

By Senator Dean

5-00328-15

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1 A bill to be entitled
2 An act relating to the implementation of the water and
3 land conservation constitutional amendment;
4 terminating certain trust funds within the Department
5 of Environmental Protection, the Department of
6 Agriculture and Consumer Services, and the Fish and
7 Wildlife Conservation Commission; providing for the
8 disposition of balances in, revenues of, and all
9 outstanding appropriations of the trust funds;
10 requiring the departments and the commission,
11 respectively, to pay outstanding debts or obligations
12 of the trust funds; requiring that the Chief Financial
13 Officer close out and remove the terminated funds from
14 the state accounting system; amending s. 17.61, F.S.;
15 requiring moneys in land acquisition trust funds
16 created or designated to receive funds under s. 28,
17 Art. X of the State Constitution to be retained in
18 those trust funds; repealing s. 161.05301, F.S.,
19 relating to beach erosion control project staffing;
20 amending s. 161.054, F.S.; redirecting certain
21 proceeds from the Ecosystem Management and Restoration
22 Trust Fund to the Florida Coastal Protection Trust
23 Fund; amending s. 161.091, F.S.; authorizing
24 disbursements from the Land Acquisition Trust Fund for
25 the beach management plan; amending s. 211.3103, F.S.;
26 authorizing a percentage of proceeds from the
27 phosphate rock excise tax to be credited to the State
28 Park Trust Fund; amending s. 215.20, F.S.; conforming
29 provisions to changes made by the act; amending s.

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30 215.618, F.S.; authorizing Florida Forever bonds to be
31 issued to finance or refinance the acquisition and
32 improvement of land, water areas, and related property
33 interests; amending ss. 215.619, 253.027, and 253.03,
34 F.S.; conforming provisions to changes made by the
35 act; amending s. 253.034, F.S.; requiring proceeds
36 from the sale of surplus conservation lands before a
37 certain date to be deposited into the Florida Forever
38 Trust Fund and after such date under certain
39 circumstances into the Land Acquisition Trust Fund;
40 prohibiting more than a certain amount of funds to be
41 expended from the Land Acquisition Trust Fund for
42 funding a certain contractual arrangement; amending s.
43 253.7824, F.S.; conforming provisions to changes made
44 by the act; amending s. 258.435, F.S.; requiring
45 moneys received in trust by the Department of
46 Environmental Protection relating to aquatic preserves
47 to be deposited into the State Park Trust Fund;
48 amending s. 259.032, F.S.; conforming provisions
49 affected by the termination of the Conservation and
50 Recreation Lands Trust Fund; authorizing state
51 agencies designated to manage lands acquired with
52 funds deposited into the Land Acquisition Trust Fund
53 to contract with local governments and soil and water
54 conservation districts to assist in management
55 activities; amending s. 259.035, F.S.; requiring the
56 Acquisition and Restoration Council to develop rules
57 defining specific criteria and numeric performance
58 measures needed for lands acquired with funds

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59 deposited into the Land Acquisition Trust Fund
60 pursuant to s. 28(a), Art. X of the State
61 Constitution; requiring the proposed rules to be
62 submitted to the Legislature for consideration;
63 requiring recipients of funds from the Land
64 Acquisition Trust Fund to annually report to the
65 Division of State Lands; requiring the council to
66 consider and evaluate in writing each project proposed
67 for acquisition using such funds and ensure that each
68 proposed project meets the requirements of s. 28, Art.
69 X of the State Constitution; amending ss. 259.036,
70 259.037, 259.04, and 259.041, F.S.; conforming cross-
71 references; amending s. 259.101, F.S.; conforming
72 provisions affected by the termination of the
73 Preservation 2000 Trust Fund; requiring agencies and
74 water management districts that acquired lands using
75 Preservation 2000 funds to make them available for
76 public recreational use; requiring water management
77 districts and the department to control the growth of
78 nonnative invasive plant species on certain lands;
79 amending s. 259.105, F.S.; deleting obsolete
80 provisions; conforming cross-references; prohibiting
81 more than a certain amount of funds to be expended
82 from the Land Acquisition Trust Fund for funding a
83 certain contractual arrangement; amending s. 259.1051,
84 F.S.; conforming cross-references; amending s.
85 338.250, F.S.; conforming provisions to changes made
86 by the act; repealing s. 373.026(8)(c), F.S., relating
87 to the use of state funds for land purchases for

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88 certain projects; amending s. 373.089, F.S.;

89 conforming provisions to changes made by the act;

90 amending s. 373.129, F.S.; requiring certain civil

91 penalties to be deposited into the Water Quality

92 Assurance Trust Fund; amending ss. 373.1391 and

93 373.199, F.S.; conforming provisions to changes made

94 by the act; amending s. 373.430, F.S.; requiring

95 certain moneys to be deposited into the Florida Permit

96 Fee Trust Fund rather than the Ecosystem Management

97 and Restoration Trust Fund; amending ss. 373.459,

98 373.4592, 373.45926, 373.470, and 373.584, F.S.;

99 conforming provisions to changes made by the act;

100 amending s. 373.59, F.S.; conforming provisions

101 affected by the termination of the Water Management

102 Lands Trust Fund; amending s. 373.5905, F.S.;

103 conforming a cross-reference; amending ss. 373.703 and

104 375.031, F.S.; conforming provisions to changes made

105 by the act; amending s. 375.041, F.S.; designating the

106 Land Acquisition Trust Fund within the Department of

107 Environmental Protection for receipt of certain

108 documentary stamp tax revenues for the prescribed uses

109 of s. 28, Art. X of the State Constitution; providing

110 priority for the use of moneys in the trust fund;

111 requiring agencies receiving transfers of moneys from

112 the fund to maintain the integrity of such funds;

113 amending s. 375.044, F.S.; conforming provisions to

114 changes made by the act; repealing s. 375.045, F.S.,

115 relating to the Florida Preservation 2000 Trust Fund;

116 amending s. 375.075, F.S.; conforming provisions to

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117 changes made by the act; amending s. 376.11, F.S.;

118 revising the funds required to be deposited into the

119 Florida Coastal Protection Trust Fund and the purposes

120 for which such funds may be used; amending s. 376.123,

121 F.S.; conforming a cross-reference; amending s.

122 376.307, F.S.; revising the funds required to be

123 deposited into the Water Quality Assurance Trust Fund

124 and the purposes for which such funds may be used;

125 amending s. 376.40, F.S.; conforming a cross-

126 reference; repealing s. 379.202, F.S., relating to the

127 Conservation and Recreation Lands Program Trust Fund

128 of the Fish and Wildlife Conservation Commission;

129 amending s. 379.206, F.S.; requiring grants and

130 donations from development-of-regional-impact wildlife

131 mitigation contributions to be credited to the Grants

132 and Donations Trust Fund; amending s. 379.212, F.S.;

133 providing that the Land Acquisition Trust Fund within

134 the Fish and Wildlife Conservation Commission shall be

135 used to implement s. 28, Art. X of the State

136 Constitution; authorizing the department to transfer

137 certain funds; requiring the commission to maintain

138 the integrity of such funds; amending s. 379.362,

139 F.S.; requiring the Department of Agriculture and

140 Consumer Services to use funds appropriated from the

141 Land Acquisition Fund within the Department of

142 Environmental Protection to fund certain oyster

143 management and restoration programs; amending s.

144 380.0666, F.S.; conforming provisions to changes made

145 by the act; repealing s. 380.0677, F.S., relating to

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146 the Green Swamp Land Authority; amending s. 380.507,
147 F.S.; conforming provisions to changes made by the
148 act; amending s. 380.508, F.S.; requiring certain
149 funds to be credited to or deposited into the Internal
150 Improvement Trust Fund; requiring funds over and above
151 eligible project costs to be deposited into the
152 Florida Forever Trust Fund rather than the Florida
153 Communities Trust Fund; amending s. 380.510, F.S.;
154 requiring certain funds collected under a grant or
155 loan agreement to be deposited into the Internal
156 Improvement Trust Fund rather than the Florida
157 Communities Trust Fund; requiring the deed or lease of
158 any real property acquired with certain funds to
159 contain covenants and restrictions sufficient to
160 ensure that the use of such real property complies
161 with s. 28, Art. X of the State Constitution;
162 repealing s. 380.511, F.S., relating to the Florida
163 Communities Trust Fund; amending s. 403.0615, F.S.;
164 conforming provisions to changes made by the act;
165 amending ss. 403.08601 and 403.121, F.S.; requiring
166 certain funds to be deposited into the Water Quality
167 Assurance Trust Fund rather than the Ecosystem
168 Management and Restoration Trust Fund; repealing s.
169 403.1651, F.S., relating to the Ecosystem Management
170 and Restoration Trust Fund; amending s. 403.885, F.S.;
171 conforming provisions to changes made by the act;
172 repealing s. 403.8911, F.S., relating to the annual
173 appropriation from the Water Protection and
174 Sustainability Program Trust Fund; amending s.

