

FOR CONSIDERATION By the Committee on Appropriations

576-02856-25

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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. Subsection (2) of section 403.891, Florida  
256 Statutes, is amended to read:

257 403.891 Water Protection and Sustainability Program Trust  
258 Fund of the Department of Environmental Protection.—

259 (2) Any funds in excess of a cumulative total of \$400  
260 million per fiscal year which were distributed to the trust fund  
261 pursuant to s. 201.15 or s. 380.095 shall be transferred

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262 unallocated to the General Revenue Fund by June 30 of each year.

263 (3)~~(2)~~ Notwithstanding s. 216.301 and pursuant to s.  
264 216.351, any balance in the trust fund at the end of any fiscal  
265 year after the transfer of funds pursuant to subsection (2)  
266 shall remain in the trust fund at the end of the year and shall  
267 be available for carrying out the purposes of the trust fund.

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

270 570.93 Department of Agriculture and Consumer Services;  
271 agricultural water conservation and agricultural water supply  
272 planning.—

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

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