Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED

ADOPTED AS AMENDED

ADOPTED W/O OBJECTION

FAILED TO ADOPT

WITHDRAWN

OTHER

Committee/Subcommittee hearing bill: Agriculture & Natural Resources Appropriations Subcommittee
Representative Caldwell offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Subsections (4) and (5) are added to section 125.35, Florida Statutes, to read:

125.35 County authorized to sell real and personal property and to lease real property.—

(4) Proceeds from the sale of surplus conservation lands purchased with Florida Forever funds before July 1, 2015, shall be deposited into the Florida Forever Trust Fund if the county does not use the proceeds for another purpose identified in the Florida Forever Act within three years. If the county purchased the conservation land with multiple revenue sources, the county...
shall deposit an amount based on the percentage of Florida Forever funds used for the original purchase.

(5) Proceeds from the sale of surplus conservation lands purchased with state funds on or after July 1, 2015, shall be deposited into the Land Acquisition Trust Fund if the county does not use the proceeds for another purpose identified in s. 28, Art. X of the State Constitution within three years. If the county purchased the conservation land with funds other than those from the Land Acquisition Trust Fund or a land acquisition trust fund created to implement s. 28, Art. X of the State Constitution, the proceeds shall be deposited into the fund from which the land was purchased. If the county purchased the conservation land with multiple revenue sources, the county shall deposit an amount based on the percentage of state funds used for the original purchase.

Section 2. Subsection (14) of section 161.101, Florida Statutes, is amended to read:

161.101 State and local participation in authorized projects and studies relating to beach management and erosion control.—

(14) The intent of the Legislature in preserving and protecting Florida's sandy beaches pursuant to this act is to direct beach erosion control appropriations to the state's most severely eroded beaches, and to prevent further adverse impact caused by improved, modified, or altered inlets, coastal
arming, or existing upland development. In establishing annual
project funding priorities, the department shall seek formal
input from local coastal governments, beach and general
government interest groups, and university experts. Criteria to
be considered by the department in determining annual funding
priorities shall include:

(a) The severity of erosion conditions, the threat to
existing upland development, and recreational and/or economic
benefits.

(k) The economic benefit of the project as measured by the
ratio of the tourist development tax revenue collected pursuant
to s. 125.0104 for the most recent year to state sales tax and
the tourist development tax revenues for the most recent year.
The department must calculate this ratio using state sales tax
and the tourist development tax data of the county having
jurisdiction over the project area. If multiple counties have
jurisdiction over the project area, the department must assess
each county individually using these ratios. The department
shall calculate the mean average of these ratios to determine
the final overall economic benefit of the project for the
multicounty project.

In the event that more than one project qualifies equally under
the provisions of this subsection, the department shall assign
funding priority to those projects that are ready to proceed.
Section 3. Subsection (1) and present subsection (2) of section 161.161, Florida Statutes, are amended, a new subsection (2) is added to that section, and present subsections (2) through (7) are redesignated as subsections (3) through (8), respectively, to read:

161.161 Procedure for approval of projects.—
(1) The department shall develop and maintain a comprehensive long-term beach management plan for the restoration and maintenance of the state's critically eroded beaches fronting the Atlantic Ocean, Gulf of Mexico, and Straits of Florida. In developing and maintaining this beach management plan, the department shall:

(a) Address long-term solutions to the problem of critically eroded beaches in this state.
(b) Evaluate each improved, modified, or altered inlet and determine whether the inlet is a significant cause of beach erosion. With respect to each inlet determined to be a significant cause of beach erosion, the plan shall include:

1. the extent to which such inlet causes beach erosion and recommendations to mitigate the erosive impact of the inlet, including, but not limited to, recommendations regarding inlet sediment bypassing; improvement of infrastructure to facilitate sand bypassing; modifications to channel dredging, jetty design, and disposal of spoil material; establishment of feeder beaches; and beach restoration and beach nourishment; and
2. Cost estimates necessary to take inlet corrective measures and recommendations regarding cost sharing among the beneficiaries of such inlet.

(c) Evaluate design criteria for beach restoration and beach nourishment projects, including, but not limited to:

1. dune elevation and width and revegetation and stabilization requirements and
2. beach profiles profile.

(d) Consider evaluating the establishment of regional sediment management alternatives for one or more individual beach and inlet sand bypassing projects feeder beaches as an alternative to direct beach restoration when appropriate and cost-effective, and recommend the location of such regional sediment management alternatives feeder beaches and the source of beach-compatible sand.

(e) Identify causes of shoreline erosion and change, determine calculate erosion rates, and maintain an updated list of critically eroded sandy beaches based on data, analyses, and investigations of shoreline conditions and project long-term erosion for all major beach and dune systems by surveys and profiles.

(f) Identify shoreline development and degree of density and Assess impacts of development and coastal protection shoreline protective structures on shoreline change and erosion.

(g) Identify short-term and long-term economic costs and
benefits of beaches to the state of Florida and individual beach communities, including recreational value to user groups, tax base, revenues generated, and beach acquisition and maintenance costs.

    (h) Study dune and vegetation conditions, identify existing beach projects without dune features or with dunes without adequate elevations, and encourage dune restoration and revegetation to be incorporated as part of storm damage recovery projects or future dune maintenance events.

    (i) Identify beach areas used by marine turtles and develop strategies for protection of the turtles and their nests and nesting locations.

    (j) Identify alternative management responses to preserve undeveloped beach and dune systems and to restore damaged beach and dune systems. In identifying such management responses, the department shall consider, at a minimum, and to prevent inappropriate development and redevelopment on migrating beaches, and consider beach restoration and nourishment, armoring, relocation and abandonment, dune and vegetation restoration, and acquisition.

    (k) Document procedures and policies for preparing post-storm damage assessments and corresponding recovery plans, including repair cost estimates. Establish criteria, including costs and specific implementation actions, for alternative management techniques.
(l) Identify and assess Select and recommend appropriate management measures for all of the state's critically eroded sandy beaches in a beach management program.

(m) Establish a list of beach restoration and beach nourishment projects, arranged in order of priority, and the funding levels needed for such projects.

(2) The comprehensive long-term beach management plan developed and maintained by the department pursuant to subsection (1) must include, at a minimum, a strategic beach management plan, a critically eroded beaches report, and a statewide long-range budget plan.

(a) The strategic beach management plan must identify and recommend appropriate measures for all of the state's critically eroded sandy beaches and may incorporate plans be prepared at the regional level, taking into account based upon areas of greatest need and probable federal and local funding. Upon approval in accordance with this section, such regional plans shall be components of the statewide beach management plan and shall serve as the basis for state funding decisions upon approval in accordance with chapter 86-138, Laws of Florida. In accordance with a schedule established for the submission of regional plans by the department, any completed plan must be submitted to the secretary of the department for approval no later than March 1 of each year. These regional plans shall include, but shall not be limited to, recommendations of
appropriate funding mechanisms for implementing projects in the
beach management plan, giving consideration to the use of
single-county and multicounty taxing districts or other revenue
generation measures by state and local governments and the
private sector. Prior to finalizing the strategic beach
management, the department shall hold a public meeting in the
region areas for which the plan is prepared or through a
publicly noticed webinar. The plan submission schedule shall be
submitted to the secretary for approval. Any revisions to such
schedule must be approved in like manner.

(b) The critically eroded beaches report must be
developed, in part, based on the requirements specified in
paragraph (1)(e), and must be maintained by the department.

(c) The statewide long-range budget plan must include at
least 5 years of planned beach restoration, beach nourishment,
and inlet management project funding needs as identified, and
subsequently refined, by local government sponsors. The plan
must identify the proposed schedule of the feasibility, design,
construction, and monitoring phases of the projects anticipated
in the next 5 years and the projected costs of those phases. The
projects may be presented by region and do not need to be
presented in priority order. However, the department should
identify issues that may prevent successful completion of such
projects and recommend solutions that would allow the projects
to progress.

(3)(2) Annually, The secretary shall annually present the statewide long-range budget plan to the Legislature as part of the department's annual budget request. The work plan must be accompanied by a 5-year financial forecast for the availability of funding for the projects recommendations for funding beach erosion control projects prioritized according to the criteria established in s. 161.101(14).

Section 4. Paragraph (c) of subsection (6) of section 163.3177, Florida Statutes, is amended to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(6) In addition to the requirements of subsections (1)-(5), the comprehensive plan shall include the following elements:

(c) A general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge element correlated to principles and guidelines for future land use, indicating ways to provide for future potable water, drainage, sanitary sewer, solid waste, and aquifer recharge protection requirements for the area. The element may be a detailed engineering plan including a topographic map depicting areas of prime groundwater recharge.

1. Each local government shall address in the data and analyses required by this section those facilities that provide
service within the local government's jurisdiction. Local
governments that provide facilities to serve areas within other
local government jurisdictions shall also address those
facilities in the data and analyses required by this section,
using data from the comprehensive plan for those areas for the
purpose of projecting facility needs as required in this
subsection. For shared facilities, each local government shall
indicate the proportional capacity of the systems allocated to
serve its jurisdiction.

2. The element shall describe the problems and needs and
the general facilities that will be required for solution of the
problems and needs, including correcting existing facility
deficiencies. The element shall address coordinating the
extension of, or increase in the capacity of, facilities to meet
future needs while maximizing the use of existing facilities and
discouraging urban sprawl; conserving potable water resources;
and protecting the functions of natural groundwater recharge
areas and natural drainage features.

3. Within 18 months after the governing board approves an
updated regional water supply plan, the element must incorporate
the alternative water supply project or projects selected by the
local government from those identified in the regional water
supply plan pursuant to s. 373.709(2)(a) or proposed by the
local government under s. 373.709(8)(b). If a local government
is located within two water management districts, the local

government shall adopt its comprehensive plan amendment within 18 months after the later updated regional water supply plan. The element must identify such alternative water supply projects and traditional water supply projects and conservation and reuse necessary to meet the water needs identified in s. 373.709(2)(a) within the local government's jurisdiction and include a work plan, covering at least a 10-year planning period, for building public, private, and regional water supply facilities, including development of alternative water supplies, which are identified in the element as necessary to serve existing and new development. The work plan shall be updated, at a minimum, every 5 years within 18 months after the governing board of a water management district approves an updated regional water supply plan. A local government designated as a rural area of opportunity pursuant to s. 288.0656 which does not own, operate, or maintain its own water supply facilities, including, but not limited to, wells, treatment facilities, and distribution infrastructure, is not required to develop or maintain the work plan required under this subparagraph. Local governments, public and private utilities, regional water supply authorities, special districts, and water management districts are encouraged to cooperatively plan for the development of multijurisdictional water supply facilities that are sufficient to meet projected demands for established planning periods, including the development of alternative water sources to supplement
4. A local government that does not own, operate, or maintain its own water supply facilities, including, but not limited to, wells, treatment facilities, and distribution infrastructure, and is served by a public water utility with a permitted allocation of greater than 300 million gallons per day is not required to amend its comprehensive plan in response to an updated regional water supply plan or to maintain a work plan if any such local government's usage of water constitutes less than 1 percent of the public water utility's total permitted allocation. However, any such local government is required to cooperate with, and provide relevant data to, any local government or utility provider that provides service within its jurisdiction, and to keep its general sanitary sewer, solid waste, potable water, and natural groundwater aquifer recharge element updated in accordance with s. 163.3191.

Section 5. Section 166.0452, Florida Statutes, is created to read:

166.0452 Disposition of municipal conservation land purchased with state funds.—

(1) Proceeds from the sale of surplus conservation lands purchased with Florida Forever funds before July 1, 2015, shall be deposited into the Florida Forever Trust Fund if the municipality does not use the proceeds for another purpose identified in the Florida Forever Act within three years. If the
municipality purchased the conservation land with multiple revenue sources, the municipality shall deposit an amount based on the percentage of Florida Forever funds used for the original purchase.