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175 403.9325, F.S.; redefining the term "public lands set
176 aside for conservation or preservation" to include
177 lands and interests acquired with funds deposited into
178 the Land Acquisition Trust Fund; amending s.
179 403.93345, F.S.; redefining the term "fund" to mean
180 the Water Quality Assurance Trust Fund; requiring
181 certain funds to be deposited into the Water Quality
182 Assurance Trust Fund rather than the Ecosystem
183 Management and Restoration Trust Fund; repealing s.
184 570.207, F.S., relating to the Conservation and
185 Recreation Lands Program Trust Fund of the Department
186 of Agriculture and Consumer Services; amending s.
187 570.321, F.S.; conforming provisions to changes made
188 by the act; amending s. 570.71, F.S.; excluding funds
189 from the Land Acquisition Trust Fund from being
190 deposited into the Incidental Trust Fund under certain
191 circumstances; amending s. 895.09, F.S.; conforming
192 provisions to changes made by the act; making
193 technical changes; reenacting s. 260.015(1)(c), F.S.,
194 to incorporate the amendment made by this act to s.
195 259.035, F.S., in a reference thereto; reenacting s.
196 258.015(3)(b), F.S., to incorporate the amendment made
197 by this act to s. 375.041, F.S., in a reference
198 thereto; reenacting s. 287.0595(2), F.S., to
199 incorporate the amendment made by this act to s.
200 376.307, F.S., in a reference thereto; providing an
201 effective date.

202
203 Be It Enacted by the Legislature of the State of Florida:

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Section 1. (1) The following trust funds within the Department of Environmental Protection are terminated:

(a) The Florida Preservation 2000 Trust Fund, FLAIR number 37-2-332.

(b) The Florida Communities Trust Fund, FLAIR number 37-2-244.

(c) The Ecosystem Management and Restoration Trust Fund, FLAIR number 37-2-193.

(d) The Water Management Lands Trust Fund, FLAIR number 37-2-776.

(e) The Conservation and Recreation Lands Trust Fund, FLAIR number 37-2-131.

(2) (a) All current balances remaining in, and all revenues of, the Florida Preservation 2000 Trust Fund shall be transferred to the Florida Forever Trust Fund, FLAIR number 37-2-348, within the Department of Environmental Protection.

(b) The Department of Environmental Protection shall pay any outstanding debts and obligations of the Florida Preservation 2000 Trust Fund as soon as practicable and the Chief Financial Officer shall close out and remove that terminated trust fund from the various state accounting systems using generally accepted accounting principles concerning warrants outstanding, assets, and liabilities.

(3) (a) All undisbursed, unobligated balances of appropriations from the Florida Communities Trust Fund which have reverted pursuant to s. 216.301, Florida Statutes, shall be transferred to the Florida Forever Trust Fund, FLAIR number 37-2-348, within the Department of Environmental Protection as soon

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233 as practicable after September 30, 2015, as to reverted
234 appropriations for operations and as soon as practicable after
235 the Governor furnishes the annual report required pursuant to s.
236 216.301(2), Florida Statutes, as to reverted fixed capital
237 outlay appropriations. All such reverted and transferred
238 balances must be available for reappropriation by the
239 Legislature.

240 (b) All undisbursed, unobligated balances of appropriations
241 from the Ecosystem Management and Restoration Trust Fund which
242 have reverted pursuant to s. 216.301, Florida Statutes, shall be
243 transferred to the Water Quality Assurance Trust Fund, FLAIR
244 number 37-2-780, within the Department of Environmental
245 Protection as soon as practicable after September 30, 2015, as
246 to reverted appropriations for operations and as soon as
247 practicable after the Governor furnishes the annual report
248 required pursuant to s. 216.301(2), Florida Statutes, as to
249 reverted fixed capital outlay appropriations. All such reverted
250 and transferred balances must be available for reappropriation
251 by the Legislature.

252 (c) All undisbursed, unobligated balances of appropriations
253 from the Water Management Lands Trust Fund which have reverted
254 pursuant to s. 216.301, Florida Statutes, shall be transferred
255 to the Water Quality Assurance Trust Fund, FLAIR number 37-2-
256 780, within the Department of Environmental Protection as soon
257 as practicable after September 30, 2015, as to reverted
258 appropriations for operations and as soon as practicable after
259 the Governor furnishes the annual report required pursuant to s.
260 216.301(2), Florida Statutes, as to reverted fixed capital
261 outlay appropriations. All such reverted and transferred

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262 balances must be available for reappropriation by the
263 Legislature.

264 (d) All undisbursed, unobligated balances of fixed capital
265 outlay appropriations in the Conservation and Recreation Lands
266 Trust Fund which have reverted pursuant to s. 216.301, Florida
267 Statutes, shall be transferred to the Water Quality Assurance
268 Trust Fund, FLAIR number 37-2-780, within the Department of
269 Environmental Protection as soon as practicable after September
270 30, 2015, as to reverted appropriations for operations and as
271 soon as practicable after the Governor furnishes the annual
272 report required pursuant to s. 216.301(2), Florida Statutes, as
273 to reverted fixed capital outlay appropriations. All such
274 reverted and transferred balances must be available for
275 reappropriation by the Legislature.

276 (e) The Department of Environmental Protection shall pay
277 any outstanding debts and obligations of each of the trust funds
278 identified in paragraphs (a)-(d) as soon as practicable. After
279 the payment of all such outstanding debts and obligations and
280 the transfer of all reverted undisbursed and unobligated
281 appropriation balances from a trust fund identified in
282 paragraphs (a)-(d), the Chief Financial Officer shall close out
283 and remove each such trust fund from the various state
284 accounting systems using generally accepted accounting
285 principles concerning warrants outstanding, assets, and
286 liabilities.

287 Section 2. (1) The Conservation and Recreation Lands
288 Program Trust Fund, FLAIR number 42-2-931, within the Department
289 of Agriculture and Consumer Services is terminated.

290 (2) The Department of Agriculture and Consumer Services

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291 shall pay any outstanding debts or obligations of the terminated
292 trust fund as soon as practicable, and the Chief Financial
293 Officer shall close out and remove that terminated trust fund
294 from the various state accounting systems using generally
295 accepted accounting principles concerning warrants outstanding,
296 assets, and liabilities.

297 Section 3. (1) The Conservation and Recreation Lands
298 Program Trust Fund, FLAIR number 72-2-931, within the Fish and
299 Wildlife Conservation Commission is terminated.

300 (2) The Fish and Wildlife Conservation Commission shall pay
301 any outstanding debts or obligations of the terminated trust
302 fund as soon as practicable, and the Chief Financial Officer
303 shall close out and remove that terminated trust fund from the
304 various state accounting systems using generally accepted
305 accounting principles concerning warrants outstanding, assets,
306 and liabilities.

307 Section 4. Paragraph (e) is added to subsection (3) of
308 section 17.61, Florida Statutes, to read:

309 17.61 Chief Financial Officer; powers and duties in the
310 investment of certain funds.-

311 (3)

312 (e) Moneys in any land acquisition trust fund created or
313 designated to receive funds under s. 28, Art. X of the State
314 Constitution may not be invested as provided in this section,
315 but shall be retained in those trust funds, with the interest
316 appropriated to the General Revenue Fund, as provided in s.
317 17.57.

