A bill to be entitled
An act relating to environmental resources; amending
s. 253.025, F.S.; providing that certain land
acquisitions are not required to meet specified
valuation procedures; authorizing the Board of
Trustees of the Internal Improvement Trust Fund to
direct the Department of Agriculture and Consumer
Services to purchase lands according to certain
provisions; amending s. 373.026, F.S.; providing
requirements for budget amendments requesting the
release of state funds for specified water project
components; conforming provisions to changes made by
the act; amending s. 373.036, F.S.; requiring
modifications to water management district annual work
plans to be submitted to the Secretary of
Environmental Protection for review and approval;
amending s. 373.1501, F.S.; requiring the South
Florida Water Management District to make a specified
certification to the Legislature regarding its
recommendations to the United States Army Corps of
Engineers for new or modified Lake Okeechobee
provisions; requiring water shortages within the Lake
Okeechobee Region to be managed in accordance with
certain provisions; amending s. 373.4141, F.S.;
authorizing the Department of Environmental Protection
to enter into agreements or contracts with certain
entities to expedite the evaluation of certain
environmental permits; providing requirements for such
agreements or contracts; authorizing the department to
receive funds received pursuant to such an agreement
or contract; requiring such funds to be deposited into
the Grants and Donations Trust Fund; amending s.
373.4598, F.S.; revising the goals of the water
management district in reevaluating the Lake
Okeechobee Regulation Schedule; amending s. 570.71,
F.S.; specifying that the Department of Agriculture
and Consumer Services may acquire land or certain
related interests in land for specified public
purposes; revising the types of project proposals for
which the department may accept applications; revising
the activities prohibited under certain easements;
removing a requirement that certain department rules
give preference to certain types of lands; amending s.
570.715, F.S.; revising the procedures the department
must comply with for certain land acquisitions;
providing for a type two transfer of the William J.
"Billy Joe" Rish Recreational Park within the Agency
for Persons with Disabilities to the Department of
Environmental Protection; providing for the
continuation of certain contracts and interagency
agreements; reenacting ss. 253.0251(7) and
259.105(3)(i), F.S., relating to alternatives to fee
simple acquisition and the Florida Forever Act,
respectively, to incorporate the amendment made to s.
570.715, F.S., in references thereto; reenacting s.
570.93, F.S., relating to an agricultural water
conservation program; providing effective dates.
Be It Enacted by the Legislature of the State of Florida:

Section 1. Effective January 1, 2023, paragraph (j) of subsection (8) and subsection (22) of section 253.025, Florida Statutes, are amended to read:

253.025 Acquisition of state lands.—

(8) Before approval by the board of trustees, or, when applicable, the Department of Environmental Protection, of any agreement to purchase land pursuant to this chapter, chapter 259, chapter 260, or chapter 375, and before negotiations with the parcel owner to purchase any other land, title to which will vest in the board of trustees, an appraisal of the parcel shall be required as follows:

(j)1. The board of trustees shall adopt by rule the method for determining the value of parcels sought to be acquired by state agencies pursuant to this section. An offer by a state agency may not exceed the value for that parcel as determined pursuant to the highest approved appraisal or the value determined pursuant to the rules of the board of trustees, whichever value is less.

2. For a joint acquisition by a state agency and a local government or other entity apart from the state, the joint purchase price may not exceed 150 percent of the value for a parcel as determined in accordance with the limits in subparagraph 1. The state agency share of a joint purchase offer may not exceed what the agency may offer singly pursuant to subparagraph 1.

3. This paragraph does not apply to the acquisition of historically unique or significant property as determined by the
Division of Historical Resources of the Department of State or to land, including interests in land, acquired pursuant to chapter 570.

