1 A bill to be entitled 2 An act relating to the Land Acquisition Trust Fund; 3 providing legislative findings; amending s. 375.041, 4 F.S.; providing an annual appropriation to the 5 Department of Environmental Protection to implement 6 the Heartland Headwaters Protection and Sustainability 7 Act; requiring the funds to be used and distributed 8 for specified purposes; providing an effective date. 9 10 Be It Enacted by the Legislature of the State of Florida: 11 The Legislature finds that: 12 Section 1. 13 The Legislature unanimously approved CS/CS/HB 573, the 14 Headwaters Protection and Sustainability Act, in 2017, to protect the headwaters of the Alafia, Hillsborough, Kissimmee, 15 16 Ocklawaha, Peace, and Withlacoochee Rivers located in the Green 17 Swamp and Polk County, which are some of the most important and 18 vulnerable water resources in the state. 19 (2) In the same act, the Legislature declared that it is 20 an important state interest to partner with regional water supply authorities and local governments, in accordance with s. 21 22 373.705, Florida Statutes, to protect the water resources of the 23 headwaters of the Alafia, Hillsborough, Kissimmee, Ocklawaha, 24 Peace, and Withlacoochee Rivers and the surrounding areas. 25 (3) In 2020, the Central Florida Water Initiative Water

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Supply Plan developed pursuant to s. 373.0465, Florida Statutes, projected the population of the region to reach 4.4 million by 2040, which is a 49 percent increase from a 2015 estimate. The total average of surface and ground water use in the initiative planning area is projected to increase 36 percent from 667 million gallons per day in 2015 to 908 million gallons per day in 2040.

- (4) The Central Florida Water Initiative Water Supply Plan concluded that in some areas of the initiative planning area, fresh groundwater is near or has exceeded the limits of groundwater availability and that alternative water sources will need to be developed along with additional water conservation efforts and local management strategies to meet the 2040 projected water demands or currently permitted allocations while allowing currently stressed water resources and natural systems to recover.
- (5) Consistent funding support is required in order to support the efforts of the water management districts to protect the rivers, springs, and wetlands in the region while providing for responsible development of the water resources to support growth and provide for public health and safety.
- Section 2. 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

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pursuant to s. 201.15 shall be applied:

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

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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. 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 this paragraph 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 this paragraph 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

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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) 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 sum of \$50 million shall be appropriated annually to the South Florida Water Management District for the Lake Okeechobee Watershed Restoration Project in accordance with s. 373.4599. This distribution must be reduced by an amount equal

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to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2021, for the purposes set forth in this subparagraph.

- 6. The sum of \$100 million shall be appropriated annually to the Department of Environmental Protection for the acquisition of land pursuant to s. 259.105.
- 7. The sum of \$20 million shall be appropriated annually to the Department of Environmental Protection to implement the Heartland Headwaters Protection and Sustainability Act pursuant to chapter 2017-111, Laws of Florida. The funds must be used to enter into financial assistance agreements and distributed in accordance with the projects identified in the Heartland Headwaters Annual Report submitted to the Legislature pursuant to s. 373.463 to finance the cost of designing or constructing projects that protect, restore, or enhance the headwaters of the river systems located in Heartland Region of Central Florida. This distribution shall be reduced by an amount equal to the debt service paid pursuant to paragraph (a) on bonds issued after July 1, 2024, for the purposes set forth in this subparagraph.
  - Section 3. This act shall take effect July 1, 2024.