318 Section 5. Section 161.05301, Florida Statutes, is
319 repealed.

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320 Section 6. Subsection (3) of section 161.054, Florida
321 Statutes, is amended to read:

322 161.054 Administrative fines; liability for damage; liens.—

323 (3) The imposition of a fine or an award of damages
324 pursuant to this section shall create a lien upon the real and
325 personal property of the violator, enforceable by the department
326 as are statutory liens under chapter 85. The proceeds of such
327 fines and awards of damages shall be deposited in the Florida
328 Coastal Protection Ecosystem Management and Restoration Trust
329 Fund.

330 Section 7. Subsections (1) and (3) of section 161.091,
331 Florida Statutes, are amended to read:

332 161.091 Beach management; funding; repair and maintenance
333 strategy.—

334 (1) Subject to such appropriations as the Legislature may
335 make therefor from time to time, disbursements from the Land
336 Acquisition Ecosystem Management and Restoration Trust Fund may
337 be made by the department in order to carry out the proper state
338 responsibilities in a comprehensive, long-range, statewide beach
339 management plan for erosion control; beach preservation,
340 restoration, and nourishment; and storm and hurricane protection
341 and other activities authorized for beaches and shores pursuant
342 to s. 28, Art. X of the State Constitution. Legislative intent
343 in appropriating such funds is for the implementation of those
344 projects that contribute most significantly to addressing the
345 state's beach erosion problems.

346 (3) In accordance with the intent expressed in s. 161.088
347 and the legislative finding that erosion of the beaches of this
348 state is detrimental to tourism, the state's major industry,

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349 further exposes the state's highly developed coastline to severe
350 storm damage, and threatens beach-related jobs, which, if not
351 stopped, may significantly reduce state sales tax revenues,
352 funds deposited into the State Treasury to the credit of the
353 Land Acquisition Ecosystem Management and Restoration Trust
354 Fund, ~~in the annual amounts provided in s. 201.15,~~ shall be
355 ~~used, for a period of not less than 15 years,~~ to fund the
356 development, implementation, and administration of the state's
357 beach management plan, as provided in ss. 161.091-161.212 and as
358 authorized in s. 28, Art. X of the State Constitution, ~~prior to~~
359 ~~the use of such funds deposited pursuant to s. 201.15 in that~~
360 ~~trust fund for any other purpose.~~

361 Section 8. Paragraphs (a) and (b) of subsection (6) of
362 section 211.3103, Florida Statutes, are amended to read:

363 211.3103 Levy of tax on severance of phosphate rock; rate,
364 basis, and distribution of tax.-

365 (6) (a) Beginning January 1, 2023 ~~July 1 of the 2011-2012~~
366 ~~fiscal year~~, the proceeds of all taxes, interest, and penalties
367 imposed under this section are exempt from the general revenue
368 service charge provided in s. 215.20, and such proceeds shall be
369 paid into the State Treasury as follows:

370 1. To the credit of the State Park Conservation and
371 ~~Recreation Lands~~ Trust Fund, 25.5 percent.

372 2. To the credit of the General Revenue Fund of the state,
373 35.7 percent.

374 3. For payment to counties in proportion to the number of
375 tons of phosphate rock produced from a phosphate rock matrix
376 located within such political boundary, 12.8 percent. The
377 department shall distribute this portion of the proceeds

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378 annually based on production information reported by the
379 producers on the annual returns for the taxable year. Any such
380 proceeds received by a county shall be used only for phosphate-
381 related expenses.

382 4. For payment to counties that have been designated as a
383 rural area of opportunity pursuant to s. 288.0656 in proportion
384 to the number of tons of phosphate rock produced from a
385 phosphate rock matrix located within such political boundary,
386 10.0 percent. The department shall distribute this portion of
387 the proceeds annually based on production information reported
388 by the producers on the annual returns for the taxable year.
389 Payments under this subparagraph shall be made to the counties
390 unless the Legislature by special act creates a local authority
391 to promote and direct the economic development of the county. If
392 such authority exists, payments shall be made to that authority.

393 5. To the credit of the Nonmandatory Land Reclamation Trust
394 Fund, 6.2 percent.

395 6. To the credit of the Phosphate Research Trust Fund in
396 the Division of Universities of the Department of Education, 6.2
397 percent.

398 7. To the credit of the Minerals Trust Fund, 3.6 percent.

399 (b) Notwithstanding paragraph (a), from January 1, 2015,
400 until December 31, 2022, the proceeds of all taxes, interest,
401 and penalties imposed under this section are exempt from the
402 general revenue service charge provided in s. 215.20, and such
403 proceeds shall be paid to the State Treasury as follows:

404 1. To the credit of the State Park Conservation and
405 ~~Recreation Lands~~ Trust Fund, 22.8 percent.

406 2. To the credit of the General Revenue Fund of the state,

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407 31.9 percent.

408 3. For payment to counties pursuant to subparagraph (a)3.,
409 11.5 percent.

410 4. For payment to counties pursuant to subparagraph (a)4.,
411 8.9 percent.

412 5. To the credit of the Nonmandatory Land Reclamation Trust
413 Fund, 16.1 percent.

414 6. To the credit of the Phosphate Research Trust Fund in
415 the Division of Universities of the Department of Education, 5.6
416 percent.

417 7. To the credit of the Minerals Trust Fund, 3.2 percent.

418 Section 9. Subsection (2) of section 215.20, Florida
419 Statutes, is amended to read:

420 215.20 Certain income and certain trust funds to contribute
421 to the General Revenue Fund.—

422 (2) Notwithstanding the provisions of subsection (1), the
423 trust funds of the Department of Citrus and the Department of
424 Agriculture and Consumer Services, including funds collected in
425 the General Inspection Trust Fund for marketing orders and in
426 the Florida Citrus Advertising Trust Fund, shall be subject to a
427 4 percent service charge, which is hereby appropriated to the
428 General Revenue Fund. This subsection ~~paragraph~~ does not apply
429 to ~~the Conservation and Recreation Lands Program Trust Fund,~~ the
430 Citrus Inspection Trust Fund, the Florida Forever Program Trust
431 Fund, the Market Improvements Working Capital Trust Fund, the
432 Pest Control Trust Fund, the Plant Industry Trust Fund, or other
433 funds collected in the General Inspection Trust Fund in the
434 Department of Agriculture and Consumer Services.

435 Section 10. Paragraph (a) of subsection (1) and subsections

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436 (2) and (6) of section 215.618, Florida Statutes, are amended to
437 read:

438 215.618 Bonds for acquisition and improvement of land,
439 water areas, and related property interests and resources.—

440 (1) (a) The issuance of Florida Forever bonds, not to exceed
441 \$5.3 billion, to finance or refinance the cost of acquisition
442 and improvement of land, water areas, and related property
443 interests and resources, in urban and rural settings, for the
444 purposes of restoration, conservation, recreation, water
445 resource development, or historical preservation, and for
446 capital improvements to lands and water areas that accomplish
447 environmental restoration, enhance public access and
448 recreational enjoyment, promote long-term management goals, and
449 facilitate water resource development is hereby authorized,
450 subject to ~~the provisions of s. 259.105~~ and pursuant to s.
451 11(e), Art. VII of the State Constitution and, on or after July
452 1, 2015, to also finance or refinance the acquisition and
453 improvement of land, water areas, and related property interests
454 as provided in s. 28, Art. X of the State Constitution. ~~Florida~~
455 ~~Forever bonds may also be issued to refund Preservation 2000~~
456 ~~bonds issued pursuant to s. 375.051.~~ The \$5.3 billion limitation
457 on the issuance of Florida Forever bonds does not apply to
458 refunding bonds. The duration of each series of Florida Forever
459 bonds issued may not exceed 20 annual maturities. ~~Preservation~~
460 ~~2000 bonds and Florida Forever bonds shall be equally and~~
461 ~~ratably secured by moneys distributable to the Land Acquisition~~
462 ~~Trust Fund pursuant to s. 201.15(1) (a), except to the extent~~
463 ~~specifically provided otherwise by the documents authorizing the~~
464 ~~issuance of the bonds.~~

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465 (2) The state covenants ~~does hereby covenant~~ with the
466 holders of Florida Forever bonds ~~and Preservation 2000 bonds~~
467 that it will not take any action which will materially and
468 adversely affect the rights of such holders so long as such
469 bonds are outstanding, including, but not limited to, a
470 reduction in the portion of documentary stamp taxes
471 distributable to the Land Acquisition Trust Fund for payment of
472 debt service on ~~Preservation 2000 bonds or Florida Forever~~
473 bonds.