Notwithstanding this subsection, on behalf of the board of trustees and before the appraisal of parcels approved for purchase under this chapter or chapter 259, the Secretary of Environmental Protection or the director of the Division of State Lands may enter into option contracts to buy such parcels. Any such option contract shall state that the final purchase price is subject to approval by the board of trustees or, if applicable, the Secretary of Environmental Protection, and that the final purchase price may not exceed the maximum offer allowed 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 from the Legislature. The consideration for such an option 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.

(22) The board of trustees, by an affirmative vote of at least three members, may direct the Department of Agriculture and Consumer Services to purchase lands pursuant to chapter 570 or the Department of Environmental Protection to purchase lands on an immediate basis using up to 15 percent of the funds allocated to the department pursuant to s. 259.105 for the acquisition of lands that:

(a) Are listed or placed at auction by the Federal Government as part of the Resolution Trust Corporation sale of
lands from failed savings and loan associations;

(b) Are listed or placed at auction by the Federal
Government as part of the Federal Deposit Insurance Corporation
sale of lands from failed banks;

(c) Will be developed or otherwise lost to potential public
ownership, or for which federal matching funds will be lost, by
the time the land can be purchased under the program within
which the land is listed for acquisition; or

(d) Will prevent or satisfy private property rights claims
resulting from limitations imposed by the designation of an area
of critical state concern pursuant to chapter 380.

Lands acquired pursuant to this subsection must, at the time of
purchase, be on one of the acquisition lists established
pursuant to chapter 259 or chapter 570, or be essential for
water resource development, protection, or restoration, or a
significant portion of the lands must contain natural
communities or plant or animal species that are listed by the
Florida Natural Areas Inventory as critically imperiled,
imperiled, or rare, or as excellent quality occurrences of
natural communities.

Section 2. Effective upon becoming a law, paragraph (b) of
subsection (8) of section 373.026, Florida Statutes, is amended
to read:

373.026 General powers and duties of the department.—The
department, or its successor agency, shall be responsible for
the administration of this chapter at the state level. However,
it is the policy of the state that, to the greatest extent
possible, the department may enter into interagency or
interlocal agreements with any other state agency, any water
management district, or any local government conducting programs
related to or materially affecting the water resources of the
state. All such agreements shall be subject to the provisions of
s. 373.046. In addition to its other powers and duties, the
department shall, to the greatest extent possible:

(8)

(b) To ensure to the greatest extent possible that project
components will go forward as planned, the department shall
collaborate with the South Florida Water Management District in
implementing the comprehensive plan as defined in s.
373.470(2)(b), the Lake Okeechobee Watershed Protection Plan as
defined in s. 373.4595(2), and the River Watershed Protection
Plans as defined in s. 373.4595(2). Before any project component
is submitted to Congress for authorization or receives an
appropriation of state funds, the department must approve, or
approve with amendments, each project component within 60 days
following formal submittal of the project component to the
department. Prior to the release of state funds for the
implementation of the comprehensive plan, department approval
shall be based upon a determination of the South Florida Water
Management District’s compliance with s. 373.1501(5) and (7).
Additionally, each budget amendment requesting the release of
state funds for the implementation of a project component or a
water control plan or regulation schedule required for the
operation of the project shall be contingent on the submission
of the certification required in s. 373.1501(7). Once a project
component is approved, the South Florida Water Management
District shall provide to the President of the Senate and the
Speaker of the House of Representatives a schedule for implementing the project component, the estimated total cost of the project component, any existing federal or nonfederal credits, the estimated remaining federal and nonfederal share of costs, and an estimate of the amount of state funds that will be needed to implement the project component. All requests for an appropriation of state funds needed to implement the project component shall be submitted to the department, and such requests shall be included in the department’s annual request to the Governor. Prior to the release of state funds for the implementation of the Lake Okeechobee Watershed Protection Plan or the River Watershed Protection Plans, on an annual basis, the South Florida Water Management District shall prepare an annual work plan as part of the consolidated annual report required in s. 373.036(7). Upon a determination by the secretary of the annual work plan’s consistency with the goals and objectives of ss. 373.1501(7) and 373.4595, the secretary may approve the release of state funds. Any modifications to the annual work plan shall be submitted to the secretary for review and approval.