(2) Proceeds from the sale of surplus conservation lands purchased with state funds on or after July 1, 2015, shall be deposited into the Land Acquisition Trust Fund if the municipality does not use the proceeds for another purpose identified in s. 28, Art. X of the State Constitution within three years. If the municipality purchased the conservation land with funds other than those from the Land Acquisition Trust Fund or a land acquisition trust fund created to implement s. 28, Art. X of the State Constitution, the proceeds shall be deposited into the fund from which the land was purchased. If the municipality purchased the conservation land with multiple revenue sources, the municipality shall deposit an amount based on the percentage of state funds used for the original purchase.

Section 6. Paragraph (a) of subsection (1) and subsection (6) of section 215.618, Florida Statutes, are amended to read:

215.618 Bonds for acquisition and improvement of land, water areas, and related property interests and resources.—

(1)(a) The issuance of Florida Forever bonds, not to exceed $5.3 billion, to finance or refinance the cost of acquisition and improvement of land, water areas, and related property interests and resources, in urban and rural settings,
for the purposes of restoration, conservation, recreation, water
resource development, or historical preservation, and for
capital improvements to lands and water areas that accomplish
environmental restoration, enhance public access and
recreational enjoyment, promote long-term management goals, and
facilitate water resource development is hereby authorized,
subject to s. 259.105, and to finance or refinance any costs
related to the purposes identified in s. 373.4598, is
authorized. The issuance of Florida Forever bonds shall be and
pursuant to s. 11(e), Art. VII of the State Constitution and, on
or after July 1, 2015, to also finance or refinance the
acquisition and improvement of land, water areas, and related
property interests and the purposes identified in s. 373.4598 as
provided in s. 28, Art. X of the State Constitution. The $5.3
billion limitation on the issuance of Florida Forever bonds does
not apply to refunding bonds. The duration of each series of
Florida Forever bonds issued may not exceed 20 annual
maturities. Not more than 58.25 percent of documentary stamp
taxes collected may be taken into account for the purpose of
satisfying an additional bonds test set forth in any authorizing
resolution for bonds issued on or after July 1, 2015.

(6) There shall be No sale, disposition, lease, easement,
license, or other use of any land, water areas, or related
property interests acquired or improved with proceeds of Florida
Forever bonds may be made if it which would cause all or any
portion of the interest of such bonds to lose the exclusion from gross income for federal income tax purposes.

Section 7. Subsection (8) is added to section 253.0251, Florida Statutes, to read:

253.0251 Alternatives to fee simple acquisition.—

(8) The Department of Environmental Protection may provide assistance to local governments administering rural-lands-protection easement programs. The department may provide technical support to review applications for inclusion in the local government's program, serve as acquisition agents for the local government using the procedures in s. 570.715, facilitate real estate closings, and monitor compliance with the conservation easements. The department may not use any state funds to assist in the purchase of such easements or pay any acquisition costs. The local government must compensate the department for its services. The agreement for assistance must be documented in a memorandum of agreement between the department and the local government. The title to such conservation easements shall be held in the name of the local government.

Section 8. Paragraph (b) of subsection (5) of section 253.034, Florida Statutes, is amended to read:

253.034 State-owned lands; uses.—

(5) Each manager of conservation lands shall submit to the Division of State Lands a land management plan at least every 10 years.
years in a form and manner adopted by rule of the board of trustees and in accordance with s. 259.032. Each manager of conservation lands shall also update a land management plan whenever the manager proposes to add new facilities or make substantive land use or management changes that were not addressed in the approved plan, or within 1 year after the addition of significant new lands. Each manager of nonconservation lands shall submit to the Division of State Lands a land use plan at least every 10 years in a form and manner adopted by rule of the board of trustees. The division shall review each plan for compliance with the requirements of this subsection and the requirements of the rules adopted by the board of trustees pursuant to this section. All nonconservation land use plans, whether for single-use or multiple-use properties, shall be managed to provide the greatest benefit to the state. Plans for managed areas larger than 1,000 acres shall contain an analysis of the multiple-use potential of the property which includes the potential of the property to generate revenues to enhance the management of the property. In addition, the plan shall contain an analysis of the potential use of private land managers to facilitate the restoration or management of these lands. If a newly acquired property has a valid conservation plan that was developed by a soil and conservation district, such plan shall be used to guide management of the property until a formal land use plan is
completed.

(b) Short-term and long-term management goals for state conservation lands shall include measurable objectives for the following, as appropriate:

1. Habitat restoration and improvement.
2. Public access and recreational opportunities.
3. Hydrological preservation and restoration.
4. Sustainable forest management.
5. Exotic and invasive species maintenance and control, including prioritizing the species that must be maintained or controlled and the areas where the control and maintenance must first be addressed.
6. Capital facilities and infrastructure.
7. Cultural and historical resources.
8. Imperiled species habitat maintenance, enhancement, restoration, or population restoration.

Section 9. Subsection (3) is added to section 258.014, Florida Statutes, to read:

258.014 Fees for use of state parks.—
(3) The division shall adopt rules to create a state park annual entrance pass program for volunteer work related to nonnative and invasive plant species removal. The division shall issue an annual entrance pass to all state parks at no charge to individuals who perform 50 hours of volunteer service at any state park to remove nonnative and invasive plant species. The
volunteer work performed by the individual must be consistent with the park's adopted unit management plan and under the supervision of the division. The rules must include, at a minimum:

(a) Identification of what qualifies as volunteer hours performed.

(b) A process to document and verify the individual performed 50 hours of volunteer service for nonnative and invasive species removal at state parks prior to receiving an annual entrance pass at no charge.

(c) A process to identify appropriate nonnative and invasive species removal activities and locations appropriate for volunteers consistent with each park's unit management plan.

(d) A process for supervising volunteer activities to ensure the safety of the volunteers and the service is conducted in a manner consistent with the park's unit management plan.

Section 10. Subsections (3) and (6) of section 259.03, Florida Statutes, are amended to read:

259.03 Definitions.—The following terms and phrases when used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(3) "Capital improvement" or "capital project expenditure" means those activities relating to the acquisition, restoration, public access, and recreational uses of such lands, water areas,
and related resources deemed necessary to accomplish the purposes of this chapter. Eligible activities include, but are not limited to: the initial removal of invasive plants; the construction, improvement, enlargement or extension of facilities' signs, firelanes, access roads, and trails; or any other activities that serve to restore, conserve, protect, or provide public access, recreational opportunities, or necessary services for land or water areas. Such activities shall be identified prior to the acquisition of a parcel or the approval of a project. The continued expenditures necessary for a capital improvement approved under this subsection shall not be eligible for funding provided in this chapter.

(6) "Water resource development project" means a project eligible for funding pursuant to s. 259.105 that increases the amount of water available to meet the needs of natural systems and the citizens of the state by enhancing or restoring aquifer recharge, facilitating the capture and storage of excess flows in surface waters, or promoting reuse. The implementation of eligible projects under s. 259.105 includes land acquisition, land and water body restoration, aquifer storage and recovery facilities, surface water reservoirs, and other capital improvements. The term does not include construction of treatment, transmission, or distribution facilities.

Section 11. Paragraphs (b), (d), and (e) of subsection (9) of section 259.032, Florida Statutes, are amended to read:
259.032 Conservation and recreation lands.—

(9) An amount of not less than 1.5 percent of the cumulative total of funds ever deposited into the former Florida Preservation 2000 Trust Fund and the Florida Forever Trust Fund shall be made available for the purposes of management, maintenance, and capital improvements, and for associated contractual services, for conservation and recreation lands acquired with funds deposited into the Land Acquisition Trust Fund pursuant to s. 28(a), Art. X of the State Constitution or pursuant to former s. 259.032, Florida Statutes 2014, former s. 259.101, Florida Statutes 2014, s. 259.105, s. 259.1052, or previous programs for the acquisition of lands for conservation and recreation, including state forests, to which title is vested in the board of trustees and other conservation and recreation lands managed by a state agency. Each agency with management responsibilities shall annually request from the Legislature funds sufficient to fulfill such responsibilities to implement individual management plans. For the purposes of this paragraph, capital improvements shall include, but need not be limited to, perimeter fencing, signs, firelanes, access roads and trails, and minimal public accommodations, such as primitive campsites, garbage receptacles, and toilets. Any equipment purchased with funds provided pursuant to this paragraph may be used for the purposes described in this paragraph on any
conservation and recreation lands managed by a state agency. The funding requirement created in this paragraph is subject to an annual evaluation by the Legislature to ensure that such requirement does not impact the respective trust fund in a manner that would prevent the trust fund from meeting other minimum requirements.

(d) Up to one-fifth of the funds appropriated for the purposes identified in paragraph (b) shall be reserved by the board for interim management of acquisitions and for associated contractual services, to ensure the conservation and protection of natural resources on project sites and to allow limited public recreational use of lands. Interim management activities may include, but not be limited to, resource assessments, control of invasive, nonnative species, habitat restoration, fencing, law enforcement, controlled burning, and public access consistent with preliminary determinations made pursuant to paragraph (7)(f). The board shall make these interim funds available immediately upon purchase.

(e) The department shall set long-range and annual goals for the control and removal of nonnative, invasive plant species on public lands. Such goals shall differentiate between aquatic plant species and upland plant species. In setting such goals, the department may rank, in order of adverse impact, species that impede or destroy the functioning of natural systems.

Notwithstanding paragraph (a), up to one-fourth of the funds
provided for in paragraph (b) may be used by the agencies receiving those funds for control and removal of nonnative, invasive species on public lands.

Section 12. Section 259.105, Florida Statutes, is amended to read:

259.105 The Florida Forever Act.—

(1) This section may be cited as the "Florida Forever Act."

(2)(a) The Legislature finds and declares that:

1. Land acquisition programs have provided tremendous financial resources for purchasing environmentally significant lands to protect those lands from imminent development or alteration, thereby ensuring present and future generations' access to important waterways, open spaces, and recreation and conservation lands.

2. The continued alteration and development of the state's natural and rural areas to accommodate the state's growing population have contributed to the degradation of water resources, the fragmentation and destruction of wildlife habitats, the loss of outdoor recreation space, and the diminishment of wetlands, forests, working landscapes, and coastal open space.

3. The potential development of the state's remaining natural areas and escalation of land values require government efforts to restore, bring under public protection, or acquire
lands and water areas to preserve the state's essential ecological functions and invaluable quality of life.

4. It is essential to protect the state's ecosystems by promoting a more efficient use of land, to ensure opportunities for viable agricultural activities on working lands, and to promote vital rural and urban communities that support and produce development patterns consistent with natural resource protection.

5. The state's groundwater, surface waters, and springs are under tremendous pressure due to population growth and economic expansion and require special protection and restoration efforts, including the protection of uplands and springsheds that provide vital recharge to aquifer systems and are critical to the protection of water quality and water quantity of the aquifers and springs. To ensure that sufficient quantities of water are available to meet the current and future needs of the natural systems and citizens of the state, and assist in achieving the planning goals of the department and the water management districts, water resource development projects on public lands, if compatible with the resource values of and management objectives for the lands, are appropriate.

6. The needs of urban, suburban, and small communities in the state for high-quality outdoor recreational opportunities, greenways, trails, and open space have not been fully met by previous acquisition programs. Through such programs as the
Florida Communities Trust and the Florida Recreation Development Assistance Program, the state shall place additional emphasis on acquiring, protecting, preserving, and restoring open space, ecological greenways, and recreation properties within urban, suburban, and rural areas where pristine natural communities or water bodies no longer exist because of the proximity of developed property.

7. Many of the state's unique ecosystems, such as the Florida Everglades, are facing ecological collapse due to the state's burgeoning population growth and other economic activities. To preserve these valuable ecosystems for future generations, essential parcels of land must be acquired to facilitate ecosystem restoration.

8. Access to public lands to support a broad range of outdoor recreational opportunities and the development of necessary infrastructure, if compatible with the resource values of and management objectives for such lands, promotes an appreciation for the state's natural assets and improves the quality of life.