474 (6) Pursuant to authority granted under ~~by~~ s. 11(e), Art.
475 VII of the State Constitution, there is hereby continued and re-
476 created the Land Acquisition Trust Fund which shall ~~be a~~
477 ~~continuation of the Land Acquisition Trust Fund which exists for~~
478 ~~purposes of s. 9(a)(1), Art. XII of the State Constitution. The~~
479 ~~Land Acquisition Trust Fund shall continue beyond the~~
480 ~~termination of bonding authority provided for in s. 9(a)(1),~~
481 ~~Art. XII of the State Constitution, pursuant to the authority~~
482 ~~provided by s. 11(e), Art. VII of the State Constitution and~~
483 shall continue for so long as ~~Preservation 2000 bonds or Florida~~
484 Forever bonds are outstanding and secured by taxes distributable
485 thereto or until the requirement of s. 28(a), Art. X of the
486 State Constitution expires, whichever is later.

487 Section 11. Subsection (2) of section 215.619, Florida
488 Statutes, is amended to read:

489 215.619 Bonds for Everglades restoration.—

490 (2) The state covenants with the holders of Everglades
491 restoration bonds that it will not take any action that will
492 materially and adversely affect the rights of the holders so
493 long as the bonds are outstanding, including, but not limited

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494 to, a reduction in the portion of documentary stamp taxes
495 distributable under s. 201.15(1) for payment of debt service on
496 ~~Preservation 2000 bonds,~~ Florida Forever bonds, or Everglades
497 restoration bonds.

498 Section 12. Subsection (5) of section 253.027, Florida
499 Statutes, is amended to read:

500 253.027 Emergency archaeological property acquisition.—

501 (5) ACCOUNT EXPENDITURES.—

502 (a) No moneys shall be spent for the acquisition of any
503 property, including title works, appraisal fees, and survey
504 costs, unless:

505 1. The property is an archaeological property of major
506 statewide significance.

507 2. The structures, artifacts, or relics, or their historic
508 significance, will be irretrievably lost if the state cannot
509 acquire the property.

510 3. The site is presently on an acquisition list for
511 ~~Conservation and Recreation Lands or for~~ Florida Forever lands,
512 or complies with the criteria for inclusion on any such list,
513 but has yet to be included on the list.

514 4. No other source of immediate funding is available to
515 purchase or otherwise protect the property.

516 5. The site is not otherwise protected by local, state, or
517 federal laws.

518 6. The acquisition is not inconsistent with the state
519 comprehensive plan and the state land acquisition program.

520 (b) No moneys shall be spent from the account for
521 excavation or restoration of the properties acquired. Funds may
522 be spent for preliminary surveys to determine if the sites meet

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523 the criteria of this section. An amount not to exceed \$100,000
524 may also be spent from the account to inventory and evaluate
525 archaeological and historic resources on properties purchased,
526 or proposed for purchase, pursuant to s. 259.105(3)(b) ~~s.~~
527 ~~259.032~~.

528 Section 13. Subsection (12) of section 253.03, Florida
529 Statutes, is amended to read:

530 253.03 Board of trustees to administer state lands; lands
531 enumerated.—

532 (12) The Board of Trustees of the Internal Improvement
533 Trust Fund is hereby authorized to administer, manage, control,
534 conserve, protect, and sell all real property forfeited to the
535 state pursuant to ss. 895.01-895.09 or acquired by the state
536 pursuant to s. 607.0505 or former s. 620.192. The board is
537 directed to immediately determine the value of all such property
538 and shall ascertain whether the property is in any way
539 encumbered. If the board determines that it is in the best
540 interest of the state to do so, funds from the Internal
541 Improvement Trust Fund may be used to satisfy any such
542 encumbrances. If forfeited property receipts are not sufficient
543 to satisfy encumbrances on the property and expenses permitted
544 under this section, funds from another appropriate ~~the Land~~
545 ~~Acquisition~~ trust fund may be used to satisfy any such
546 encumbrances and expenses. All property acquired by the board
547 pursuant to s. 607.0505, former s. 620.192, or ss. 895.01-895.09
548 shall be sold as soon as commercially feasible unless the
549 Attorney General recommends and the board determines that
550 retention of the property in public ownership would effectuate
551 one or more of the following policies of statewide significance:

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552 protection or enhancement of floodplains, marshes, estuaries,
553 lakes, rivers, wilderness areas, wildlife areas, wildlife
554 habitat, or other environmentally sensitive natural areas or
555 ecosystems; or preservation of significant archaeological or
556 historical sites identified by the Secretary of State. In such
557 event the property shall remain in the ownership of the board,
558 to be controlled, managed, and disposed of in accordance with
559 this chapter, and the Internal Improvement Trust Fund shall be
560 reimbursed from the Land Acquisition Trust Fund, or other
561 appropriate fund designated by the board, for any funds expended
562 from the Internal Improvement Trust Fund pursuant to this
563 subsection in regard to such property. Upon the recommendation
564 of the Attorney General, the board may reimburse the
565 investigative agency for its investigative expenses, costs, and
566 attorneys' fees, and may reimburse law enforcement agencies for
567 actual expenses incurred in conducting investigations leading to
568 the forfeiture of such property from funds deposited in the
569 Internal Improvement Trust Fund of the Department of
570 Environmental Protection. The proceeds of the sale of property
571 acquired under s. 607.0505, former s. 620.192, or ss. 895.01-
572 895.09 shall be distributed as follows:

573 (a) After satisfaction of any valid claims arising under
574 ~~the provisions of~~ s. 895.09(1) (a) or (b), any moneys used to
575 satisfy encumbrances and expended as costs of administration,
576 appraisal, management, conservation, protection, sale, and real
577 estate sales services and any interest earnings lost to the ~~Land~~
578 ~~Acquisition~~ trust fund that was used as of a date certified by
579 the Department of Environmental Protection shall be replaced
580 first in the ~~Land Acquisition~~ trust fund that was used to

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581 satisfy any such encumbrance or expense, if those funds were
582 used, and then in the Internal Improvement Trust Fund; and

583 (b) The remainder shall be distributed as set forth in s.
584 895.09.

585 Section 14. Subsection (3), paragraphs (a) and (k) through
586 (n) of subsection (6), and subsections (10) and (11) of section
587 253.034, Florida Statutes, are amended to read:

588 253.034 State-owned lands; uses.—

589 (3) Recognizing ~~In recognition~~ that recreational trails
590 purchased with rails-to-trails funds pursuant to former s.
591 259.101(3)(g), Florida Statutes 2014, or s. 259.105(3)(h) have
592 had historic transportation uses and that their linear character
593 may extend many miles, the Legislature intends that if ~~when~~ the
594 necessity arises to serve public needs, after balancing the need
595 to protect trail users from collisions with automobiles and a
596 preference for the use of overpasses and underpasses to the
597 greatest extent feasible and practical, transportation uses
598 shall be allowed to cross recreational trails purchased pursuant
599 to former s. 259.101(3)(g), Florida Statutes 2014, or s.
600 259.105(3)(h). When these crossings are needed, the location and
601 design should consider and mitigate the impact on humans and
602 environmental resources, and the value of the land shall be paid
603 based on fair market value.

604 (6) The Board of Trustees of the Internal Improvement Trust
605 Fund shall determine which lands, the title to which is vested
606 in the board, may be surplus. For conservation lands, the
607 board shall determine whether the lands are no longer needed for
608 conservation purposes and may dispose of them by an affirmative
609 vote of at least three members. In the case of a land exchange

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610 involving the disposition of conservation lands, the board must
611 determine by an affirmative vote of at least three members that
612 the exchange will result in a net positive conservation benefit.
613 For all other lands, the board shall determine whether the lands
614 are no longer needed and may dispose of them by an affirmative
615 vote of at least three members.