Section 3. Effective upon becoming a law, paragraph (a) of subsection (7) of section 373.036, Florida Statutes, is amended to read:

373.036 Florida water plan; district water management plans.—

(7) CONSOLIDATED WATER MANAGEMENT DISTRICT ANNUAL REPORT.—

(a) By March 1, annually, each water management district shall prepare and submit to the Office of Economic and Demographic Research, the department, the Governor, the
President of the Senate, and the Speaker of the House of Representatives a consolidated water management district annual report on the management of water resources. In addition, copies must be provided by the water management districts to the chairs of all legislative committees having substantive or fiscal jurisdiction over the districts and the governing board of each county in the district having jurisdiction or deriving any funds for operations of the district. Copies of the consolidated annual report must be made available to the public, either in printed or electronic format. Any modifications to the annual work plan shall be submitted to the secretary for review and approval.

Section 4. Effective upon becoming a law, subsection (7) of section 373.1501, Florida Statutes, is amended, subsection (10) is added to that section, and subsection (4) of that section is reenacted, to read:

373.1501 South Florida Water Management District as local sponsor.—

(4) The district is authorized to act as local sponsor of the project for those project features within the district as provided in this subsection and subject to the oversight of the department as further provided in s. 373.026. The district shall exercise the authority of the state to allocate quantities of water within its jurisdiction, including the water supply in relation to the project, and be responsible for allocating water and assigning priorities among the other water uses served by the project pursuant to state law. The district may:

(a) Act as local sponsor for all project features previously authorized by Congress.
(b) Continue data gathering, analysis, research, and design of project components, participate in preconstruction engineering and design documents for project components, and further refine the Comprehensive Plan of the restudy as a guide and framework for identifying other project components.

(c) Construct pilot projects that will assist in determining the feasibility of technology included in the Comprehensive Plan of the restudy.

(d) Act as local sponsor for project components.

(7) When developing or implementing water control plans or regulation schedules required for the operation of the project, the district shall provide recommendations to the United States Army Corps of Engineers which are consistent with all district programs and plans. To ensure that the district’s recommendations to the United States Army Corps of Engineers regarding proposed changes to the Lake Okeechobee Regulation Schedule, the Lake Okeechobee System Operating Manual, or any other water control plans or regulation schedules required for the operation of the project and related project components comply with the requirements of this subsection, s. 373.026(8), and s. 373.470, the district shall certify to the President of the Senate and the Speaker of the House of Representatives, with a copy to the department, that its recommendations to the United States Army Corps of Engineers on any proposed new or modified Lake Okeechobee Regulation Schedule, Lake Okeechobee System Operating Manual, or deviation, and related project components, comply with s. 373.4598(11) and:

(a) Do not diminish the quantity of water available to existing legal users:
(b) Do not otherwise adversely impact existing legal users;
(c) Do not diminish the existing levels of service for flood protection within or outside the geographic area of the project component;
(d) Do not adversely affect adopted minimum flows and levels and associated prevention and recovery strategies; and
(e) Will continue to adapt to meet the needs of the restored natural environment.

(10) Water shortages within the Lake Okeechobee Region shall be managed in accordance with Chapters 40E-21 and 40E-22, Florida Administrative Code, in effect as of January 1, 2022, as such region is set forth therein.

Section 5. Effective upon becoming a law, section 373.4141, Florida Statutes, is amended to read:

373.4141 Permits; processing.—

(1) GENERAL PROCESSING; TIME LIMITATIONS.—
(a) Within 30 days after receipt of an application for a permit under this part, the department or the water management district shall review the application and shall request submittal of all additional information the department or the water management district is permitted by law to require. If the applicant believes any request for additional information is not authorized by law or rule, the applicant may request a hearing pursuant to s. 120.57. Within 30 days after receipt of such additional information, the department or water management district shall review it and may request only that information needed to clarify such additional information or to answer new questions raised by or directly related to such additional information. If the applicant believes the request of the
department or water management district for such additional
information is not authorized by law or rule, the department or
water management district, at the applicant’s request, must
shall proceed to process the permit application.

