

By Senator Rodriguez

40-00830-24

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1                                   A bill to be entitled  
 2       An act relating to the Land Acquisition Trust Fund;  
 3       amending s. 375.041, F.S.; requiring an annual  
 4       appropriation from the Land Acquisition Trust Fund to  
 5       the Department of Environmental Protection to  
 6       implement the Florida Keys Stewardship Act or to  
 7       acquire land within the Florida Keys Area of Critical  
 8       State Concern for specified purposes; prohibiting the  
 9       department from using the appropriated funds to  
 10      implement wastewater management projects or programs;  
 11      requiring that the distribution be reduced by a  
 12      specified amount; providing an effective date.

13  
 14 Be It Enacted by the Legislature of the State of Florida:

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 16       Section 1. Subsection (3) of section 375.041, Florida  
 17 Statutes, is amended to read:

18       375.041 Land Acquisition Trust Fund.—

19       (3) Funds distributed into the Land Acquisition Trust Fund  
 20 pursuant to s. 201.15 shall be applied:

21       (a) First, to pay debt service or to fund debt service  
 22 reserve funds, rebate obligations, or other amounts payable with  
 23 respect to Florida Forever bonds issued under s. 215.618; and  
 24 pay debt service, provide reserves, and pay rebate obligations  
 25 and other amounts due with respect to Everglades restoration  
 26 bonds issued under s. 215.619; and

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

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30           1. A minimum of the lesser of 25 percent or \$200 million  
31 shall be appropriated annually for Everglades projects that  
32 implement the Comprehensive Everglades Restoration Plan as set  
33 forth in s. 373.470, including the Central Everglades Planning  
34 Project subject to congressional authorization; the Long-Term  
35 Plan as defined in s. 373.4592(2); and the Northern Everglades  
36 and Estuaries Protection Program as set forth in s. 373.4595.  
37 From these funds, \$32 million shall be distributed each fiscal  
38 year through the 2023-2024 fiscal year to the South Florida  
39 Water Management District for the Long-Term Plan as defined in  
40 s. 373.4592(2). After deducting the \$32 million distributed  
41 under this subparagraph, from the funds remaining, a minimum of  
42 the lesser of 76.5 percent or \$100 million shall be appropriated  
43 each fiscal year through the 2025-2026 fiscal year for the  
44 planning, design, engineering, and construction of the  
45 Comprehensive Everglades Restoration Plan as set forth in s.  
46 373.470, including the Central Everglades Planning Project, the  
47 Everglades Agricultural Area Storage Reservoir Project, the Lake  
48 Okeechobee Watershed Project, the C-43 West Basin Storage  
49 Reservoir Project, the Indian River Lagoon-South Project, the  
50 Western Everglades Restoration Project, and the Picayune Strand  
51 Restoration Project. The Department of Environmental Protection  
52 and the South Florida Water Management District shall give  
53 preference to those Everglades restoration projects that reduce  
54 harmful discharges of water from Lake Okeechobee to the St.  
55 Lucie or Caloosahatchee estuaries in a timely manner. For the  
56 purpose of performing the calculation provided in this  
57 subparagraph, the amount of debt service paid pursuant to  
58 paragraph (a) for bonds issued after July 1, 2016, for the

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59 purposes set forth under this paragraph shall be added to the  
60 amount remaining after the payments required under paragraph  
61 (a). The amount of the distribution calculated shall then be  
62 reduced by an amount equal to the debt service paid pursuant to  
63 paragraph (a) on bonds issued after July 1, 2016, for the  
64 purposes set forth under this subparagraph.

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

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

84 4. The sum of \$64 million is appropriated and shall be  
85 transferred to the Everglades Trust Fund for the 2018-2019  
86 fiscal year, and each fiscal year thereafter, for the EAA  
87 reservoir project pursuant to s. 373.4598. Any funds remaining

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88 in any fiscal year shall be made available only for Phase II of  
89 the C-51 reservoir project or projects identified in  
90 subparagraph 1. and must be used in accordance with laws  
91 relating to such projects. Any funds made available for such  
92 purposes in a fiscal year are in addition to the amount  
93 appropriated under subparagraph 1. This distribution shall be  
94 reduced by an amount equal to the debt service paid pursuant to  
95 paragraph (a) on bonds issued after July 1, 2017, for the  
96 purposes set forth in this subparagraph.

97 5. The sum of \$50 million shall be appropriated annually to  
98 the South Florida Water Management District for the Lake  
99 Okeechobee Watershed Restoration Project in accordance with s.  
100 373.4599. This distribution must be reduced by an amount equal  
101 to the debt service paid pursuant to paragraph (a) on bonds  
102 issued after July 1, 2021, for the purposes set forth in this  
103 subparagraph.

104 6. The sum of \$100 million shall be appropriated annually  
105 to the Department of Environmental Protection for the  
106 acquisition of land pursuant to s. 259.105.

107 7.a. The sum of \$20 million shall be appropriated annually  
108 to the Department of Environmental Protection for the purpose  
109 of:

110 (I) Implementing the Florida Keys Stewardship Act, chapter  
111 2016-225, Laws of Florida, by entering into financial assistance  
112 agreements with local governments located in the Florida Keys  
113 Area of Critical State Concern or the City of Key West Area of  
114 Critical State Concern to promote the protection or restoration  
115 of Florida Bay, the Florida Keys, and nearshore marine  
116 ecosystems, including coral reefs; or

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117 (II) Acquiring land within the Florida Keys Area of  
118 Critical State Concern as authorized under s. 259.045, with  
119 increased priority given to acquisitions that achieve a  
120 combination of conservation goals, including protecting the  
121 state's water resources and natural groundwater recharge.

122 b. Notwithstanding any other law, the department may not  
123 use the appropriated funds to implement wastewater management  
124 projects or programs.

125 c. The distribution must be reduced by an amount equal to  
126 the debt service paid pursuant to paragraph (a) on bonds issued  
127 after July 1, 2024, for the purposes set forth in this  
128 subparagraph.

129 Section 2. This act shall take effect July 1, 2024.