9. Acquisition of lands, in fee simple, less than fee interest, or other techniques shall be based on a comprehensive science-based assessment of the state's natural resources which targets essential conservation lands by prioritizing all current and future acquisitions based on a uniform set of data and planned so as to protect the integrity and function of...
ecological systems and working landscapes, and provide multiple benefits, including preservation of fish and wildlife habitat, connection of wildlife habitat with a wildlife crossing, recreation space for urban and rural areas, and the restoration of natural water storage, flow, and recharge.

10. The state has embraced performance-based program budgeting as a tool to evaluate the achievements of publicly funded agencies, build in accountability, and reward those agencies which are able to consistently achieve quantifiable goals. While previous and existing state environmental programs have achieved varying degrees of success, few of these programs can be evaluated as to the extent of their achievements, primarily because performance measures, standards, outcomes, and goals were not established at the outset. Therefore, the Florida Forever program shall be developed and implemented in the context of measurable state goals and objectives.

11. The state must play a major role in the recovery and management of its imperiled species through the acquisition, restoration, enhancement, and management of ecosystems that can support the major life functions of such species. It is the intent of the Legislature to support local, state, and federal programs that result in net benefit to imperiled species habitat by providing public and private land owners meaningful incentives for acquiring, restoring, managing, and repopulating habitats for imperiled species. It is the further intent of the
Legislature that public lands, both existing and to be acquired, identified by the lead land managing agency, in consultation with the Fish and Wildlife Conservation Commission for animals or the Department of Agriculture and Consumer Services for plants, as habitat or potentially restorable habitat for imperiled species, be restored, enhanced, managed, and repopulated as habitat for such species to advance the goals and objectives of imperiled species management for conservation, recreation, or both, consistent with the land management plan without restricting other uses identified in the management plan. It is also the intent of the Legislature that of the proceeds distributed pursuant to subsection (3), additional consideration be given to acquisitions that achieve a combination of conservation goals, including the restoration, enhancement, management, or repopulation of habitat for imperiled species. The council, in addition to the criteria in subsection (9), shall give weight to projects that include acquisition, restoration, management, or repopulation of habitat for imperiled species. The term "imperiled species" as used in this chapter and chapter 253, means plants and animals that are federally listed under the Endangered Species Act, or state-listed by the Fish and Wildlife Conservation Commission or the Department of Agriculture and Consumer Services. As part of the state's role, all state lands that have imperiled species habitat shall include as a consideration in management plan
development the restoration, enhancement, management, and repopulation of such habitats. In addition, the lead land managing agency of such state lands may use fees received from public or private entities for projects to offset adverse impacts to imperiled species or their habitat in order to restore, enhance, manage, repopulate, or acquire land and to implement land management plans developed under s. 253.034 or a land management prospectus developed and implemented under this chapter. Such fees shall be deposited into a foundation or fund created by each land management agency under s. 379.223, s. 589.012, or s. 259.032(9)(b) s. 259.032(9)(c), to be used solely to restore, manage, enhance, repopulate, or acquire imperiled species habitat.

12. There is a need to change the focus and direction of the state's major land acquisition programs and to extend funding and bonding capabilities, so that future generations may enjoy the natural resources of this state.

(b) The Legislature recognizes that acquisition of lands in fee simple is only one way to achieve the aforementioned goals and encourages the use of less-than-fee interests, other techniques, and the development of creative partnerships between governmental agencies and private landowners. Such partnerships may include those that advance the restoration, enhancement, management, or repopulation of imperiled species habitat on state lands as provided for in subparagraph (a)11. Easements
acquired pursuant to s. 570.71(2)(a) and (b), land protection agreements, and nonstate funded tools such as rural land stewardship areas, sector planning, and mitigation should be used, where appropriate, to bring environmentally sensitive tracts under an acceptable level of protection at a lower financial cost to the public, and to provide private landowners with the opportunity to enjoy and benefit from their property.

(c) Public agencies or other entities that receive funds under this section shall coordinate their expenditures so that project acquisitions, when combined with acquisitions under Florida Forever, Preservation 2000, Save Our Rivers, the Florida Communities Trust, other public land acquisition programs, and the techniques, partnerships, and tools referenced in subparagraph (a) and paragraph (b), are used to form more complete patterns of protection for natural areas, ecological greenways, and functioning ecosystems, to better accomplish the intent of this section.

(d) A long-term financial commitment to restoring, enhancing, and managing the state's public lands in order to implement land management plans developed under s. 253.034 or a land management prospectus developed and implemented under this chapter must accompany any land acquisition program to ensure that the natural resource values of such lands are restored, enhanced, managed, and protected; that the public enjoys the lands to their fullest potential; and
that the state achieves the full benefits of its investment of public dollars. Innovative strategies such as public-private partnerships and interagency planning and sharing of resources shall be used to achieve the state's management goals.

(e) With limited dollars available for restoration, enhancement, management, and acquisition of land and water areas and for providing long-term management and capital improvements, a competitive selection process shall select those projects best able to meet the goals of the Florida Forever program and maximize the efficient use of the program's funding.

(f) To ensure success and provide accountability to the citizens of this state, it is the intent of the Legislature that any cash or bond proceeds used pursuant to this section be used to implement the goals and objectives recommended by a comprehensive science-based assessment and approved by the board of Trustees of the Internal Improvement Trust Fund and the Legislature.

(g) As it has with previous land acquisition programs, the Legislature recognizes the desires of the residents of this state to prosper through economic development and to preserve, restore, and manage the state's natural areas and recreational open space. The Legislature further recognizes the urgency of restoring the natural functions, including wildlife and imperiled species habitat functions, of public lands or water bodies before they are degraded to a point where recovery may
never occur, yet acknowledges the difficulty of ensuring adequate funding for restoration, enhancement, and management efforts in light of other equally critical financial needs of the state. It is the Legislature's desire and intent to fund the implementation of this section and to do so in a fiscally responsible manner, by issuing bonds to be repaid with documentary stamp tax or other revenue sources, including those identified in subparagraph (a)11.

(h) The Legislature further recognizes the important role that many of our state and federal military installations contribute to protecting and preserving the state's Florida's natural resources as well as our economic prosperity. Where the state's land conservation plans overlap with the military's need to protect lands, waters, and habitat to ensure the sustainability of military missions, it is the Legislature's intent that agencies receiving funds under this program cooperate with our military partners to protect and buffer military installations and military airspace, by:

1. Protecting habitat on nonmilitary land for any species found on military land that is designated as threatened or endangered, or is a candidate for such designation under the Endangered Species Act or any Florida statute;

2. Protecting areas underlying low-level military air corridors or operating areas;

3. Protecting areas identified as clear zones, accident
potential zones, and air installation compatible use buffer zones delineated by our military partners; and

4. Providing the military with technical assistance to restore, enhance, and manage military land as habitat for imperiled species or species designated as threatened or endangered, or a candidate for such designation, and for the recovery or reestablishment of such species.

(3) Less the costs of issuing and the costs of funding reserve accounts and other costs associated with bonds, the proceeds of cash payments or bonds issued pursuant to this section shall be deposited into the Florida Forever Trust Fund created by s. 259.1051. The proceeds shall be distributed by the department of Environmental Protection in the following manner:

   (a) Thirty percent to the Department of Environmental Protection for the acquisition of lands and capital project expenditures necessary to implement the water management districts' priority lists developed pursuant to s. 373.199. The funds are to be distributed to the water management districts as provided in subsection (11). A minimum of 50 percent of the total funds provided over the life of the Florida Forever program pursuant to this paragraph shall be used for the acquisition of lands.

   (b) Thirty-three and one-third percent to the department of Environmental Protection for the acquisition of lands and capital project expenditures described in this paragraph.
section, lands necessary to implement the water management districts' priority lists developed pursuant to s. 373.199, the purchase of inholdings for lands managed by the department, the Fish and Wildlife Conservation Commission, and the Florida Forest Service within the Department of Agriculture and Consumer Services, and to provide grants for land acquisition pursuant to s. 375.075. Of the proceeds distributed pursuant to this paragraph, it is the intent of the Legislature that an increased priority be given to those acquisitions that achieve a combination of conservation goals, including protecting the state's water resources and natural groundwater recharge. At a minimum, 3 percent, and no more than 10 percent, of the funds allocated pursuant to this paragraph shall be spent on capital project expenditures identified during the time of acquisition which meet land management planning activities necessary for public access.

1. In addition to utilizing funds for acquisitions on the list adopted by the council, the department shall distribute funds for lands necessary to implement the water management districts' priority lists developed pursuant to s. 373.199, the purchase of inholdings for lands managed by the department, the Fish and Wildlife Conservation Commission, and the Florida Forest Service within the Department of Agriculture and Consumer Services, and to provide grants for land acquisition pursuant to s. 375.075, if the acquisition proposed by an agency is
identified as a current year priority, has demonstrated to be the greatest need, and is consistent with annual legislative appropriations.

2. The agencies that receive funds for the acquisition of inholdings shall develop their individual acquisition or restoration lists in accordance with specific criteria and numeric performance measures developed pursuant to s. 259.035(4). Proposed additions may be acquired if the proposed additions are identified within the original project boundary, the management plan required pursuant to s. 253.034(5), or the management prospectus required pursuant to s. 259.032(7)(c). Proposed additions not meeting the requirements of this subparagraph shall be submitted to the council for approval. The council may only approve the proposed addition if it meets two or more of the following criteria:
   a. Serves as a link or corridor to other publicly owned property.
   b. Enhances the protection or management of the property.
   c. Adds a desirable resource to the property.
   d. Creates a more manageable boundary configuration.
   e. Protects a high resource value that would otherwise not be protected.
   f. Can be acquired at less than fair market value.

3. Beginning in the 2017-2018 fiscal year and continuing through the 2026-2027 fiscal year, at least $5 million of the
funds allocated pursuant to this paragraph shall be spent on
land acquisition within the Florida Keys Area of Critical State
Concern as authorized pursuant to s. 259.045.

(b)(c) Thirty-three and one-third Twenty-one percent to
the department of Environmental Protection for use by the
Florida Communities Trust for the purposes of part III of
chapter 380, including the Stan Mayfield Working Waterfronts
program pursuant to s. 380.5105, as described and limited by
this subsection, and grants to local governments or nonprofit
environmental organizations that are tax-exempt under s.
501(c)(3) of the United States Internal Revenue Code for the
acquisition of community-based projects, urban open spaces,
parks, and greenways to implement local government comprehensive
plans. From funds available to the trust and used for land
acquisition, 75 percent shall be matched by local governments on
a dollar-for-dollar basis. The Legislature intends that the
Florida Communities Trust emphasize funding projects in low-
income or otherwise disadvantaged communities and projects that
provide areas for direct water access and water-dependent
facilities that are open to the public and offer public access
by vessels to waters of the state, including boat ramps and
associated parking and other support facilities. At least 30
percent of the total allocation provided to the trust shall be
used in Standard Metropolitan Statistical Areas, but one-half of
that amount shall be used in localities in which the project
site is located in built-up commercial, industrial, or mixed-use areas and functions to intersperse open spaces within congested urban core areas. From funds allocated to the trust, no less than 5 percent shall be used to acquire lands for recreational trail systems, provided that in the event these funds are not needed for such projects, they will be available for other trust projects. Local governments may use federal grants or loans, private donations, or environmental mitigation funds for any part or all of any local match required for acquisitions funded through the Florida Communities Trust. Any lands purchased by nonprofit organizations using funds allocated under this paragraph must provide for such lands to remain permanently in public use through a reversion of title to local or state government, conservation easement, or other appropriate mechanism. Projects funded with funds allocated to the trust shall be selected in a competitive process measured against criteria adopted in rule by the trust.

(d) Two percent to the Department of Environmental Protection for grants pursuant to s. 375.075.