(b) A permit must be approved, denied, or subject
to a notice of proposed agency action within 60 days after
receipt of the original application, the last item of timely
requested additional material, or the applicant’s written
request to begin processing the permit application.

(c) Processing of applications for permits for
affordable housing projects must be expedited to a greater
degree than other projects.

(d) A state agency or an agency of the state may not
require as a condition of approval for a permit or as an item to
complete a pending permit application that an applicant obtain a
permit or approval from any other local, state, or federal
agency without explicit statutory authority to require such
permit or approval.

(2) AGREEMENTS TO PROCESS PERMITS.—
(a) The department may enter into an agreement or a
contract with a public entity, which includes a utility
regulated under chapter 366, to expedite the evaluation of
environmental resource permits or section 404 permits related to
a project or an activity that serves a public purpose. Any
agreement or contract entered into pursuant to this subsection
must be effective for at least 3 years.

(b) The department must ensure that any agreement or
contract entered into by the department does not affect
impartial decisionmaking, either substantively or procedurally.
The department must use the same procedures for decisions that would otherwise be required for the evaluation of permits for similar projects or activities not carried out under an agreement or contract authorized under this subsection.

(c) The department must make all active agreements or contracts entered into under this subsection available on its website.

(d) The department may receive funds pursuant to an agreement or contract entered into under this subsection. Any funds received pursuant to this subsection must be deposited into the Grants and Donations Trust Fund and used in accordance with the agreement or contract.

Section 6. Effective upon becoming a law, paragraph (c) of subsection (10) and subsection (11) of section 373.4598, Florida Statutes, are amended to read:

373.4598 Water storage reservoirs.—
(10) FUNDING.—
(c) Notwithstanding s. 373.026(8)(b) or any other provision of law, the use of state funds is authorized for projects referenced in paragraph (1)(b) the EAA reservoir project.

(11) LAKE OKEECHOBEE REGULATION SCHEDULE.—The district shall request that the corps pursue the reevaluation of the Lake Okeechobee Regulation Schedule as expeditiously as possible, taking into consideration the repairs made to the Herbert Hoover Dike and implementation of projects designed to reduce high-volume freshwater discharges from the lake, in order to optimally utilize the added water storage capacity to reduce the high-volume freshwater discharges to the St. Lucie and Caloosahatchee estuaries while returning the lake to a minimum
flow and level prevention status and returning the level of
certainty for existing legal users to a 1-in-10-year level of
certainty.

Section 7. Effective January 1, 2023, section 570.71,
Florida Statutes, is amended to read:

570.71 Land acquisition; conservation easements and
agreements.—

(1) The department, on behalf of the Board of Trustees of
the Internal Improvement Trust Fund, may allocate moneys to
acquire land or related interests in land, such as perpetual,
less-than-fee acquisitions interest in land, to enter into
agricultural protection agreements, and to enter into resource
conservation agreements for any of the following public
purposes:

(a) Promotion and improvement of wildlife habitat.

(b) Protection and enhancement of water bodies, aquifer
recharge areas, wetlands, and watersheds.

(c) Perpetuation of open space on lands with significant
natural areas.

(d) Protection of agricultural lands threatened by
conversion to other uses.

(e) Preservation and protection of natural and working
landscapes.

(f) Preservation, protection, and enhancement of wildlife
corridors and linkages.

(2) To achieve the purposes of this section, the department
may accept applications for project proposals that:

(a) Purchase land or interests in land, such as
conservation easements, as defined in s. 704.06.
(b) Purchase rural-lands-protection easements pursuant to this section.