616 (a) For the purposes of this subsection, all lands acquired
617 by the state before July 1, 1999, using proceeds from
618 Preservation 2000 bonds, the former Conservation and Recreation
619 Lands Trust Fund, the former Water Management Lands Trust Fund,
620 Environmentally Endangered Lands Program, and the Save Our Coast
621 Program and titled to the board which are identified as core
622 parcels or within original project boundaries are deemed to have
623 been acquired for conservation purposes.

624 (k) Proceeds from the any sale of surplus conservation
625 lands purchased before July 1, 2015, ~~pursuant to this subsection~~
626 shall be deposited into the Florida Forever Trust Fund ~~from~~
627 ~~which such lands were acquired.~~

628 (l) Proceeds from the sale of surplus conservation lands
629 purchased on or after July 1, 2015, shall be deposited into the
630 Land Acquisition Trust Fund or, if required by bond covenants,
631 into the trust fund from which the lands were purchased.
632 ~~However, if the fund from which the lands were originally~~
633 ~~acquired no longer exists, such proceeds shall be deposited into~~
634 ~~an appropriate account to be used for land management by the~~
635 ~~lead managing agency assigned the lands before the lands were~~
636 ~~declared surplus.~~

637 (m) Funds received from the sale of surplus nonconservation
638 lands, or lands that were acquired by gift, by donation, or for

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639 no consideration, shall be deposited into the Internal
640 Improvement Trust Fund.

641 (n)~~(l)~~ Notwithstanding this subsection, such disposition of
642 land may not be made if it would have the effect of causing all
643 or any portion of the interest on any revenue bonds issued to
644 lose the exclusion from gross income for federal income tax
645 purposes.

646 (o)~~(m)~~ The sale of filled, formerly submerged land that
647 does not exceed 5 acres in area is not subject to review by the
648 council or its successor.

649 (p)~~(n)~~ The board may adopt rules to administer this section
650 which may include procedures for administering surplus land
651 requests and criteria for when the division may approve requests
652 to surplus nonconservation lands on behalf of the board.

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

662 (a) Not inconsistent with the management plan for such
663 lands;

664 (b) Compatible with the natural ecosystem and resource
665 values of such lands;

666 (c) The proposed use is appropriately located on such lands
667 and where due consideration is given to the use of other

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668 available lands;

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

671 (e) The use is consistent with the public interest.

672

673 A decision by the board of trustees pursuant to this section
674 shall be given a presumption of correctness. Moneys received
675 from the use of state lands pursuant to this section shall be
676 returned to the lead managing entity in accordance with s.
677 259.032(9)(c) ~~the provisions of s. 259.032(11)(c).~~

678 (11) Lands listed as projects for acquisition may be
679 managed for conservation pursuant to s. 259.032, on an interim
680 basis by a private party in anticipation of a state purchase in
681 accordance with a contractual arrangement between the acquiring
682 agency and the private party that may include management service
683 contracts, leases, cost-share arrangements or resource
684 conservation agreements. Lands designated as eligible under this
685 subsection shall be managed to maintain or enhance the resources
686 the state is seeking to protect by acquiring the land. Funding
687 for these contractual arrangements may originate from the
688 documentary stamp tax revenue deposited into the Land
689 Acquisition Conservation and Recreation Lands Trust Fund ~~and~~
690 ~~Water Management Lands Trust Fund~~. No more than \$6.2 million may
691 be expended from the Land Acquisition Trust Fund ~~5 percent of~~
692 ~~funds allocated under the trust funds shall be expended~~ for this
693 purpose.

694 Section 15. Section 253.7824, Florida Statutes, is amended
695 to read:

696 253.7824 Sale of products; proceeds.—The department may

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697 authorize the removal and sale of products from the land where
 698 environmentally appropriate, the proceeds from which shall be
 699 deposited into the appropriate ~~in the Land Acquisition~~ trust
 700 fund pursuant to s. 253.034(6)(k), (l), or (m).

701 Section 16. Subsection (1) of section 258.435, Florida
 702 Statutes, is amended to read:

703 258.435 Use of aquatic preserves for the accommodation of
 704 visitors.—

705 (1) The Department of Environmental Protection shall
 706 promote the public use of aquatic preserves and their associated
 707 uplands. The department may receive gifts and donations to carry
 708 out the purpose of this part. Moneys received in trust by the
 709 department by gift, devise, appropriation, or otherwise, subject
 710 to the terms of such trust, shall be deposited into the State
 711 Park ~~Land Acquisition~~ Trust Fund and appropriated to the
 712 department for the administration, development, improvement,
 713 promotion, and maintenance of aquatic preserves and their
 714 associated uplands and for any future acquisition or development
 715 of aquatic preserves and their associated uplands.

716 Section 17. Section 259.032, Florida Statutes, is amended
 717 to read:

718 259.032 Conservation and recreation lands ~~Trust Fund,~~
 719 ~~purpose.~~—

720 (1) It is the policy of the state that the citizens of this
 721 state shall be assured public ownership of natural areas for
 722 purposes of maintaining this state's unique natural resources;
 723 protecting air, land, and water quality; promoting water
 724 resource development to meet the needs of natural systems and
 725 citizens of this state; promoting restoration activities on

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726 public lands; and providing lands for natural resource based
727 recreation. In recognition of this policy, it is the intent of
728 the Legislature to provide such public lands for the people
729 residing in urban and metropolitan areas of the state, as well
730 as those residing in less populated, rural areas. It is the
731 further intent of the Legislature, with regard to the lands
732 described in paragraph (2) (c) ~~(3) (e)~~, that a high priority be
733 given to the acquisition, restoration, and management of such
734 lands in or near counties exhibiting the greatest concentration
735 of population and, with regard to the lands described in
736 subsection (2) ~~(3)~~, that a high priority be given to acquiring
737 lands or rights or interests in lands that advance the goals and
738 objectives of the Fish and Wildlife Conservation Commission's
739 approved species or habitat recovery plans, or lands within any
740 area designated as an area of critical state concern under s.
741 380.05 which, in the judgment of the advisory council
742 established pursuant to s. 259.035, or its successor, cannot be
743 adequately protected by application of land development
744 regulations adopted pursuant to s. 380.05. Finally, it is the
745 Legislature's intent that lands acquired for conservation and
746 recreation purposes ~~through this program and any successor~~
747 ~~programs~~ be managed in such a way as to protect or restore their
748 natural resource values, and provide the greatest benefit,
749 including public access, to the citizens of this state.

750 ~~(2) (a) The Conservation and Recreation Lands Trust Fund is~~
751 ~~established within the Department of Environmental Protection.~~
752 ~~The fund shall be used as a nonlapsing, revolving fund~~
753 ~~exclusively for the purposes of this section. The fund shall be~~
754 ~~credited with proceeds from the following excise taxes:~~

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755 ~~1. The excise taxes on documents as provided in s. 201.15,~~
756 ~~and~~

757 ~~2. The excise tax on the severance of phosphate rock as~~
758 ~~provided in s. 211.3103.~~

759
760 ~~The Department of Revenue shall credit to the fund each month~~
761 ~~the proceeds from such taxes as provided in this paragraph.~~

762 ~~(b) There shall annually be transferred from the~~
763 ~~Conservation and Recreation Lands Trust Fund to the Land~~
764 ~~Acquisition Trust Fund that amount, not to exceed \$20 million~~
765 ~~annually, as shall be necessary to pay the debt service on, or~~
766 ~~fund debt service reserve funds, rebate obligations, or other~~
767 ~~amounts with respect to bonds issued pursuant to s. 375.051 to~~
768 ~~acquire lands on the established priority list developed~~
769 ~~pursuant to ss. 259.101(4) and 259.105; however, no moneys~~
770 ~~transferred to the Land Acquisition Trust Fund pursuant to this~~
771 ~~paragraph, or earnings thereon, shall be used or made available~~
772 ~~to pay debt service on the Save Our Coast revenue bonds. Amounts~~
773 ~~transferred annually from the Conservation and Recreation Lands~~
774 ~~Trust Fund to the Land Acquisition Trust Fund pursuant to this~~
775 ~~paragraph shall have the highest priority over other payments or~~
776 ~~transfers from the Conservation and Recreation Lands Trust Fund,~~
777 ~~and no other payments or transfers shall be made from the~~
778 ~~Conservation and Recreation Lands Trust Fund until such~~
779 ~~transfers to the Land Acquisition Trust Fund have been made.~~
780 ~~Moneys in the Conservation and Recreation Lands Trust Fund also~~
781 ~~shall be used to manage lands and to pay for related costs,~~
782 ~~activities, and functions pursuant to the provisions of this~~
783 ~~section.~~