(e) One and five-tenths percent to the Department of Environmental Protection for the purchase of inholdings and additions to state parks and for capital project expenditures as described in this section. At a minimum, 1 percent, and no more than 10 percent, of the funds allocated pursuant to this paragraph shall be spent on capital project expenditures...
identified during the time of acquisition which meet land
management planning activities necessary for public access. For
the purposes of this paragraph, "state park" means any real
property in the state which is under the jurisdiction of the
Division of Recreation and Parks of the department, or which may
come under its jurisdiction.

(f) One and five-tenths percent to the Florida Forest
Service of the Department of Agriculture and Consumer Services
to fund the acquisition of state forest inholdings and additions
pursuant to s. 589.07, the implementation of reforestation plans
or sustainable forestry management practices, and for capital
project expenditures as described in this section. At a minimum,
1 percent, and no more than 10 percent, of the funds allocated
for the acquisition of inholdings and additions pursuant to this
paragraph shall be spent on capital project expenditures
identified during the time of acquisition which meet land
management planning activities necessary for public access.

(g) One and five-tenths percent to the Fish and Wildlife
Conservation Commission to fund the acquisition of inholdings
and additions to lands managed by the commission which are
important to the conservation of fish and wildlife and for
capital project expenditures as described in this section. At a
minimum, 1 percent, and no more than 10 percent, of the funds
allocated pursuant to this paragraph shall be spent on capital
project expenditures identified during the time of acquisition.
whic{\textit{h}} meet land management planning activities necessary for
public access.

(h) One and five-tenths per{\textit{c}}ent to the Department of
Environmental Protection for the Florida Greenways and Trails
Program, to acquire greenways and trails or greenways and trail
systems pursuant to chapter 260, including, but not limited to,
abandoned railroad rights-of-way and the Florida National Scenic
Trail and for capital project expenditures as described in this
section. At a minimum, 1 percent, and no more than 10 percent,
of the funds allocated pursuant to this paragraph shall be spent
on capital project expenditures identified during the time of
acquisition which meet land management planning activities
necessary for public access.

c)(i) Thirty-three and one-third Three and five-tenths
percent to the Department of Agriculture and Consumer Services
for the acquisition of agricultural lands, through perpetual
conservation easements and other perpetual less than fee
techniques, which will achieve the objectives of the Florida
Forever program and s. 570.71. Rules concerning the application,
acquisition, and priority ranking process for such easements
shall be developed pursuant to s. 570.71(10) and as provided by
this paragraph. Increased priority shall be given to the
acquisition of rural-lands-protection easements for which local
governments are willing to provide cost-share funding for the
acquisition. The board shall ensure that such rules are
consistent with the acquisition process provided for in s. 570.715. The rules developed pursuant to s. 570.71(10), shall also provide for the following:

1. An annual priority list shall be developed pursuant to s. 570.71(10), submitted to the council for review, and approved by the board pursuant to s. 259.04.

2. Terms of easements and acquisitions proposed pursuant to this paragraph shall be approved by the board and may not be delegated by the board to any other entity receiving funds under this section.

3. All acquisitions pursuant to this paragraph shall contain a clear statement that they are subject to legislative appropriation.

Funds provided under this paragraph may not be expended until final adoption of rules by the board pursuant to s. 570.71.

(j) Two and five-tenths percent to the Department of Environmental Protection for the acquisition of land and capital project expenditures necessary to implement the Stan Mayfield Working Waterfronts Program within the Florida Communities Trust pursuant to s. 380.5105.

(d)(k) It is the intent of the Legislature that cash payments or proceeds of Florida Forever bonds distributed under this section shall be expended in an efficient and fiscally responsible manner. An agency that receives proceeds from
Florida Forever bonds under this section may not maintain a balance of unencumbered funds in its Florida Forever subaccount beyond 3 fiscal years from the date of deposit of funds from each bond issue. Any funds that have not been expended or encumbered after 3 fiscal years from the date of deposit shall be distributed by the Legislature at its next regular session for use in the Florida Forever program.

(l) For the purposes of paragraphs (e), (f), (g), and (h), the agencies that receive the funds shall develop their individual acquisition or restoration lists in accordance with specific criteria and numeric performance measures developed pursuant to s. 259.035(4). Proposed additions may be acquired if they are identified within the original project boundary, the management plan required pursuant to s. 253.034(5), or the management prospectus required pursuant to s. 259.032(7)(c). Proposed additions not meeting the requirements of this paragraph shall be submitted to the council for approval. The council may only approve the proposed addition if it meets two or more of the following criteria: serves as a link or corridor to other publicly owned property; enhances the protection or management of the property; would add a desirable resource to the property; would create a more manageable boundary configuration; has a high resource value that otherwise would be unprotected; or can be acquired at less than fair market value.

(m) Notwithstanding paragraphs (a)-(j) and for the 2016-
2017 fiscal year only:

1. The amount of $15,156,206 to only the Division of State Lands within the Department of Environmental Protection for the Board of Trustees Florida Forever Priority List land acquisition projects.

2. Thirty-five million dollars to the Department of Agriculture and Consumer Services for the acquisition of agricultural lands through perpetual conservation easements and other perpetual less-than-fee techniques, which will achieve the objectives of Florida Forever and s. 570.71.

3.a. Notwithstanding any allocation required pursuant to paragraph (c), $10 million shall be allocated to the Florida Communities Trust for projects acquiring conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities.

b. The Department of Environmental Protection may waive the local government matching fund requirement of paragraph (c) for projects acquiring conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities.

c. Notwithstanding sub-subparagraphs a. and b., any funds required to be used to acquire conservation or recreation lands to enhance recreational opportunities for individuals with unique abilities which have not been awarded for those purposes by May 1, 2017, may be awarded to redevelop or renew outdoor
recreational facilities on public lands, including recreational trails, parks, and urban open spaces, together with improvements required to enhance recreational enjoyment and public access to public lands, if such redevelopment and renewal is primarily geared toward enhancing recreational opportunities for individuals with unique abilities. The department may waive the local matching requirement of paragraph (c) for such redevelopment and renewal projects.

This paragraph expires July 1, 2017.

(4) It is the intent of the Legislature that projects or acquisitions funded pursuant to paragraph (3)(a) or paragraphs (3)(a) and (b) contribute to the achievement of the following goals, which shall be evaluated in accordance with specific criteria and numeric performance measures developed pursuant to s. 259.035(4):

(a) Enhance the coordination and completion of the state's land acquisition projects, as measured by:

1. The number of acres acquired through the state's land acquisition programs that contribute to the enhancement of essential natural resources, ecosystem service parcels, and connecting linkage corridors as identified and developed by the best available scientific analysis;

2. The number of acres protected through the use of alternatives to fee simple acquisition; or
3. The number of shared acquisition projects among Florida Forever funding partners and partners with other funding sources, including local governments and the Federal Government.

(b) Increase the protection of the state's Florida's biodiversity at the species, natural community, and landscape levels, as measured by:

1. The number of acres acquired of significant strategic habitat conservation areas;
2. The number of acres acquired of highest priority conservation areas for the state's Florida's rarest species;
3. The number of acres acquired of significant landscapes, landscape linkages, wildlife crossings, and conservation corridors, giving priority to completing linkages;
4. The number of acres acquired of underrepresented native ecosystems;
5. The number of landscape-sized protection areas of at least 50,000 acres that exhibit a mosaic of predominantly intact or restorable natural communities established through new acquisition projects or augmentations to previous projects; or
6. The percentage increase in the number of occurrences of imperiled species on publicly managed conservation areas.

(c) Protect, restore, and maintain the quality and natural functions of the state's land, water, and wetland systems of the state, as measured by:

1. The number of acres of publicly owned land identified
as needing restoration, enhancement, and management, acres undergoing restoration or enhancement, acres with restoration activities completed, and acres managed to maintain such restored or enhanced conditions; the number of acres which represent actual or potential imperiled species habitat; the number of acres which are available pursuant to a management plan to restore, enhance, repopulate, and manage imperiled species habitat; and the number of acres of imperiled species habitat managed, restored, enhanced, repopulated, or acquired;

2. The percentage of water segments that fully meet, partially meet, or do not meet their designated uses as reported in the department's Department of Environmental Protection's State Water Quality Assessment 305(b) Report;

3. The percentage completion of targeted capital improvements in surface water improvement and management plans created under s. 373.453(2), regional or master stormwater management system plans, or other adopted restoration plans;

3.4. The number of acres acquired that protect natural floodplain functions;

4.5. The number of acres acquired that protect surface waters of the state;

5.6. The number of acres identified for acquisition to minimize damage from flooding and the percentage of those acres acquired;

6.7. The number of acres acquired that protect fragile
coastal resources;

7. The number of acres of functional wetland systems protected;
8. The percentage of miles of critically eroding beaches contiguous with public lands that are restored or protected from further erosion;
9. The percentage of public lakes and rivers in which invasive, nonnative aquatic plants are under maintenance control; or
10. The number of acres of public conservation lands in which upland invasive, exotic plants are under maintenance control.

(d) Ensure that sufficient quantities of water are available to meet the current and future needs of the state's natural systems and the citizens of the state, as measured by:

1. The number of acres acquired which provide retention and storage of surface water in naturally occurring storage areas, such as lakes and wetlands, consistent with the maintenance of water resources or water supplies and consistent with district water supply plans; or

2. The quantity of water made available through the water resource development component of a district water supply plan for which a water management district is responsible; or

2.3. The number of acres acquired of groundwater recharge areas critical to springs, sinks, aquifers, other natural
(e) Increase the state's natural resource-based public recreational and educational opportunities, as measured by:

1. The number of acres acquired that are available for natural resource-based public recreation or education;
2. The miles of trails that are available for public recreation, giving priority to those that provide significant connections including those that will assist in completing the Florida National Scenic Trail; or
3. The number of new resource-based recreation facilities, by type, made available on public land.

(f) Preserve the state's significant archaeological or historic sites, as measured by:

1. The increase in the number of and percentage of historic and archaeological properties listed in the Florida Master Site File or National Register of Historic Places which are protected or preserved for public use; or
2. The increase in the number and percentage of historic and archaeological properties that are in state ownership.

(g) Increase the amount of forestland available for sustainable management of the state's natural resources, as measured by:

1. The number of acres acquired that are available for sustainable forest management;
2. The number of acres of state-owned forestland managed...
for economic return in accordance with current best management practices;

3. The number of acres of forestland acquired that will serve to maintain natural groundwater recharge functions; or

4. The percentage and number of acres identified for restoration actually restored by reforestation.

(h) Increase the amount of open space available in the state's urban areas, as measured by:

1. The percentage of local governments that participate in land acquisition programs and acquire open space in urban cores; or

2. The percentage and number of acres of purchases of open space within urban service areas.

Florida Forever projects and acquisitions funded pursuant to paragraph (3)(b) (3)(c) shall be measured by goals developed by rule by the Florida Communities Trust Governing Board created in s. 380.504.

(5)(a) All lands acquired pursuant to this section shall be managed for multiple-use purposes, if where compatible with the resource values of and management objectives for such lands. As used in this section, "multiple-use" includes, but is not limited to, outdoor recreational activities as described in ss. 253.034 and 259.032(7)(b), water resource development projects, sustainable forestry management, carbon sequestration, carbon
mitigation, or carbon offsets.

(b) Upon a decision by the entity in which title to lands acquired pursuant to this section has vested, such lands may be designated single use as defined in s. 253.034(2)(b).

(c) For purposes of this section, the board of Trustees of the Internal Improvement Trust Fund shall adopt rules that pertain to the use of state lands for carbon sequestration, carbon mitigation, or carbon offsets and that provide for climate-change-related benefits.

(6) As provided in this section, a water resource or water supply development project may be allowed only if the following conditions are met: minimum flows and levels have been established for those waters, if any, which may reasonably be expected to experience significant harm to water resources as a result of the project; the project complies with all applicable permitting requirements; and the project is consistent with the regional water supply plan, if any, of the water management district and with relevant recovery or prevention strategies if required pursuant to s. 373.0421(2).