(c) Fund resource conservation agreements pursuant to this section.

(d) Fund agricultural protection agreements pursuant to this section.

(3) Rural-lands-protection easements are **shall be a perpetual right or interest in agricultural land which is appropriate to retain such land in predominantly its current state and to prevent the subdivision and conversion of such land into other uses. This right or interest in property shall prohibit only the following:**

(a) Construction or placing of buildings, roads, billboards or other advertising, utilities, or structures, except those structures and unpaved roads necessary for the agricultural operations on the land or structures necessary for other activities allowed under the easement, and except for linear facilities described in s. 704.06(11).

(b) Subdivision of the property.

(c) Dumping or placing of trash, waste, or offensive materials.

(d) Activities that **detrimentally** affect the natural hydrology of the land or that detrimentally affect water conservation, erosion control, soil conservation, or fish or wildlife habitat, except those required for environmental restoration; federal, state, or local government regulatory programs; or best management practices.

(4) Resource conservation agreements will be contracts for services which provide annual payments to landowners for
services that actively improve habitat and water restoration or
conservation on their lands over and above that which is already
required by law or which provide recreational opportunities.
They will be for a term of not less than 5 years and not more
than 10 years. Property owners will become eligible to enter
into a resource conservation agreement only upon entering into a
conservation easement or rural lands protection easement.

(5) Agricultural protection agreements shall be for terms
of 30 years and will provide payments to landowners having
significant natural areas on their land. Public access and
public recreational opportunities may be negotiated at the
request of the landowner.

(a) For the length of the agreement, the landowner shall
agree to prohibit:

1. Construction or placing of buildings, roads, billboards
or other advertising, utilities, or structures, except those
structures and unpaved roads necessary for the agricultural
operations on the land or structures necessary for other
activities allowed under the easement, and except for linear
facilities described in s. 704.06(11);

2. Subdivision of the property;

3. Dumping or placing of trash, waste, or offensive
materials; and

4. Activities that affect the natural hydrology of the
land, or that detrimentally affect water conservation, erosion
control, soil conservation, or fish or wildlife habitat.

(b) As part of the agricultural protection agreement, the
parties shall agree that the state shall have a right to buy a
conservation easement or rural land protection easement at the
end of the 30-year term. If the landowner tenders the easement for the purchase and the state does not timely exercise its right to buy the easement, the landowner shall be released from the agricultural agreement. The purchase price of the easement shall be established in the agreement and shall be based on the value of the easement at the time the agreement is entered into, plus a reasonable escalator multiplied by the number of full calendar years following the date of the commencement of the agreement. The landowner may transfer or sell the property before the expiration of the 30-year term, but only if the property is sold subject to the agreement and the buyer becomes the successor in interest to the agricultural protection agreement. Upon mutual consent of the parties, a landowner may enter into a perpetual easement at any time during the term of an agricultural protection agreement.

(6) Payment for conservation easements and rural land protection easements shall be a lump-sum payment at the time the easement is entered into.

(7) Landowners entering into an agricultural protection agreement may receive up to 50 percent of the purchase price at the time the agreement is entered into, and remaining payments on the balance shall be equal annual payments over the term of the agreement.

(8) Payments for the resource conservation agreements shall be equal annual payments over the term of the agreement.

(9) Easements purchased pursuant to this act may not:

(a) Prevent landowners from transferring the remaining fee value with the easement; or

(b) At the request of the landowner, restrict a landowner’s
ability to use, or authorize the use of by third parties, specific parcels of land within a conservation easement for conservation banking or recipient sites for imperiled species as defined in s. 259.105(2)(a)11. or wetlands mitigation banking pursuant to chapter 373, provided the specific parcels of land include wetland or upland areas that may be enhanced, restored, or created under the conditions of a wetlands mitigation bank permit.