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784 ~~(2)~~(3) The Governor and Cabinet, sitting as the Board of
785 Trustees of the Internal Improvement Trust Fund, may expend
786 ~~allocate~~ moneys appropriated by the Legislature ~~from the fund in~~
787 ~~any one year~~ to acquire the fee or any lesser interest in lands
788 for the following public purposes:

789 (a) To conserve and protect environmentally unique and
790 irreplaceable lands that contain native, relatively unaltered
791 flora and fauna representing a natural area unique to, or scarce
792 within, a region of this state or a larger geographic area;

793 (b) To conserve and protect lands within designated areas
794 of critical state concern, if the proposed acquisition relates
795 to the natural resource protection purposes of the designation;

796 (c) To conserve and protect native species habitat or
797 endangered or threatened species, emphasizing long-term
798 protection for endangered or threatened species designated G-1
799 or G-2 by the Florida Natural Areas Inventory, and especially
800 those areas that are special locations for breeding and
801 reproduction;

802 (d) To conserve, protect, manage, or restore important
803 ecosystems, landscapes, and forests, if the protection and
804 conservation of such lands is necessary to enhance or protect
805 significant surface water, groundwater, coastal, recreational,
806 timber, or fish or wildlife resources which cannot otherwise be
807 accomplished through local and state regulatory programs;

808 (e) To promote water resource development that benefits
809 natural systems and citizens of the state;

810 (f) To facilitate the restoration and subsequent health and
811 vitality of the Florida Everglades;

812 (g) To provide areas, including recreational trails, for

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813 natural resource based recreation and other outdoor recreation
814 on any part of any site compatible with conservation purposes;

815 (h) To preserve significant archaeological or historic
816 sites;

817 (i) To conserve urban open spaces suitable for greenways or
818 outdoor recreation which are compatible with conservation
819 purposes; or

820 (j) To preserve agricultural lands under threat of
821 conversion to development through less-than-fee acquisitions.

822 (3)-(4) Lands acquired for conservation and recreation
823 purposes under this section shall be for use as state-designated
824 parks, recreation areas, preserves, reserves, historic or
825 archaeological sites, geologic or botanical sites, recreational
826 trails, forests, wilderness areas, wildlife management areas,
827 urban open space, or other state-designated recreation or
828 conservation lands; or they shall qualify for such state
829 designation and use if they are to be managed by other
830 governmental agencies or nonstate entities as provided for in
831 this section.

832 (4)-(5) The board of trustees may expend appropriated funds
833 allocate, in any year, an amount not to exceed 5 percent of the
834 money credited to the fund in that year, such allocation to be
835 used for the initiation and maintenance of a natural areas
836 inventory to aid in the identification of areas to be acquired
837 for conservation and recreation purposes pursuant to this
838 section.

839 ~~(6) Moneys in the fund not needed to meet obligations~~
840 ~~incurred under this section shall be deposited with the Chief~~
841 ~~Financial Officer to the credit of the fund and may be invested~~

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842 ~~in the manner provided by law. Interest received on such~~
843 ~~investments shall be credited to the Conservation and Recreation~~
844 ~~Lands Trust Fund.~~

845 (5)~~(7)~~ The board of trustees may enter into any contract
846 necessary to accomplish the purposes of this section. The lead
847 land managing agencies designated by the board of trustees also
848 are directed by the Legislature to enter into contracts or
849 interagency agreements with other governmental entities,
850 including local soil and water conservation districts, or
851 private land managers who have the expertise to perform specific
852 management activities which a lead agency lacks, or which would
853 cost more to provide in-house. Such activities shall include,
854 but not be limited to, controlled burning, road and ditch
855 maintenance, mowing, and wildlife assessments.

856 (6)~~(8)~~ Conservation and recreation lands ~~to be considered~~
857 ~~for purchase under this section~~ are subject to the selection
858 procedures of s. 259.035 and related rules and shall be acquired
859 in accordance with acquisition procedures for state lands
860 provided for in s. 259.041, except as otherwise provided by the
861 Legislature. An inholding or an addition to conservation and
862 recreation lands ~~a project selected for purchase pursuant to~~
863 ~~this chapter~~ is not subject to the selection procedures of s.
864 259.035 if the estimated value of such inholding or addition
865 does not exceed \$500,000. When at least 90 percent of the
866 acreage of a project has been purchased for conservation and
867 recreation purposes ~~pursuant to this chapter~~, the project may be
868 removed from the list and the remaining acreage may continue to
869 be purchased. Funds appropriated to acquire conservation and
870 recreation lands ~~Moneys from the fund~~ may be used for title

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871 work, appraisal fees, environmental audits, and survey costs
872 related to acquisition expenses for lands to be acquired,
873 donated, or exchanged which qualify under the categories of this
874 section, at the discretion of the board. When the Legislature
875 has authorized the Department of Environmental Protection to
876 condemn a specific parcel of land and such parcel has already
877 been approved for acquisition ~~under this section~~, the land may
878 be acquired in accordance with the provisions of chapter 73 or
879 chapter 74, and the funds appropriated to acquire conservation
880 and recreation lands fund may be used to pay the condemnation
881 award and all costs, including a reasonable attorney's fee,
882 associated with condemnation.

883 (7) ~~(9)~~ All lands managed under this chapter and s. 253.034
884 shall be:

885 (a) Managed in a manner that will provide the greatest
886 combination of benefits to the public and to the resources.

887 (b) Managed for public outdoor recreation which is
888 compatible with the conservation and protection of public lands.
889 Such management may include, but not be limited to, the
890 following public recreational uses: fishing, hunting, camping,
891 bicycling, hiking, nature study, swimming, boating, canoeing,
892 horseback riding, diving, model hobbyist activities, birding,
893 sailing, jogging, and other related outdoor activities
894 compatible with the purposes for which the lands were acquired.

895 (c) Managed for the purposes for which the lands were
896 acquired, consistent with paragraph (9) (a) ~~(11) (a)~~.

897 (d) Concurrent with its adoption of the annual ~~Conservation~~
898 ~~and Recreation Lands~~ list of acquisition projects pursuant to s.
899 259.035, the board of trustees shall adopt a management

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900 prospectus for each project. The management prospectus shall
901 delineate:

902 1. The management goals for the property;

903 2. The conditions that will affect the intensity of
904 management;

905 3. An estimate of the revenue-generating potential of the
906 property, if appropriate;

907 4. A timetable for implementing the various stages of
908 management and for providing access to the public, if
909 applicable;

910 5. A description of potential multiple-use activities as
911 described in this section and s. 253.034;

912 6. Provisions for protecting existing infrastructure and
913 for ensuring the security of the project upon acquisition;

914 7. The anticipated costs of management and projected
915 sources of revenue, including legislative appropriations, to
916 fund management needs; and

917 8. Recommendations as to how many employees will be needed
918 to manage the property, and recommendations as to whether local
919 governments, volunteer groups, the former landowner, or other
920 interested parties can be involved in the management.

921 (e) Concurrent with the approval of the acquisition
922 contract pursuant to s. 259.041(3)(c) for any interest in lands
923 except those lands being acquired under the provisions of s.
924 259.1052, the board of trustees shall designate an agency or
925 agencies to manage such lands. The board shall evaluate and
926 amend, as appropriate, the management policy statement for the
927 project as provided by s. 259.035, consistent with the purposes
928 for which the lands are acquired. For any fee simple acquisition

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929 of a parcel which is or will be leased back for agricultural
930 purposes, or any acquisition of a less-than-fee interest in land
931 that is or will be used for agricultural purposes, the Board of
932 Trustees of the Internal Improvement Trust Fund shall first
933 consider having a soil and water conservation district, created
934 pursuant to chapter 582, manage and monitor such interests.