(6)(7)(a) Beginning no later than July 1, 2001, and every year thereafter, the Acquisition and Restoration council shall accept applications from state agencies, local governments, nonprofit and for-profit organizations, private land trusts, and individuals for project proposals eligible for funding pursuant to paragraph (3)(a) or (3)(b). The council shall evaluate the
proposals received pursuant to this subsection to ensure that
they meet at least one of the criteria under subsection (8) (9).

(b) Project applications shall contain, at a minimum, the
following:

1. A minimum of two numeric performance measures that
directly relate to the overall goals adopted by the council.
Each performance measure shall include a baseline measurement,
which is the current situation; a performance standard which the
project sponsor anticipates the project will achieve; and the
performance measurement itself, which should reflect the
incremental improvements the project accomplishes towards
achieving the performance standard.

2. Proof that property owners within any proposed
acquisition have been notified of their inclusion in the
proposed project. Any property owner may request the removal of
such property from further consideration by submitting a request
to the project sponsor or the Acquisition and Restoration
Council by certified mail. Upon receiving this request, the
council shall delete the property from the proposed project;
however, the board of trustees, at the time it votes to approve
the proposed project lists pursuant to subsection (14) (16), may
add the property back on to the project lists if it determines
by a super majority of its members that such property is
critical to achieve the purposes of the project.

(c) The title to lands acquired under this section shall

vest in the board of Trustees of the Internal Improvement Trust Fund, except that title to lands acquired by a water management district shall vest in the name of that district and lands acquired by a local government shall vest in the name of the purchasing local government.

(7) The Acquisition and Restoration council shall develop a project list that shall represent those projects submitted pursuant to subsection (6).

(8) The Acquisition and Restoration council shall recommend rules for adoption by the board of trustees to competitively evaluate, select, and rank projects eligible for Florida Forever funds pursuant to paragraph (3)(a) and (3)(b). In developing these proposed rules, the Acquisition and Restoration council shall give weight to the following criteria:

(a) The project meets multiple goals described in subsection (4).

(b) The project is part of an ongoing governmental effort to restore, protect, or develop land areas or water resources.

(c) The project enhances or facilitates management of properties already under public ownership.

(d) The project has significant archaeological or historic value.

(e) The project has funding sources that are identified and assured through at least the first 2 years of the project.

(f) The project contributes to the solution of water
resource problems on a regional basis.

(g) The project has a significant portion of its land area in imminent danger of development, in imminent danger of losing its significant natural attributes or recreational open space, or in imminent danger of subdivision which would result in multiple ownership and make acquisition of the project costly or less likely to be accomplished.

(h) The project implements an element from a plan developed by an ecosystem management team.

(i) The project is one of the components of the Everglades restoration effort.

(j) The project may be purchased at 80 percent of appraised value.

(k) The project may be acquired, in whole or in part, using alternatives to fee simple, including but not limited to, tax incentives, mitigation funds, or other revenues; the purchase of development rights, hunting rights, agricultural or silvicultural rights, or mineral rights; or obtaining conservation easements or flowage easements.

(l) The project is a joint acquisition, either among public agencies, nonprofit organizations, or private entities, or by a public-private partnership.

(9)(10) The council shall give increased priority to:

(a) Projects for which matching funds are available.

(b) Project elements previously identified on an
acquisition list pursuant to this section that can be acquired at 80 percent or less of appraised value.

(c) Projects that can be acquired in less than fee ownership, such as a permanent conservation easement.

(d) Projects that contribute to improving the quality and quantity of surface water and groundwater.

(e) Projects that contribute to improving the water quality and flow of springs.

(f) Projects for which the state's land conservation plans overlap with the military's need to protect lands, water, and habitat to ensure the sustainability of military missions including:

1. Protecting habitat on nonmilitary land for any species found on military land that is designated as threatened or endangered, or is a candidate for such designation under the Endangered Species Act or any Florida statute;

2. Protecting areas underlying low-level military air corridors or operating areas; and

3. Protecting areas identified as clear zones, accident potential zones, and air installation compatible use buffer zones delineated by our military partners, and for which federal or other funding is available to assist with the project.

(11) For the purposes of funding projects pursuant to paragraph (3)(a), the Secretary of Environmental Protection shall ensure that each water management district receives the
following percentage of funds annually:

(a) Thirty-five percent to the South Florida Water Management District, of which amount $25 million for 2 years beginning in fiscal year 2000-2001 shall be transferred by the Department of Environmental Protection into the Save Our Everglades Trust Fund and shall be used exclusively to implement the comprehensive plan under s. 373.470.

(b) Twenty-five percent to the Southwest Florida Water Management District.

(c) Twenty-five percent to the St. Johns River Water Management District.

(d) Seven and one-half percent to the Suwannee River Water Management District.

(e) Seven and one-half percent to the Northwest Florida Water Management District.

(10)(12) Water management districts may not use funds received from the Florida Forever Trust Fund. It is the intent of the Legislature that in developing the list of projects for funding pursuant to paragraph (3)(a), that these funds not be used to abrogate the financial responsibility of those point and nonpoint sources that have contributed to the degradation of water or land areas. Therefore, an increased priority shall be given by the water management district governing boards to those projects that have secured a cost-sharing agreement allocating responsibility for the cleanup.
of point and nonpoint sources.

(11)(13) An affirmative vote of at least five members of the council shall be required in order to place a project submitted pursuant to subsection (6) (7) on the proposed project list developed pursuant to subsection (7) (8). Any member of the council who by family or a business relationship has a connection with any project proposed to be ranked shall declare such interest before voting for a project's inclusion on the list.

(12)(14) Each year that cash disbursements or bonds are to be issued pursuant to this section, the Acquisition and Restoration council shall review the most current approved project list and shall, by the first board meeting in May, present to the board of Trustees of the Internal Improvement Trust Fund for approval a listing of projects developed pursuant to subsection (7) (8). The board of trustees may remove projects from the list developed pursuant to this subsection, but may not add projects or rearrange project rankings.

(13)(15) The council shall submit to the board, with its list of projects, a report that includes, but need not be limited to, the following information for each project listed:

(a) The stated purpose for inclusion.

(b) Projected costs to achieve the project goals.

(c) An interim management budget that includes all costs associated with immediate public access.
(d) Specific performance measures.
(e) Plans for public access.
(f) An identification of the essential parcel or parcels within the project without which the project cannot be properly managed.
(g) Where applicable, an identification of those projects or parcels within projects which should be acquired in fee simple or in less than fee simple.
(h) An identification of those lands being purchased for conservation purposes.
(i) A management policy statement for the project and a management prospectus pursuant to s. 259.032(7)(c).
(j) An estimate of land value based on county tax assessed values.
(k) A map delineating project boundaries.
(l) An assessment of the project’s ecological value, outdoor recreational value, forest resources, wildlife resources, ownership pattern, utilization, and location.
(m) A discussion of whether alternative uses are proposed for the property and what those uses are.
(n) A designation of the management agency or agencies.

All proposals for projects pursuant to paragraph (3)(a) and (b) shall be implemented only if adopted by the Acquisition and Restoration council and approved by the board of trustees. The council shall consider and evaluate in writing the
merits and demerits of each project that is proposed for Florida
Forever funding. The council shall ensure that each proposed
project will meet a stated public purpose for the restoration,
conservation, or preservation of environmentally sensitive lands
and water areas or for providing outdoor recreational
opportunities. The council also shall determine whether the
project or addition conforms, where applicable, with the
comprehensive plan developed pursuant to s. 259.04(1)(a), the
comprehensive multipurpose outdoor recreation plan developed
pursuant to s. 375.021, the state lands management plan adopted
pursuant to s. 253.03(7), the water resources work plans
developed pursuant to s. 373.199, and the provisions of this
section. Grants provided pursuant to s. 375.075 which are funded
under paragraph (3)(b) are not subject to review or approval by
the council.

(15)(17) On an annual basis, the Division of State Lands
shall prepare an annual work plan that prioritizes projects on
the Florida Forever list and sets forth the funding available in
the fiscal year for land acquisition. The work plan shall
consider the following categories of expenditure for land
conservation projects already selected for the Florida Forever
list pursuant to subsection (7) (8):

(a) A critical natural lands category, including
functional landscape-scale natural systems, intact large
hydrological systems, lands that have significant imperiled
natural communities, and corridors linking large landscapes, as identified and developed by the best available scientific analysis.

(b) A partnerships or regional incentive category, including:

1. Projects where local and regional cost-share agreements provide a lower cost and greater conservation benefit to the people of the state. Additional consideration shall be provided under this category where parcels are identified as part of a local or regional visioning process and are supported by scientific analysis; and

2. Bargain and shared projects where the state will receive a significant reduction in price for public ownership of land as a result of the removal of development rights or other interests in lands or receives alternative or matching funds.

(c) A substantially complete category of projects where mainly inholdings, additions, and linkages between preserved areas will be acquired and where 85 percent of the project is complete.

(d) A climate-change category list of lands where acquisition or other conservation measures will address the challenges of global climate change, such as through protection, restoration, mitigation, and strengthening of the state's Florida's land, water, and coastal resources. This category includes lands that provide opportunities to sequester carbon,
provide habitat, protect coastal lands or barrier islands, and
otherwise mitigate and help adapt to the effects of sea-level
rise and meet other objectives of the program.

(e) A less-than-fee category for working agricultural
lands that significantly contribute to resource protection
through conservation easements and other less-than-fee
techniques, tax incentives, life estates, landowner agreements,
and other partnerships, including conservation easements
acquired in partnership with federal conservation programs,
which will achieve the objectives of the Florida Forever program
while allowing the continuation of compatible agricultural uses
on the land. Terms of easements proposed for acquisition under
this category shall be developed by the Division of State Lands
in coordination with the Department of Agriculture and Consumer
Services.

Projects within each category shall be ranked by order of
priority. The work plan shall be adopted by the Acquisition and
Restoration council after at least one public hearing. A copy of
the work plan shall be provided to the board of trustees of the
Internal Improvement Trust Fund no later than October 1 of each
year.

(16)(18)(a) The board of Trustees of the Internal
Improvement Trust Fund, or, in the case of water management
district lands, the owning water management district, may
authorize the granting of a lease, easement, or license for the
use of certain lands acquired pursuant to this section, for
certain uses that are determined by the appropriate board to be
compatible with the resource values of and management objectives
for such lands.

(b) Any existing lease, easement, or license acquired for
incidental public or private use on, under, or across any lands
acquired pursuant to this section shall be presumed to be
compatible with the purposes for which such lands were acquired.

(c) Notwithstanding the provisions of paragraph (a), no
such lease, easement, or license may be entered into by
the department of Environmental Protection or other appropriate
state agency if the granting of such lease, easement, or license
would adversely affect the exclusion of the interest on any
revenue bonds issued to fund the acquisition of the affected
lands from gross income for federal income tax purposes,
pursuant to Internal Revenue Service regulations.

(17)(19) The council shall recommend adoption of rules by
the board necessary to implement this section relating to
solicitation, scoring, selecting, and ranking of Florida Forever
project proposals; disposing of or leasing lands or water areas
selected for funding through the Florida Forever program; and
the process of reviewing and recommending for approval or
rejection the land management plans associated with publicly
owned properties.
(18)+(20) Lands listed as projects for acquisition under the Florida Forever program may be managed for conservation pursuant to s. 259.032, on an interim basis by a private party in anticipation of a state purchase in accordance with a contractual arrangement between the acquiring agency and the private party that may include management service contracts, leases, cost-share arrangements, or resource conservation agreements. Lands designated as eligible under this subsection shall be managed to maintain or enhance the resources the state is seeking to protect by acquiring the land and to accelerate public access to the lands as soon as practicable. Funding for these contractual arrangements may originate from the documentary stamp tax revenue deposited into the Land Acquisition Trust Fund. No more than $6.2 million may be expended from the Land Acquisition Trust Fund for this purpose.