(10) The department, in consultation with the Department of Environmental Protection, the water management districts, the Department of Economic Opportunity, and the Florida Fish and Wildlife Conservation Commission, shall adopt rules that establish an application process, a process and criteria for setting priorities for use of funds consistent with the purposes specified in subsection (1) and giving preference to ranch and timber lands managed using sustainable practices, an appraisal process, and a process for title review and compliance and approval of the rules by the Board of Trustees of the Internal Improvement Trust Fund.

(11) If a landowner objects to having his or her property included in any lists or maps developed to implement this act, the department must remove the property from any such lists or maps upon receipt of the landowner’s written request to do so.

(12) The department may use appropriated funds from the following sources to implement this section:

(a) State funds;
(b) Federal funds;
(c) Other governmental entities;
(d) Nongovernmental organizations; or
(e) Private individuals.

Any such funds provided, other than from the Land Acquisition Trust Fund, shall be deposited into the Incidental Trust Fund within the Department of Agriculture and Consumer Services and used for the purposes of this section, including administrative and operating expenses related to appraisals, mapping, title process, personnel, and other real estate expenses.

(13) No more than 10 percent of any funds made available to implement this act may shall be expended for resource conservation agreements and agricultural protection agreements.

Section 8. Effective January 1, 2023, section 570.715, Florida Statutes, is amended to read:

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

(a) Before conveyance of title by the department, evidence of marketable title in the form of a commitment for title insurance or an abstract of title with a title opinion must shall be obtained.

(b) Before approval by the board of trustees of an agreement to purchase less than fee simple title to land pursuant to s. 570.71, an appraisal of the parcel shall be required as follows:

1. Each parcel to be acquired must shall have at least one appraisal. Two appraisals are required when the estimated value
of the parcel exceeds $1 million. However, when both appraisals exceed $1 million and differ significantly, a third appraisal may be obtained.

2. Appraisal fees and associated costs must be paid by the department. All appraisals used for the acquisition of less than fee simple interest in lands pursuant to this section must be prepared by a state-certified appraiser who meets the standards and criteria established by rule of the board of trustees. Each appraiser selected to appraise a particular parcel shall, before contracting with the department or a participant in a multiparty agreement, submit to the department or participant an affidavit substantiating that he or she has no vested or fiduciary interest in such parcel.

(c) A certified survey must be made that meets the minimum requirements for upland parcels established in the Standards of Practice for Land Surveying in Florida published by the department and that accurately portrays, to the greatest extent practicable, the condition of the parcel as it currently exists. The requirement for a certified survey may, in whole or in part, be waived by the board of trustees any time before the land acquisition of the less than fee simple interest. If an existing boundary map and description of a parcel are determined by the department to be sufficient for appraisal purposes, the department may temporarily waive the requirement for a survey until any time before conveyance of title to the parcel.

(d) On behalf of the board of trustees and before the appraisal of parcels approved for purchase under ss. 259.105(3)(i) and 570.71, the department may enter into option contracts to buy less than fee simple interest in such parcels.

CODING: Words stricken are deletions; words underlined are additions.
Any such option contract must state that the final purchase price is subject to approval by the board of trustees and that the final purchase price may not exceed a fair market value as determined by the department, so long as the public’s interest is reasonably protected by law. Any such option contract presented to the board of trustees for final purchase price approval must 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.

(e) A final offer must be in the form of an option contract or agreement for purchase of the land less than fee simple interest and must be signed and attested to by the owner and the department. Before the department signs the agreement for purchase of the land less than fee simple interest or exercises the option contract, the requirements of s. 286.23 must be complied with.

(f) The procedures provided in s. 253.025(9)(a)-(d) and (10) must be followed.

(2) If the public’s interest is reasonably protected, the board of trustees may:

(a) Waive any requirement of this section.

(b) Waive any rules adopted pursuant to s. 570.71, notwithstanding chapter 120.