935 (f) State agencies designated to manage lands acquired
936 under this chapter or with funds deposited into the Land
937 Acquisition Trust Fund pursuant to s. 28(a), Art. X of the State
938 Constitution, except those lands acquired under s. 259.1052, may
939 contract with local governments and soil and water conservation
940 districts to assist in management activities, including the
941 responsibility of being the lead land manager. Such land
942 management contracts may include a provision for the transfer of
943 management funding to the local government or soil and water
944 conservation district from the land acquisition ~~Conservation and~~
945 ~~Recreation Lands~~ trust fund of the lead land managing agency in
946 an amount adequate for the local government or soil and water
947 conservation district to perform its contractual land management
948 responsibilities and proportionate to its responsibilities, and
949 which otherwise would have been expended by the state agency to
950 manage the property.

951 (g) Immediately following the acquisition of any interest
952 in conservation and recreation lands ~~under this chapter~~, the
953 Department of Environmental Protection, acting on behalf of the
954 board of trustees, may issue to the lead managing entity an
955 interim assignment letter to be effective until the execution of
956 a formal lease.

957 (8) ~~(10)~~ (a) State, regional, or local governmental agencies

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958 or private entities designated to manage lands under this
959 section shall develop and adopt, with the approval of the board
960 of trustees, an individual management plan for each project
961 designed to conserve and protect such lands and their associated
962 natural resources. Private sector involvement in management plan
963 development may be used to expedite the planning process.

964 (b) Individual management plans required by s. 253.034(5),
965 for parcels over 160 acres, shall be developed with input from
966 an advisory group. Members of this advisory group shall include,
967 at a minimum, representatives of the lead land managing agency,
968 comanaging entities, local private property owners, the
969 appropriate soil and water conservation district, a local
970 conservation organization, and a local elected official. The
971 advisory group shall conduct at least one public hearing within
972 the county in which the parcel or project is located. For those
973 parcels or projects that are within more than one county, at
974 least one areawide public hearing shall be acceptable and the
975 lead managing agency shall invite a local elected official from
976 each county. The areawide public hearing shall be held in the
977 county in which the core parcels are located. Notice of such
978 public hearing shall be posted on the parcel or project
979 designated for management, advertised in a paper of general
980 circulation, and announced at a scheduled meeting of the local
981 governing body before the actual public hearing. The management
982 prospectus required pursuant to paragraph (7) (d) ~~(9) (d)~~ shall be
983 available to the public for a period of 30 days prior to the
984 public hearing.

985 (c) Once a plan is adopted, the managing agency or entity
986 shall update the plan at least every 10 years in a form and

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987 manner prescribed by rule of the board of trustees. Such
988 updates, for parcels over 160 acres, shall be developed with
989 input from an advisory group. Such plans may include transfers
990 of leasehold interests to appropriate conservation organizations
991 or governmental entities designated by the Land Acquisition and
992 Management Advisory Council or its successor, for uses
993 consistent with the purposes of the organizations and the
994 protection, preservation, conservation, restoration, and proper
995 management of the lands and their resources. Volunteer
996 management assistance is encouraged, including, but not limited
997 to, assistance by youths participating in programs sponsored by
998 state or local agencies, by volunteers sponsored by
999 environmental or civic organizations, and by individuals
1000 participating in programs for committed delinquents and adults.

1001 (d)1. For each project for which lands are acquired after
1002 July 1, 1995, an individual management plan shall be adopted and
1003 in place no later than 1 year after the essential parcel or
1004 parcels identified in the priority list developed pursuant to s.
1005 259.105 ~~ss. 259.101(4) and 259.105~~ have been acquired. The
1006 Department of Environmental Protection shall distribute only 75
1007 percent of the acquisition funds to which a budget entity or
1008 water management district would otherwise be entitled ~~from the~~
1009 ~~Preservation 2000 Trust Fund~~ to any budget entity or any water
1010 management district that has more than one-third of its
1011 management plans overdue.

1012 2. The requirements of subparagraph 1. do not apply to the
1013 individual management plan for the Babcock Crescent B Ranch
1014 being acquired pursuant to s. 259.1052. The management plan for
1015 the ranch shall be adopted and in place no later than 2 years

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1016 following the date of acquisition by the state.

1017 (e) Individual management plans shall conform to the
1018 appropriate policies and guidelines of the state land management
1019 plan and shall include, but not be limited to:

1020 1. A statement of the purpose for which the lands were
1021 acquired, the projected use or uses as defined in s. 253.034,
1022 and the statutory authority for such use or uses.

1023 2. Key management activities necessary to achieve the
1024 desired outcomes, including, but not limited to, providing
1025 public access, preserving and protecting natural resources,
1026 protecting cultural and historical resources, restoring habitat,
1027 protecting threatened and endangered species, controlling the
1028 spread of nonnative plants and animals, performing prescribed
1029 fire activities, and other appropriate resource management.

1030 3. A specific description of how the managing agency plans
1031 to identify, locate, protect, and preserve, or otherwise use
1032 fragile, nonrenewable natural and cultural resources.

1033 4. A priority schedule for conducting management
1034 activities, based on the purposes for which the lands were
1035 acquired.

1036 5. A cost estimate for conducting priority management
1037 activities, to include recommendations for cost-effective
1038 methods of accomplishing those activities.

1039 6. A cost estimate for conducting other management
1040 activities which would enhance the natural resource value or
1041 public recreation value for which the lands were acquired. The
1042 cost estimate shall include recommendations for cost-effective
1043 methods of accomplishing those activities.

1044 7. A determination of the public uses and public access

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1045 that would be consistent with the purposes for which the lands
1046 were acquired.

1047 (f) The Division of State Lands shall submit a copy of each
1048 individual management plan for parcels which exceed 160 acres in
1049 size to each member of the Acquisition and Restoration Council,
1050 which shall:

1051 1. Within 60 days after receiving a plan from the division,
1052 review each plan for compliance with the requirements of this
1053 subsection and with the requirements of the rules established by
1054 the board pursuant to this subsection.

1055 2. Consider the propriety of the recommendations of the
1056 managing agency with regard to the future use or protection of
1057 the property.

1058 3. After its review, submit the plan, along with its
1059 recommendations and comments, to the board of trustees, with
1060 recommendations as to whether to approve the plan as submitted,
1061 approve the plan with modifications, or reject the plan.

1062 (g) The board of trustees shall consider the individual
1063 management plan submitted by each state agency and the
1064 recommendations of the Acquisition and Restoration Council and
1065 the Division of State Lands and shall approve the plan with or
1066 without modification or reject such plan. The use or possession
1067 of any lands owned by the board of trustees which is not in
1068 accordance with an approved individual management plan is
1069 subject to termination by the board of trustees.

1070
1071 By July 1 of each year, each governmental agency and each
1072 private entity designated to manage lands shall report to the
1073 Secretary of Environmental Protection on the progress of

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1074 funding, staffing, and resource management of every project for
1075 which the agency or entity is responsible.

1076 (9)~~(11)~~(a) The Legislature recognizes that acquiring lands
1077 pursuant to this chapter serves the public interest by
1078 protecting land, air, and water resources which contribute to
1079 the public health and welfare, providing areas for natural
1080 resource based recreation, and ensuring the survival of unique
1081 and irreplaceable plant and animal species. The Legislature
1082 intends for these lands to be managed and maintained for the
1083 purposes for which they were acquired and for the public to have
1084 access to and use of these lands where it is consistent with
1085 acquisition purposes and would not harm the resources the state
1086 is seeking to protect on the public's behalf.

