government, water control district, or soil and water
81 conservation district to perform its ~~contractual~~ land management
82 responsibilities or ~~and proportionate to its responsibilities,~~
83 ~~and~~ which otherwise would have been expended by the state agency
84 to manage the property.

85 Section 3. Paragraph (g) of subsection (5) of section
86 380.093, Florida Statutes, is amended to read:

87 380.093 Resilient Florida Grant Program; comprehensive

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88 statewide flood vulnerability and sea level rise data set and
89 assessment; Statewide Flooding and Sea Level Rise Resilience
90 Plan; regional resilience entities.—

91 (5) STATEWIDE FLOODING AND SEA LEVEL RISE RESILIENCE PLAN.—

92 (g) The department shall implement a scoring system for
93 assessing each project eligible for inclusion in the plan
94 pursuant to this subsection. The scoring system must include the
95 following tiers and associated criteria:

96 1. Tier 1 must account for 40 percent of the total score
97 and consist of all of the following criteria:

98 a. The degree to which the project addresses the risks
99 posed by flooding and sea level rise identified in the local
100 government vulnerability assessments or the comprehensive
101 statewide flood vulnerability and sea level rise assessment, as
102 applicable.

103 b. The degree to which the project addresses risks to
104 regionally significant assets.

105 c. The degree to which the project reduces risks to areas
106 with an overall higher percentage of vulnerable critical assets.

107 d. The degree to which the project contributes to existing
108 flooding mitigation projects that reduce upland damage costs by
109 incorporating new or enhanced structures or restoration and
110 revegetation projects.

111 e. The degree to which the project reduces the flood risk,
112 and thereby increases the credits awarded, to a community
113 participating in the National Flood Insurance Program's
114 Community Rating System.

115 2. Tier 2 must account for 30 percent of the total score
116 and consist of all of the following criteria:

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- 117 a. The degree to which flooding and erosion currently
118 affect the condition of the project area.
- 119 b. The overall readiness of the project to proceed in a
120 timely manner, considering the project's readiness for the
121 construction phase of development, the status of required
122 permits, the status of any needed easement acquisition, and the
123 availability of local funding sources.
- 124 c. The environmental habitat enhancement or inclusion of
125 nature-based options for resilience, with priority given to
126 state or federal critical habitat areas for threatened or
127 endangered species.
- 128 d. The cost-effectiveness of the project.
- 129 3. Tier 3 must account for 20 percent of the total score
130 and consist of all of the following criteria:
- 131 a. The availability of local, state, and federal matching
132 funds, considering the status of the funding award, and federal
133 authorization, if applicable.
- 134 b. Previous state commitment and involvement in the
135 project, considering previously funded phases, the total amount
136 of previous state funding, and previous partial appropriations
137 for the proposed project.
- 138 c. The exceedance of the flood-resistant construction
139 requirements of the Florida Building Code and applicable flood
140 plain management regulations.
- 141 4. Tier 4 must account for 10 percent of the total score
142 and consist of all of the following criteria:
- 143 a. The proposed innovative technologies designed to reduce
144 project costs and provide regional collaboration.
- 145 b. The extent to which the project assists financially

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146 disadvantaged communities.

147 Section 4. Subsection (2) of section 380.095, Florida
148 Statutes, is amended to read:

149 380.095 Dedicated funding for conservation lands,
150 resiliency, and clean water infrastructure.—

151 (2) DISTRIBUTION.—Notwithstanding s. 285.710, the
152 Department of Revenue shall, upon receipt, deposit 96 percent of
153 any revenue share payment received under the compact as defined
154 in s. 285.710 into the Indian Gaming Revenue Clearing Trust Fund
155 within the Department of Financial Services. The funds deposited
156 into the trust fund shall be distributed as follows:

157 (a) The lesser of 26.042 percent or \$100 million each
158 fiscal year to the Incidental Trust Fund within the Department
159 of Agriculture and Consumer Services for less-than-fee simple
160 acquisitions pursuant to s. 570.71 ~~support the Florida wildlife~~
161 ~~corridor as defined in s. 259.1055, including the acquisition of~~
162 ~~lands or conservation easements within the Florida wildlife~~
163 ~~corridor. To be eligible for funding, the acquisition project~~
164 ~~must be included on a land acquisition priority list developed~~
165 ~~pursuant to s. 259.035 or s. 570.71. The funds must be~~
166 ~~appropriated in Administered Funds each fiscal year. Eligible~~
167 ~~state agencies may, on a first-come, first-served basis, submit~~
168 ~~a budget amendment to request release of funds pursuant to~~
169 ~~chapter 216. Release is contingent upon approval, if required.~~

170 (b) The lesser of 26.042 percent or \$100 million each
171 fiscal year for the management of uplands and the removal of
172 invasive species, including costs associated with land
173 management contracts entered into pursuant to s. 259.032(7)(d).
174 From these funds, amounts shall be applied as follows:

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175 1. The lesser of 36 percent or \$36 million to the
176 Department of Environmental Protection, of which:

177 a. The lesser of 88.889 percent of the funds available
178 pursuant to this subparagraph or \$32 million to the State Park
179 Trust Fund within the department for land management activities
180 within the state park system; and

181 b. The lesser of 11.111 percent of the funds available
182 pursuant to this subparagraph or \$4 million to the Internal
183 Improvement Trust Fund within the department for the purpose of
184 implementing the Local Trail Management Grant Program created
185 pursuant to s. 260.0145.