Section 13. Subsections (9), (10), and (11) are added to section 373.089, Florida Statutes, to read:

373.089 Sale or exchange of lands, or interests or rights in lands.—The governing board of the district may sell lands, or interests or rights in lands, to which the district has acquired title or to which it may hereafter acquire title in the following manner:

(9) No disposition of land may be made if it would cause all or any portion of the interest on any revenue bonds to fund acquisitions made by the district to lose the exclusion from
gross income for purposes of federal income taxation. Proceeds derived from such disposition may not be used for any purpose except the purchase of other lands meeting the criteria specified in s. 373.139 or payment of debt service on revenue bonds or notes issued under s. 373.584.

(10) Proceeds from the sale of surplus conservation lands purchased with Florida Forever funds before July 1, 2015, shall be deposited into the Florida Forever Trust Fund if the district does not use the proceeds to purchase other lands meeting the criteria specified in s. 373.139 or payment of debt service on revenue bonds or notes issued under s. 373.584 within three years. If the district purchased the conservation land with multiple revenue sources, the district shall deposit an amount based on the percentage of Florida Forever funds used for the original purchase.

(11) Proceeds from the sale of surplus conservation lands purchased with state funds on or after July 1, 2015, shall be deposited into the Land Acquisition Trust Fund if the district does not use the proceeds to purchase other lands meeting the criteria specified in s. 373.139 or payment of debt service on revenue bonds or notes issued under s. 373.584 within three years. If the district purchased the conservation land with funds other than those from the Land Acquisition Trust Fund or a land acquisition trust fund created to implement s. 28, Art. X of the State Constitution, the proceeds shall be deposited into
the fund from which the land was purchased. If the district purchased the conservation land with multiple revenue sources, the district shall deposit an amount based on the percentage of state funds used for the original purchase.

If the Board of Trustees of the Internal Improvement Trust Fund declines to accept title to the lands offered under this section, the land may be disposed of by the district under the provisions of this section.

Section 14. Subsection (6) of section 373.139, Florida Statutes, is amended to read:

373.139 Acquisition of real property.—

(6) A district may dispose of land acquired under this section pursuant to s. 373.056 or s. 373.089. However, no such disposition of land shall be made if it would have the effect of causing all or any portion of the interest on any revenue bonds issued pursuant to s. 259.101 or s. 259.105 to fund the acquisition programs detailed in this section to lose the exclusion from gross income for purposes of federal income taxation. Revenue derived from such disposition may not be used for any purpose except the purchase of other lands meeting the criteria specified in this section or payment of debt service on revenue bonds or notes issued under s. 373.584.

Section 15. Subsection (7) is added to section 373.1391, Florida Statutes, to read:
373.1391 Management of real property.—

(7) All revenues generated through multiple-use management or compatible secondary-use management of district conservation lands purchased with state funds shall be retained by the district responsible for such management and shall be used to pay for management activities on all conservation, preservation, and recreation lands under the district's jurisdiction. In addition, such revenues shall be segregated in a district trust fund or special revenue account and shall remain available to the district in subsequent fiscal years to fund land management activities.

Section 16. Paragraph (h) of subsection (4) of section 373.199, Florida Statutes, is amended to read:

373.199 Florida Forever Water Management District Work Plan.—

(4) The list submitted by the districts shall include, where applicable, the following information for each project:

(h) A clear and concise estimate of the funding needed to carry out the restoration, protection, or improvement project, or the development of new water resources, where applicable, and a clear and concise identification of the projected sources and uses of Florida Forever funds. Only the land acquisition elements and associated land acquisition costs for projects identified on the list may receive Florida Forever funding. All other project elements must use other funding sources.
Section 17. Paragraph (d) of subsection (9) of section 373.4598, Florida Statutes, is amended and paragraph (f) is added to that subsection to read:

373.4598 Water storage reservoirs.—
(9) C-51 RESERVOIR PROJECT.—
(d) If state funds are appropriated for Phase I or Phase II of the C-51 reservoir project:

1. The district, to the extent practicable, shall operate either Phase I or Phase II of the reservoir to maximize the reduction of high-volume Lake Okeechobee regulatory releases to the St. Lucie or Caloosahatchee estuaries, in addition to maximizing the reduction of harmful discharges providing relief to the Lake Worth Lagoon. However, the operation of Phase I of the C-51 reservoir project must be in accordance with any operation and maintenance agreement adopted by the district;

2. Water made available by Phase I or Phase II of the reservoir must be used for natural systems in addition to any permitted allocated amounts for water supply issued in accordance with executed capacity allocation agreements; and

3. Any Water received from Lake Okeechobee may only be available to support consumptive use permits if such use is in accordance with the South Florida Water Management District rules for the applicable restricted allocation area as defined in s. 373.037(1).

(f) The South Florida Water Management District may enter...
into a capacity allocation agreement with a water supply entity for a pro rata share of unreserved capacity in the water storage facility and may request the department to waive repayment of all or a portion of the loan issued pursuant to s. 373.475. The department may authorize such waiver if the department determines it has received reasonable value for such waiver.

Section 18. Subsection (10) is added to section 373.713, Florida Statutes, to read:

373.713 Regional water supply authorities.—

(10) Each regional water supply authority shall annually coordinate with the appropriate water management district to submit a status report on water resource development projects receiving state funding for inclusion in the consolidated water management district annual report required by s. 373.036(7).

Section 19. Paragraph (b) of 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:

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

1. A minimum of the lesser of 25 percent or $200 million shall be appropriated annually for Everglades projects that implement the Comprehensive Everglades Restoration Plan as set
forth in s. 373.470, including the Central Everglades Planning Project subject to Congressional authorization; the Long-Term Plan as defined in s. 373.4592(2); and the Northern Everglades and Estuaries Protection Program as set forth in s. 373.4595.

From these funds, $32 million shall be distributed each fiscal year through the 2023-2024 fiscal year to the South Florida Water Management District for the Long-Term Plan as defined in s. 373.4592(2). After deducting the $32 million distributed under this subparagraph, from the funds remaining, a minimum of the lesser of 76.5 percent or $100 million shall be appropriated each fiscal year through the 2025-2026 fiscal year for the planning, design, engineering, and construction of the Comprehensive Everglades Restoration Plan as set forth in s. 373.470, including the Central Everglades Planning Project, the Everglades Agricultural Area Storage Reservoir Project, the Lake Okeechobee Watershed Project, the C-43 West Basin Storage Reservoir Project, the Indian River Lagoon-South Project, the Western Everglades Restoration Project, and the Picayune Strand Restoration Project. The Department of Environmental Protection and the South Florida Water Management District shall give preference to those Everglades restoration projects that reduce harmful discharges of water from Lake Okeechobee to the St. Lucie or Caloosahatchee estuaries in a timely manner, with the highest priority given to the C-43 West Basin Storage Reservoir Project. For the purpose of performing the calculation provided
in this subparagraph, the amount of debt service paid pursuant to paragraph (a) for bonds issued after July 1, 2016, for the purposes set forth under paragraph (b) shall be added to the amount remaining after the payments required under paragraph (a). The amount of the distribution calculated shall then be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2016, for the purposes set forth under this subparagraph.

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

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

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

5. The following sums shall be appropriated annually each fiscal year to the Florida Forever Trust Fund for distribution by the Department of Environmental Protection pursuant to s. 259.105(3):

   a. For the 2019-2020 fiscal year and the 2020-2021 fiscal year, the sum of $57 million.
   b. For the 2021-2022 fiscal year, the sum of $78 million.
   c. For the 2022-2023 fiscal year, the sum of $89 million.
   d. For the 2023-2024 fiscal year and the 2024-2025 fiscal year, the sum of $110 million.
e. For the 2025-2026 fiscal year, the sum of $127 million.

f. For the 2026-2027 fiscal year, the sum of $147 million.

g. For the 2027-2028 fiscal year, the sum of $157 million.

h. For the 2028-2029 fiscal year, the sum of $179 million.

i. For the 2029-2030 fiscal year and each fiscal year through the 2035-2036 fiscal year, the sum of $200 million.

The distribution shall be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2018, for the purposes set forth in this subparagraph.

5. Notwithstanding subparagraph 3., for the 2017-2018 fiscal year, funds shall be appropriated as provided in the General Appropriations Act. This subparagraph expires July 1, 2018.

Section 20. Paragraph (c) is added to subsection (12) of section 403.067, Florida Statutes, to read:

403.067 Establishment and implementation of total maximum daily loads.—

(12) IMPLEMENTATION OF ADDITIONAL PROGRAMS.—

(c) The department may consider and include innovative nutrient reduction pilot projects designed to reduce nutrient pollution as part of basin management action plans pursuant to subsection (7). The department may also provide cost-share funding for innovative nutrient reduction pilot projects.

Section 21. Paragraphs (e) and (f) of subsection (3) of
section 403.087, Florida Statutes, are amended and paragraph (g) is added to that subsection to read:

403.087 Permits; general issuance; denial; revocation; prohibition; penalty.—

(3) A renewal of an operation permit for a domestic wastewater treatment facility other than a facility regulated under the National Pollutant Discharge Elimination System (NPDES) Program under s. 403.0885 must be issued upon request for a term of up to 10 years, for the same fee and under the same conditions as a 5-year permit, in order to provide the owner or operator with a financial incentive, if:

(e) The treatment facility has generally met water quality standards in the preceding 2 years, except for violations attributable to events beyond the control of the treatment plant or its operator, such as destruction of equipment by fire, wind, or other abnormal events that could not reasonably be expected to occur; and

(f) The department, or a local program approved under s. 403.182, has conducted, in the preceding 12 months, an inspection of the facility and has verified in writing to the operator of the facility that it is not exceeding the permitted capacity and is in substantial compliance; and

(g) The department has reviewed the annual status reports required by s. 403.892 and is satisfied that the treatment facility is timely implementing its asset management plan.
The department shall keep records of the number of 10-year permits applied for and the number and duration of permits issued for longer than 5 years.

Section 22. Section 403.0891, Florida Statutes, is amended to read:

403.0891 State, regional, and local stormwater management plans and programs.—The department, the water management districts, and local governments, and the Department of Transportation shall have the responsibility for the development of mutually compatible stormwater management programs.

(1) The department shall include goals in the water resource implementation rule for the proper management of stormwater.

(2) Each water management district to which the state's stormwater management program is delegated shall establish district and, where appropriate, watershed or drainage basin stormwater management goals which are consistent with the goals adopted by the state and with plans adopted pursuant to ss. 373.451-373.4595, the Surface Water Improvement and Management Act.

(3)(a) Each local government required by chapter 163 to submit a comprehensive plan, whose plan is submitted after July 1, 1992, and the others when updated after July 1, 1992, in the development of its stormwater management program described by
elements within its comprehensive plan shall consider the water
resource implementation rule, district stormwater management
goals, plans approved pursuant to the Surface Water Improvement
and Management Act, ss. 373.451-373.4595, and technical
assistance information provided by the water management
districts pursuant to s. 373.711.

(b) Local governments are encouraged to consult with the
water management districts, the Department of Transportation,
and the department before adopting or updating their local
government comprehensive plan or public facilities report as
required by s. 189.08, whichever is applicable.

(4) The department, in coordination and cooperation with
water management districts and local governments, shall conduct
a continuing review of the costs of stormwater management
systems and the effect on water quality and quantity, and fish
and wildlife values. The department, the water management
districts, and local governments shall use the review for
planning purposes and to establish priorities for watersheds and
stormwater management systems which require better management
and treatment of stormwater with emphasis on the costs and
benefits of needed improvements to stormwater management systems
to better meet needs for flood protection and protection of
water quality, and fish and wildlife values.

(5) The results of the review shall be maintained by the
department and the water management districts and shall be
provided to appropriate local governments or other parties on request. The results also shall be used in the development of the goals developed pursuant to subsections (1) and (2).