(c) Substitute any other reasonably prudent procedures, including federally mandated acquisition procedures, for the procedures in this section, if federal funds are available and
will be used for the purchase of land a less than fee simple interest in lands, title to which will vest in the board of trustees, and qualification for such federal funds requires compliance with federally mandated acquisition procedures.

(3) The less than fee simple land acquisition procedures provided in this section are for voluntary, negotiated acquisitions.

(4) For purposes of this section, the term “negotiations” does not include preliminary contacts with the property owner to determine availability or eligibility of the property, existing appraisal data, existing abstracts, and surveys.

(5) Appraisal reports are confidential and exempt from s. 119.07(1), for use by the department and the board of trustees, until an option contract is executed or, if an option contract is not executed, until 2 weeks before a contract or agreement for purchase is considered for approval by the board of trustees. However, the department has the authority, at its discretion, to disclose appraisal reports to private landowners during negotiations for acquisitions using alternatives to fee simple techniques, if the department determines that disclosure of such reports will bring the proposed acquisition to closure. The department may also disclose appraisal information to public agencies or nonprofit organizations that agree to maintain the confidentiality of the reports or information when joint acquisition of property is contemplated, or when a public agency or nonprofit organization enters into a written multiparty agreement with the department. For purposes of this subsection, the term “nonprofit organization” means an organization whose purposes include the preservation of natural resources, and
which is exempt from federal income tax under s. 501(c)(3) of
the Internal Revenue Code. The department may release an
appraisal report when the passage of time has rendered the
conclusions of value in the report invalid or when the
department has terminated negotiations.

Section 9. Type two transfer from the Agency for Persons
with Disabilities.—

(1) All powers, duties, functions, records, offices,
personnel, associated administrative support positions,
property, pending issues, existing contracts, administrative
authority, administrative rules, and unexpended balances of
appropriations, allocations, and other funds relating to the
William J. “Billy Joe” Rish Recreational Park within the Agency
for Persons with Disabilities are transferred by a type two
transfer, as defined in s. 20.06(2), Florida Statutes, to the
Department of Environmental Protection.

(2) Any binding contract or interagency agreement existing
before July 1, 2022, between the Agency for Persons with
Disabilities, or an entity or agency of the department, and any
other agency, entity, or person relating to the William J.
“Billy Joe” Rish Recreational Park shall continue as a binding
contract or agreement for the remainder of the term of the
contract or agreement on the successor entity responsible for
the program, activity, or functions relative to the contract or
agreement.

Section 10. Effective January 1, 2023, for the purpose of
incorporating the amendment made by this act to section 570.715,
Florida Statutes, in a reference thereto, subsection (7) of
section 253.0251, Florida Statutes, is reenacted to read:
253.0251 Alternatives to fee simple acquisition.—

(7) For less than fee simple acquisitions pursuant to s. 570.71, the Department of Agriculture and Consumer Services shall comply with the acquisition procedures set forth in s. 570.715.

Section 11. Effective January 1, 2023, for the purpose of incorporating the amendment made by this act to section 570.715, Florida Statutes, in a reference thereto, paragraph (i) of subsection (3) of section 259.105, Florida Statutes, is reenacted to read:

259.105 The Florida Forever Act.—

(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:

(i) 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 Florida Forever 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. 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.

Section 12. Notwithstanding the reversion and expiration of paragraph (a) of subsection (1) of section 570.93, Florida Statutes, by s. 44, ch. 2021-37, Laws of Florida, that paragraph is not amended as provided by that act, but is reenacted to read:

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

(1) The department shall establish an agricultural water conservation program that includes the following:

(a) A cost-share program, coordinated with the United States Department of Agriculture and other federal, state, regional, and local agencies when appropriate, for irrigation system retrofit and application of mobile irrigation laboratory evaluations, and for water conservation and water quality improvement pursuant to s. 403.067(7)(c).

Section 13. Except as otherwise expressly provided in this
act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2022.