186 2. The lesser of 32 percent or \$32 million to the
187 Incidental Trust Fund within the Department of Agriculture and
188 Consumer Services for land management activities.

189 3. The lesser of 32 percent or \$32 million to the State
190 Game Trust Fund within the Fish and Wildlife Conservation
191 Commission for land management activities, including management
192 activities for gopher tortoises and Florida panthers.

193
194 For sub-subparagraph 1.a. and subparagraphs 2. and 3., a land
195 manager may not use more than 25 percent of the distribution for
196 operation capital outlay or capital assets.

197 (c) The lesser of 26.042 percent or \$100 million each
198 fiscal year to the Resilient Florida Trust Fund within the
199 Department of Environmental Protection for the Statewide
200 Flooding and Sea Level Rise Resilience Plan to be used in
201 accordance with s. 380.093.

202 (d) The lesser of 13.021 percent or \$30 million each fiscal
203 year to the General Inspection Trust Fund within the Department

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204 of Agriculture and Consumer Services for any purpose authorized
205 pursuant to s. 570.93.

206 (e)~~(d)~~ After the distributions pursuant to paragraphs (a)-
207 (d)~~(e)~~, the remainder each fiscal year up to \$300 million to the
208 Water Protection and Sustainability Program Trust Fund within
209 the Department of Environmental Protection for the Water Quality
210 Improvement Grant Program, to be used in accordance with s.
211 403.0673.

212 (f) After the distributions provided in paragraphs (a)-(e),
213 any remaining funds shall be transferred to the General Revenue
214 Fund.

215
216 Allocations to trust funds shall be transferred monthly by
217 nonoperating authority to the named trust fund.

218 Section 5. Subsection (3) of section 403.0673, Florida
219 Statutes, is amended, and subsections (10) and (11) are added to
220 that section, to read:

221 403.0673 Water quality improvement grant program.—A grant
222 program is established within the Department of Environmental
223 Protection to address wastewater, stormwater, and agricultural
224 sources of nutrient loading to surface water or groundwater.

225 (3) The department shall consider and prioritize those
226 projects that:

227 (a) Have the maximum estimated reduction in nutrient load
228 per project;

229 (b) Demonstrate project readiness;

230 (c) Are cost-effective;

231 (d) Have a cost share identified by the applicant, except
232 for rural areas of opportunity;

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233 (e) Have multiyear project implementation schedules with
234 previous state commitment and involvement in the project,
235 considering previously funded phases, the total amount of
236 previous state funding, and previous partial appropriations for
237 the proposed project;

238 (f) Are located in a rural area of opportunity;

239 (g)~~(f)~~ Are in a location where reductions are needed most
240 to attain the water quality standards of a waterbody not
241 attaining nutrient or nutrient-related standards; or

242 (h)~~(g)~~ Were determined eligible in a previous application
243 cycle and were able to demonstrate project readiness but were
244 not awarded a grant.

245

246 Any project that does not result in reducing nutrient loading to
247 a waterbody identified in subsection (1) is not eligible for
248 funding under this section.

249 (10) The department shall dedicate at least \$50 million of
250 the funds received each fiscal year pursuant to s. 380.095(2)(e)
251 for projects located in a rural area of opportunity.

252 (11) The department shall announce grant awards by October
253 1 of each fiscal year in which funds are appropriated for the
254 grant program.

255 Section 6. Present subsection (2) of section 403.891,
256 Florida Statutes, is redesignated as subsection (3) and amended,
257 and a new subsection (2) is added to that section, to read:

258 403.891 Water Protection and Sustainability Program Trust
259 Fund of the Department of Environmental Protection.—

260 (2) Any funds in excess of a cumulative total of \$400
261 million per fiscal year which were distributed to the trust fund

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262 pursuant to s. 201.15 or s. 380.095 shall be transferred
263 unallocated to the General Revenue Fund by June 30 of each year.

264 (3)~~(2)~~ Notwithstanding s. 216.301 and pursuant to s.
265 216.351, any balance in the trust fund at the end of any fiscal
266 year after the transfer of funds pursuant to subsection (2)
267 shall remain in the trust fund at the end of the year and shall
268 be available for carrying out the purposes of the trust fund.

269 Section 7. Subsection (3) is added to section 570.93,
270 Florida Statutes, to read:

271 570.93 Department of Agriculture and Consumer Services;
272 agricultural water conservation and agricultural water supply
273 planning.—

274 (3) The department shall establish an agricultural nonpoint
275 source regional water program that includes implementation of
276 works, technologies, or practices that improve water quality in
277 impaired water bodies. Through efforts such as nutrient
278 reduction, water conservation, and water retention, the program
279 shall help control and capture nutrient runoff necessary to
280 achieve nutrient loading reductions. Projects may include, but
281 are not limited to, dispersed water management or stormwater
282 treatment areas.

283 Section 8. This act shall take effect July 1, 2025.