(6) The department and the Department of Economic Opportunity, in cooperation with local governments in the coastal zone, shall develop a model stormwater management program that could be adopted by local governments. The model program shall contain dedicated funding options, including a stormwater utility fee system based upon an equitable unit cost approach. Funding options shall be designed to generate capital to retrofit existing stormwater management systems, build new treatment systems, operate facilities, and maintain and service debt.

(7) The Department of Transportation shall coordinate with the department, water management districts, and local governments to determine whether it is economically feasible to use stormwater resulting from road construction projects for the beneficial use of providing alternative water supplies, including, but not limited to, directing stormwater to reclaimed water facilities or water storage reservoirs. If it is determined that beneficial use of such stormwater is economically feasible by the affected parties, such use shall be implemented by the part. The department, in consultation with the Department of Transportation, may adopt rules to implement this subsection.
Section 23. Subsection (5) of section 403.412, Florida Statutes, is amended to read:

403.412 Environmental Protection Act.—

(5) In any administrative, licensing, or other proceedings authorized by law for the protection of the air, water, or other natural resources of the state from pollution, impairment, or destruction, the Department of Legal Affairs, a political subdivision or municipality of the state, or a citizen of the state shall have standing to intervene as a party on the filing of a verified pleading asserting that the activity, conduct, or product to be licensed or permitted has or will have the effect of impairing, polluting, or otherwise injuring the air, water, or other natural resources of the state. As used in this section and as it relates to citizens, the term "intervene" means to join an ongoing s. 120.569 or s. 120.57 proceeding; this section does not authorize a citizen to institute, initiate, petition for, or request a proceeding under s. 120.569 or s. 120.57. Nothing herein limits or prohibits a citizen whose substantial interests will be determined or affected by a proposed agency action from initiating a formal administrative proceeding under s. 120.569 or s. 120.57. A citizen's substantial interests will be considered to be determined or affected if the party demonstrates it may suffer an injury in fact which is of sufficient immediacy and is of the type and nature intended to be protected by this chapter. No demonstration of special injury
A sufficient demonstration of a substantial interest may be made by a petitioner who establishes that the proposed activity, conduct, or product to be licensed or permitted affects the petitioner’s use or enjoyment of air, water, or natural resources protected by this chapter. The final order in a proceeding pursuant to s. 120.57(1) may award reasonable costs and reasonable attorney fees to the prevailing party from an intervener when an intervener is a nonprevailing adverse party, as defined in s. 120.595, as determined by the administrative law judge. The final order may only require the intervener to pay the portion of the reasonable costs and reasonable attorney fees related to the intervener’s participation in the administrative proceeding.

Section 24. Paragraph (f) of subsection (12) of section 403.814, Florida Statutes, is amended to read:

403.814 General permits; delegation.—

(12) A general permit is granted for the construction, alteration, and maintenance of a stormwater management system serving a total project area of up to 10 acres meeting the criteria of this subsection. Such stormwater management systems must be designed, operated, and maintained in accordance with applicable rules adopted pursuant to part IV of chapter 373. There is a rebuttable presumption that the discharge from such systems complies with state water quality standards. The
construction of such a system may proceed without any further agency action by the department or water management district if, before construction begins, an electronic self-certification is submitted to the department or water management district which certifies that the proposed system was designed by a Florida registered professional and that the registered professional has certified that the proposed system meets the requirements of this section and will meet the following additional requirements:

(f) The project does not:

1. Cause or contribute to adverse water quantity or flooding impacts to receiving water and adjacent lands;
2. Cause or contribute to adverse impacts to existing surface water storage and conveyance capabilities;
3. Cause or contribute to a violation of state water quality standards; or
4. Cause or contribute to an adverse impact to the maintenance of surface or ground water levels or surface water flows established pursuant to s. 373.042 or a work of the district established pursuant to s. 373.086.

Section 25. Section 403.892, Florida Statutes, is created to read:

403.892 Asset management plan and reserve fund.—
(1) The Legislature finds that the systematic management of public water system and domestic wastewater treatment system
assets is essential to the protection of public health and natural resources. The development and implementation of an asset management plan focusing on the long-term life cycle and performance of system assets, including transmission, distribution, and collection lines, is necessary to ensure the timely planning, assessment, maintenance, repair, and replacement of these system components. The establishment and proper funding of a reserve fund is necessary to ensure the timely implementation of an asset management plan.

(2) By August 1, 2022, each public water system, as defined in s. 403.852, and domestic wastewater treatment system shall develop an asset management plan and create a reserve fund to implement the asset management plan in a cost effective and timely manner. Each August 1 thereafter, each public water system and domestic wastewater treatment system shall post on its website the implementation status of its asset management plan and reserve fund and shall provide a report regarding such information to the department. As used in this subsection, the term "domestic wastewater treatment system" means any plant or other works used to treat, stabilize, or hold domestic wastes, including pipelines or conduits, pumping stations, and force mains and all other structures, devices, appurtenances, and facilities used for collecting or conducting wastes to an ultimate point for treatment or disposal. A domestic wastewater treatment system does not include an onsite sewage treatment and
disposal system as defined in s. 381.0065.

(3) To be eligible for state funding, a public water system or domestic wastewater treatment system must demonstrate that it is adequately implementing its asset management plan and has reserves available in its reserve fund.

(4) By July 1, 2019, the department shall adopt rules establishing the asset management plan requirements, including, but not limited to:

(a) Identification of each asset;
(b) Evaluation of the current age, condition, and useful life of each asset;
(c) A risk-benefit analysis to determine the optimum repair or replacement time of each asset;
(d) A list of repair and replacement projects with projected timeframes for completion and estimated costs;
(e) Identification of funding options, including a separate reserve account or other comparable fund or account, for implementation of the repair or replacement projects; and
(f) Identification of plans comparable to an asset management plan.

Section 26. Section 403.893, Florida Statutes, is created to read:

403.893 Public water system and domestic wastewater treatment system infrastructure floodplain resiliency.—It is the policy of the state to encourage public water systems and
domestic wastewater treatment systems to increase the resilience of its critical infrastructure against flooding. A public water system or domestic wastewater treatment system with infrastructure within an identified special flood hazard area, commonly referred to as a 100-year flood, or in a moderate flood hazard area, commonly referred to as a 500-year flood, in accordance with Federal Emergency Management Agency 100-year and 500-year Flood Maps, must build any new infrastructure to withstand the respective flood conditions including, at a minimum, elevated control panels and appurtenant structures above the flood prone elevation, and have submersible components, including pumps and flow meters.

Section 27. Subsection (9) is added to section 570.76, Florida Statutes, to read:

570.76 Department of Agriculture and Consumer Services; powers and duties.—For the accomplishment of the purposes specified in this act, the department shall have all powers and duties necessary, including, but not limited to, the power and duty to:

(9) Provide assistance to local governments in administering local rural-lands-protection easement programs. The department may provide technical support to review applications for inclusion in the local government's program and monitor compliance with the conservation easements. The department may not use any state funds to assist in the purchase...
of such easements or pay any acquisition costs. The local
government must compensate the department for its services. The
agreement for assistance must be documented in a memorandum of
agreement between the department and the local government. The
title to such conservation easements shall be held in the name
of the local government.

Section 28. Section 1004.49, Florida Statutes, is amended
to read:

1004.49 Florida LAKEWATCH Program.—The Florida LAKEWATCH
Program is hereby created within the School of Forest Resources
and Conservation's Fisheries and Aquatic Sciences Program
Department of Fisheries and Aquaculture of the Institute of Food
and Agricultural Sciences at the University of Florida. The
purpose of the program is to provide public education and
training with respect to the water quality of Florida's lakes.
The Fisheries and Aquatic Sciences Program Department of
Fisheries and Aquaculture may, in implementing the LAKEWATCH
program:

(1) Train, supervise, and coordinate volunteers to collect
water quality data from Florida's lakes, streams, and estuaries.
(2) Compile the data collected by volunteers.
(3) Disseminate information to the public about the
LAKEWATCH program.
(4) Provide or loan equipment to volunteers in the
program.
committee/subcommittee amendment

Bill No. HB 7063 (2018)

Amendment No. 1

(5) Perform other functions as may be necessary or beneficial in coordinating the LAKEWATCH program.

Data collected and compiled shall be used to establish trends and provide general background information and may be used by the Department of Environmental Protection if the data collection methods meet sufficient quality assurance and quality control requirements approved by the Department of Environmental Protection in a regulatory proceeding.

Section 29. Subsection (1) of section 20.3315, Florida Statutes, is amended to read:

20.3315 Florida Forever Program Trust Fund of the Florida Fish and Wildlife Conservation Commission.—

(1) There is created a Florida Forever Program Trust Fund within the Florida Fish and Wildlife Conservation Commission to carry out the duties of the commission under the Florida Forever Act as specified in s. 259.105(3)(g). The trust fund shall receive funds pursuant to s. 259.105(3)(g).

Section 30. Subsection (4) and paragraph (b) of subsection (5) of section 253.027, Florida Statutes, are amended to read:

253.027 Emergency archaeological property acquisition.—

(4) EMERGENCY ARCHAEOLOGICAL ACQUISITION.—The sum of $2 million shall be reserved annually within the Florida Forever Trust Fund for the purpose of emergency archaeological acquisition. Any portion of that amount not spent or obligated

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Published On: 2/5/2018 4:48:51 PM

Page 80 of 94
by the end of the third quarter of the fiscal year may be used
for approved acquisitions pursuant to s. 259.105(3)(a) &-
259.105(3)(b).

(5) ACCOUNT EXPENDITURES.—

(b) Funds may not be spent from the
account for excavation or restoration of the properties
acquired. Funds may be spent for preliminary surveys to
determine if the sites meet the criteria of this section. An
amount not to exceed $100,000 may also be spent from the account
to inventory and evaluate archaeological and historic resources
on properties purchased, or proposed for purchase, pursuant to
s. 259.105(3)(a) & 259.105(3)(b).

Section 31. Subsections (3) and (9) of section 253.034,
Florida Statutes, are amended to read:

253.034 State-owned lands; uses.—

(3) Recognizing that recreational trails purchased with
rails-to-trails funds pursuant to former s. 259.101(3)(g),
Florida Statutes 2014, or former s. 259.105(3)(h), Florida
Statutes 2017, have had historic transportation uses and that
their linear character may extend many miles, the Legislature
intends that if the necessity arises to serve public needs,
after balancing the need to protect trail users from collisions
with automobiles and a preference for the use of overpasses and
underpasses to the greatest extent feasible and practical,
transportation uses shall be allowed to cross recreational
trails purchased pursuant to former s. 259.101(3)(g), Florida Statutes 2014, or former s. 259.105(3)(h), Florida Statutes 2017. When these crossings are needed, the location and design should consider and mitigate the impact on humans and environmental resources, and the value of the land shall be paid based on fair market value.

(9) The following additional uses of conservation lands acquired pursuant to the Florida Forever program and other state-funded conservation land purchase programs shall be authorized, upon a finding by the board of trustees, if they meet the criteria specified in paragraphs (a)-(e): water resource development projects, water supply development projects, stormwater management projects, linear facilities, and sustainable agriculture and forestry. Such additional uses are authorized if:

(a) The use is not inconsistent with the management plan for such lands;

(b) The use is compatible with the natural ecosystem and resource values of such lands;

(c) The use is appropriately located on such lands and due consideration is given to the use of other available lands;

(d) The using entity reasonably compensates the titleholder for such use based upon an appropriate measure of value; and

(e) The use is consistent with the public interest.
A decision by the board of trustees pursuant to this section shall be given a presumption of correctness. Moneys received from the use of state lands pursuant to this section shall be returned to the lead managing entity in accordance with s. 259.032(9)(b) and (c).

