A bill to be entitled
An act relating to Florida Forever; amending s. 259.105, F.S.; revising legislative findings under the Florida Forever Act to include wildlife crossings as a land acquisition purpose; requiring the Department of Environmental Protection to consult with specified entities for certain projects related to conservation lands and coastal areas subject to flooding; requiring that certain allocations from the Florida Forever Trust Fund include a specified amount for lands in this state which have been impacted by a hurricane during a specified timeframe and meet certain requirements; revising legislative intent regarding the use of certain funds; requiring the Acquisition and Restoration Council to give increased priority to certain projects that maximize the benefits associated with the acquisition of certain conservation lands or coastal areas; providing an effective date.

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

Section 1. Paragraph (a) of subsection (2), paragraph (b) of subsection (3), and paragraph (b) of subsection (4) of section 259.105, Florida Statutes, are amended, and paragraph (i) is added to subsection (2) and paragraph (g) is added to subsection (10) of that section, to read:

259.105 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

CODING: Words stricken are deletions; words underscored are additions.
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)(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.

(i) The department shall consult with the Division of Emergency Management, the Department of Agriculture and Consumer Services, the Fish and Wildlife Conservation Commission, the Department of Transportation, the Department of Economic Opportunity, and the relevant water management districts on projects related to conservation lands and coastal areas subject to flooding as a result of sea-level rise. The goal of this consultation is to maximize the benefits of such projects by coordinating, wherever possible, acquisitions that complement the planned projects of these agencies.

(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:

(b) Thirty-five percent to the Department of Environmental Protection for the acquisition of lands and capital project expenditures described in this section. 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 Florida’s water resources and natural groundwater recharge.

1. 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.

2. 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.

3. Beginning in the 2020-2021 fiscal year, and in each fiscal year thereafter, at least $10 million of the funds allocated pursuant to this paragraph shall be spent on the acquisition of lands or conservation easements in this state in areas that were impacted by a hurricane within the 5 years before the fiscal year for which funds for the acquisition are appropriated and that are either conservation lands as defined in s. 253.034(2)(c) or coastal areas subject to flooding as a
result of sea-level rise. For the purposes of this subsection, a hurricane-impacted area is the area specifically identified by the Governor pursuant to an executive order.

(4) It is the intent of the Legislature that projects or acquisitions funded pursuant to 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):

(b) Increase the protection of this state’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 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.

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

(10) The council shall give increased priority to:

(g) Projects that maximize the benefits associated with the acquisition of conservation lands or coastal areas subject to flooding as a result of sea-level rise through coordinated planning efforts with the Division of Emergency Management, the Department of Agriculture and Consumer Services, the Fish and Wildlife Conservation Commission, the Department of Transportation, the Department of Economic Opportunity, or the water management districts.

Section 2. This act shall take effect July 1, 2020.