Section 32. Subsection (3), paragraph (b) of subsection (4), and subsection (6) of section 259.035, Florida Statutes, are amended to read:

259.035 Acquisition and Restoration Council.—

(3) The council shall provide assistance to the board in reviewing the recommendations and plans for state-owned conservation lands required under s. 253.034 and this chapter. The council shall, in reviewing such plans, consider the optimization of multiple-use and conservation strategies to accomplish the provisions funded pursuant to former s. 259.101(3)(a), Florida Statutes 2014, and to s. 259.105(3)(a) and (b).

(4) (b) In developing or amending rules, the council shall give weight to the criteria included in s. 259.105(8) and 259.105(9). The board of trustees shall review the recommendations and shall adopt rules necessary to administer this section.

(6) The proposal for a project pursuant to this section or
s. 259.105(3)(a) and s. 259.105(3)(b) may be implemented only if adopted by the council and approved by the board of trustees. The council shall consider and evaluate in writing the merits and demerits of each project that is proposed for acquisition using funds available pursuant to s. 28, Art. X of the State Constitution or Florida Forever funding and shall ensure that each proposed project meets the requirements of s. 28, Art. X of the State Constitution. The council also shall determine whether the project conforms, where applicable, with the comprehensive plan developed pursuant to s. 259.04(1)(a), the comprehensive multipurpose outdoor recreation plan developed pursuant to s. 375.021, the state lands management plan adopted pursuant to s. 253.03(7), the water resources work plans developed pursuant to s. 373.199, and the provisions of s. 259.032, s. 259.101, or s. 259.105, whichever is applicable.

Section 3. Paragraph (b) of subsection (3) of section 259.037, Florida Statutes, is amended to read:

259.037 Land Management Uniform Accounting Council.—
(3)
(b) Each reporting agency shall also:
1. Include a report of the available public use opportunities for each management unit of state land, the total management cost for public access and public use, and the cost associated with each use option.
2. List the acres of land requiring minimal management
effort, moderate management effort, and significant management

effort pursuant to s. 259.032(9)(b) s. 259.032(9)(c). For each
category created in paragraph (a), the reporting agency shall
include the amount of funds requested, the amount of funds
received, and the amount of funds expended for land management.

3. List acres managed and cost of management for each
park, preserve, forest, reserve, or management area.

4. List acres managed, cost of management, and lead
manager for each state lands management unit for which secondary
management activities were provided.

5. Include a report of the estimated calculable financial
benefits to the public for the ecosystem services provided by
conservation lands, based on the best readily available
information or science that provides a standard measurement
methodology to be consistently applied by the land managing
agencies. Such information may include, but need not be limited
to, the value of natural lands for protecting the quality and
quantity of drinking water through natural water filtration and
recharge, contributions to protecting and improving air quality,
benefits to agriculture through increased soil productivity and
preservation of biodiversity, and savings to property and lives
through flood control.

Section 34. Subsection (7) of section 380.510, Florida
Statutes, is amended to read:

380.510 Conditions of grants and loans.—
(7) Any funds received by the trust pursuant to s. 259.105(3)(b) or s. 375.041 shall be held separate and apart from any other funds held by the trust and used for the land acquisition purposes of this part.

(a) The administration and use of Florida Forever funds are subject to such terms and conditions imposed thereon by the agency of the state responsible for the bonds, the proceeds of which are deposited into the Florida Forever Trust Fund, including restrictions imposed to ensure that the interest on any such bonds issued by the state as tax-exempt bonds is not included in the gross income of the holders of such bonds for federal income tax purposes.

(b) All deeds or leases with respect to any real property acquired with funds received by the trust from the former Preservation 2000 Trust Fund, the Florida Forever Trust Fund, or the Land Acquisition Trust Fund must contain such covenants and restrictions as are sufficient to ensure that the use of such real property at all times complies with s. 375.051 and s. 9, Art. XII of the State Constitution. Each deed or lease with respect to any real property acquired with funds received by the trust from the Florida Forever Trust Fund before July 1, 2015, must contain covenants and restrictions sufficient to ensure that the use of such real property at all times complies with s. 11(e), Art. VII of the State Constitution. Each deed or lease with respect to any real property acquired with funds received...
by the trust from the Florida Forever Trust Fund after July 1, 2015, must contain covenants and restrictions sufficient to ensure that the use of such real property at all times complies with s. 28, Art. X of the State Constitution. Each deed or lease must contain a reversion, conveyance, or termination clause that vests title in the Board of Trustees of the Internal Improvement Trust Fund if any of the covenants or restrictions are violated by the titleholder or leaseholder or by some third party with the knowledge of the titleholder or leaseholder.

Section 35. Paragraph (d) of subsection (1) of section 570.715, Florida Statutes, is amended to read:

570.715 Conservation easement acquisition procedures.—
(1) For less than fee simple acquisitions pursuant to s. 570.71, the Department of Agriculture and Consumer Services shall comply with the following acquisition procedures:

(d) On behalf of the board of trustees and before the appraisal of parcels approved for purchase under ss. 259.105(3)(c) and 570.71, the department may enter into option contracts to buy less than fee simple interest in such parcels. Any such option contract shall state that the final purchase price is subject to approval by the board of trustees and that the final purchase price may not exceed the maximum offer authorized by law. Any such option contract presented to the board of trustees for final purchase price approval shall explicitly state that payment of the final
purchase price is subject to an appropriation by the Legislature. The consideration for any such option contract may not exceed $1,000 or 0.01 percent of the estimate by the department of the value of the parcel, whichever amount is greater.

Section 36. Subsection (1) of section 589.065, Florida Statutes, is amended to read:

589.065 Florida Forever Program Trust Fund of the Department of Agriculture and Consumer Services.—

(1) There is created a Florida Forever Program Trust Fund within the Department of Agriculture and Consumer Services to carry out the duties of the department under the Florida Forever Act as specified in s. 259.105(3)(f). The trust fund shall receive funds pursuant to s. 259.105(3)(f).

Section 37. The Legislature finds that the systematic management of public water system and domestic wastewater treatment system assets is essential to the protection of public health and natural resources. Therefore, the Legislature determines and declares that this act fulfills an important state interest.

Section 38. This act shall take effect July 1, 2018.

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T I T L E  A M E N D M E N T

Remove everything before the enacting clause and insert:

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Published On: 2/5/2018 4:48:51 PM

Page 88 of 94
An act relating to natural resources; amending s. 125.35, F.S.; requiring counties to return specified state conservation funds to the state when certain lands purchased with such funds are sold; amending s. 161.101, F.S.; revising the criteria to be considered by the Department of Environmental Protection in determining and assigning annual funding priorities for beach management and erosion control projects amending; s. 161.161, F.S.; revising requirements for the comprehensive long-term management plan; requiring the plan to include a strategic beach management plan, a critically eroded beaches report, and a statewide long-range budget plan; providing for the development and maintenance of such plans; deleting a requirement that the department submit a certain beach management plan on a certain date each year; requiring the department to hold a public meeting before finalization of the strategic beach management plan; requiring the department to submit a statewide long-range budget plan and a related forecast for the availability of funding to the Legislature; amending s. 163.3177, F.S.; exempting certain local governments from requirements to develop and maintain work plans for building public, private, and regional water supply facilities; creating s. 166.0452, F.S.; requiring municipalities to return specified state conservation funds to the state when certain lands purchased with such funds are sold; amending s. 215.618, F.S.; removing provisions authorizing the use of Florida Forever funds for capital
improvement and water resource development projects; amending s. 253.0251, F.S.; authorizing the Department of Environmental Protection to assist local governments in administering local rural-lands-protection easement programs; providing requirements and restrictions for such assistance; amending s. 253.034, F.S.; requiring land management plans to prioritize exotic and invasive species management and control; amending s. 258.014; creating a state park volunteer annual entrance pass program; amending s. 259.03, F.S.; removing the definitions of "capital improvement," "capital project expenditure," and "water resource development project"; amending s. 259.032, F.S.; removing provisions authorizing the use of Florida Forever funds for capital improvement and water resource development projects; amending s. 259.105, F.S.; revising the distribution of proceeds from the Florida Forever Trust Fund; eliminating and consolidating funding for certain land acquisition and management programs; removing obsolete provisions; removing provisions authorizing the use of Florida Forever funds for water resource development projects, restoration, enhancement, and management of certain land and water areas, and certain capital improvements; including wildlife crossings and connections between such crossings and wildlife habitats as criteria for assessing certain projects and land acquisitions; amending s. 373.089, F.S.; prohibiting water management districts from disposing of lands acquired with state funds.
under certain conditions; requiring water management districts to return specified state conservation funds to the state when certain lands purchased with such funds are sold; amending s. 373.139, F.S.; removing provisions prohibiting water management districts from disposing of lands acquired with state funds under certain conditions; amending s. 373.1391, F.S.; requiring revenue generated from the management of certain conservation lands to be retained by the jurisdictional water management district and used for specified purposes; amending s. 373.199, F.S.; limiting the use of Florida Forever funds for water management district projects; amending s. 373.4598, F.S.; revising requirements related to the operation of water storage and use for Phase I and Phase II of the C-51 reservoir project if state funds are appropriated for such phases; authorizing the South Florida Water Management District to enter into certain capacity allocation agreements and to request a waiver for repayment of certain loans; authorizing the Department of Environmental Protection to waive such loan repayment under certain conditions; amending s. 373.713, F.S.; requiring regional water supply authorities to annually coordinate with water management districts on the status of certain water resource development projects; amending s. 375.041, F.S.; requiring the Department of Environmental Protection and the South Florida Water Management District to give specified funding priority to the C-43 West Basin Storage Reservoir
Amendment No. 1

Project; requiring a specified amount of funds in the Land Acquisition Trust Fund within the Department of Environmental Protection to be appropriated annually each fiscal year to the Florida Forever Trust Fund; amending 403.067, F.S.; providing that the Department of Environmental Protection may consider and include innovative nutrient pilot projects in the development of basin management action plans; providing the department may provide funding for such projects; amending s. 403.087, F.S.; revising requirements for the renewal of operation permits for domestic wastewater treatment facilities; amending s. 403.0891, F.S.; requiring the Department of Transportation to coordinate with the Department of Environmental Protection, water management districts, and local governments to make certain determinations regarding beneficial uses of stormwater from road construction projects and to implement such beneficial uses under certain conditions; authorizing the Department of Environmental Protection, in consultation with the Department of Transportation, to adopt rules; amending s. 403.412, F.S.; authorizing prevailing parties to collect attorney's fees from interveners in administrative hearings; amending s. 403.814, F.S.; providing that a general permit for construction, alteration, and maintenance of a stormwater management system serving a total project area of up to 10 acres may be granted if the project does not cause or contribute to adverse impacts; creating s. 403.892, F.S.; providing legislative findings;
Amendment No. 1

requiring public water systems and domestic wastewater treatment systems to develop asset management plans and create reserve funds by a specified date; defining the term "domestic wastewater treatment system"; providing requirements for such plans and funds; specifying eligibility criteria for state funding; directing the Department of Environmental Protection to adopt rules; creating s. 403.893, F.S.; requiring water and wastewater utilities in identified 100-year and 500-year flood areas to build new infrastructure to withstand respective flood conditions; including minimum criteria; amending s. 570.76, F.S.; authorizing the Department of Agriculture and Consumer Services to assist local governments in administering local rural-lands-protection easement programs; providing requirements and restrictions for such assistance; amending s. 1004.49, F.S.; renaming the Department of Fisheries and Aquaculture of the Institute of Food and Agricultural Sciences at the University of Florida to the School of Forest Resources and Conservation's Fisheries and Aquatic Science Program; providing that the LAKEWATCH Program may train, supervise, and coordinate volunteers to collect water quality data from Florida's lakes, streams, and estuaries; providing that the Department of Environmental Protection may use the data collected if the data collection methods meet sufficient quality assurance and quality control requirements; amending ss. 20.3315, 253.027, 253.034, 259.035, 259.037, 380.510, 570.715, and 589.065, F.S.;
conforming cross-references; providing a declaration of important state interest; providing an effective date.