1087 (b) An amount of not less than 1.5 percent of the
1088 cumulative total of funds ever deposited into the Florida
1089 Preservation 2000 Trust Fund and the Florida Forever Trust Fund
1090 shall be made available for the purposes of management,
1091 maintenance, and capital improvements ~~not eligible for funding~~
1092 ~~pursuant to s. 11(e), Art. VII of the State Constitution, and~~
1093 ~~for associated contractual services, for~~ conservation and
1094 recreation lands acquired with funds deposited into the Land
1095 Acquisition Trust Fund pursuant to s. 28(a), Art. X of the State
1096 Constitution or pursuant to former s. 259.032, Florida Statutes
1097 2014 ~~this section, former~~ s. 259.101, Florida Statutes 2014, s.
1098 259.105, s. 259.1052, or previous programs for the acquisition
1099 of lands for conservation and recreation, including state
1100 forests, to which title is vested in the board of trustees and
1101 other conservation and recreation lands managed by a state
1102 agency. ~~Of this amount, \$250,000 shall be transferred annually~~

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1103 ~~to the Plant Industry Trust Fund within the Department of~~
1104 ~~Agriculture and Consumer Services for the purpose of~~
1105 ~~implementing the Endangered or Threatened Native Flora~~
1106 ~~Conservation Grants Program pursuant to s. 581.185(11).~~ Each
1107 agency with management responsibilities shall annually request
1108 from the Legislature funds sufficient to fulfill such
1109 responsibilities to implement individual management plans. For
1110 the purposes of this paragraph, capital improvements shall
1111 include, but need not be limited to, perimeter fencing, signs,
1112 firelanes, access roads and trails, and minimal public
1113 accommodations, such as primitive campsites, garbage
1114 receptacles, and toilets. Any equipment purchased with funds
1115 provided pursuant to this paragraph may be used for the purposes
1116 described in this paragraph on any conservation and recreation
1117 lands managed by a state agency. ~~The funding requirement created~~
1118 ~~in this paragraph is subject to an annual evaluation by the~~
1119 ~~Legislature in order to ensure that such requirement does not~~
1120 ~~impact the respective trust fund in a manner that would prevent~~
1121 ~~the trust fund from meeting other minimum requirements.~~

1122 (c) All revenues generated through multiple-use management
1123 or compatible secondary-use management shall be returned to the
1124 lead agency responsible for such management and shall be used to
1125 pay for management activities on all conservation, preservation,
1126 and recreation lands under the agency's jurisdiction. In
1127 addition, such revenues shall be segregated in an agency trust
1128 fund and shall remain available to the agency in subsequent
1129 fiscal years to support land management appropriations. For the
1130 purposes of this paragraph, compatible secondary-use management
1131 shall be those activities described in subsection (7) ~~(9)~~

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1132 undertaken on parcels designated as single use pursuant to s.
1133 253.034(2) (b) .

1134 (d) Up to one-fifth of the funds appropriated for the
1135 purposes identified ~~provided for~~ in paragraph (b) shall be
1136 reserved by the board of trustees for interim management of
1137 acquisitions and for associated contractual services, to ensure
1138 the conservation and protection of natural resources on project
1139 sites and to allow limited public recreational use of lands.
1140 Interim management activities may include, but not be limited
1141 to, resource assessments, control of invasive, nonnative
1142 species, habitat restoration, fencing, law enforcement,
1143 controlled burning, and public access consistent with
1144 preliminary determinations made pursuant to paragraph (7) (g)
1145 ~~(9) (g)~~. The board of trustees shall make these interim funds
1146 available immediately upon purchase.

1147 (e) The department shall set long-range and annual goals
1148 for the control and removal of nonnative, invasive plant species
1149 on public lands. Such goals shall differentiate between aquatic
1150 plant species and upland plant species. In setting such goals,
1151 the department may rank, in order of adverse impact, species
1152 that impede or destroy the functioning of natural systems.
1153 Notwithstanding paragraph (a), up to one-fourth of the funds
1154 provided for in paragraph (b) may be used by the agencies
1155 receiving those funds for control and removal of nonnative,
1156 invasive species on public lands.

1157 ~~(f) For the 2014-2015 fiscal year only, moneys in the~~
1158 ~~Conservation and Recreation Lands Trust Fund may be transferred~~
1159 ~~to the Florida Forever Trust Fund for the Florida Forever~~
1160 ~~program and to the Save Our Everglades Trust Fund to support~~

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1161 ~~Everglades restoration projects included in the final report of~~
1162 ~~the Select Committee on Indian River Lagoon and Lake Okeechobee~~
1163 ~~Basin, dated November 8, 2013, pursuant to nonoperating budget~~
1164 ~~authority under s. 216.181(12). This subsection expires July 1,~~
1165 ~~2015.~~

1166 ~~(10)(12)~~(a) ~~Beginning July 1, 1999,~~ The Legislature may
1167 expend ~~shall make available sufficient~~ funds annually from an
1168 appropriate ~~the Conservation and Recreation Lands trust fund to~~
1169 the department for payment in lieu of taxes to qualifying
1170 counties and local governments as defined in paragraph (b) for
1171 all actual tax losses incurred as a result of board of trustees
1172 acquisitions for state agencies under the Florida Forever
1173 program or the former Florida Preservation 2000 program ~~during~~
1174 ~~any year. Reserved funds not used for payments in lieu of taxes~~
1175 ~~in any year shall revert to the fund to be used for land~~
1176 ~~management in accordance with the provisions of this section.~~

1177 (b) Payment in lieu of taxes shall be available:

1178 1. To all counties that have a population of 150,000 or
1179 fewer. Population levels shall be determined pursuant to s.
1180 11.031.

1181 2. To all local governments located in eligible counties.

1182 3. To Glades County, where a privately owned and operated
1183 prison leased to the state has recently been opened and where
1184 privately owned and operated juvenile justice facilities leased
1185 to the state have recently been constructed and opened, a
1186 payment in lieu of taxes, in an amount that offsets the loss of
1187 property tax revenue, which funds have already been appropriated
1188 and allocated from the Department of Correction's budget for the
1189 purpose of reimbursing amounts equal to lost ad valorem taxes.

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1190 (c) If insufficient funds are available in any year to make
1191 full payments to all qualifying counties and local governments,
1192 such counties and local governments shall receive a pro rata
1193 share of the moneys available.

1194 (d) The payment amount shall be based on the average amount
1195 of actual taxes paid on the property for the 3 years preceding
1196 acquisition. Applications for payment in lieu of taxes shall be
1197 made no later than January 31 of the year following acquisition.
1198 No payment in lieu of taxes shall be made for properties which
1199 were exempt from ad valorem taxation for the year immediately
1200 preceding acquisition.

1201 (e) If property which was subject to ad valorem taxation
1202 was acquired by a tax-exempt entity for ultimate conveyance to
1203 the state under this chapter, payment in lieu of taxes shall be
1204 made for such property based upon the average amount of taxes
1205 paid on the property for the 3 years prior to its being removed
1206 from the tax rolls. The department shall certify to the
1207 Department of Revenue those properties that may be eligible
1208 under this provision. Once eligibility has been established,
1209 that county or local government shall receive annual payments
1210 for each tax loss until the qualifying county or local
1211 government exceeds the population threshold pursuant to this
1212 section.

1213 (f) Payment in lieu of taxes pursuant to this subsection
1214 shall be made annually to qualifying counties and local
1215 governments after certification by the Department of Revenue
1216 that the amounts applied for are reasonably appropriate, based
1217 on the amount of actual taxes paid on the eligible property.
1218 With the assistance of the local government requesting payment

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1219 in lieu of taxes, the state agency that acquired the land is
1220 responsible for preparing and submitting application requests
1221 for payment to the Department of Revenue for certification.

1222 (g) If the board of trustees conveys to a local government
1223 title to any land owned by the board, any payments in lieu of
1224 taxes on the land made to the local government shall be
1225 discontinued as of the date of the conveyance.

1226

1227 For the purposes of this subsection, "local government" includes
1228 municipalities, the county school board, mosquito control
1229 districts, and any other local government entity which levies ad
1230 valorem taxes, with the exception of a water management
1231 district.

1232 ~~(13) Moneys credited to the fund each year which are not~~
1233 ~~used for management, maintenance, or capital improvements~~
1234 ~~pursuant to subsection (11); for payment in lieu of taxes~~
1235 ~~pursuant to subsection (12); or for the purposes of subsection~~
1236 ~~(5), shall be available for the acquisition of land pursuant to~~
1237 ~~this section.~~

1238 (11)~~(14)~~ The board of trustees may adopt rules to further
1239 define the categories of land for acquisition under this
1240 chapter.

1241 (12)~~(15)~~ Within 90 days after receiving a certified letter
1242 from the owner of a property on the ~~Conservation and Recreation~~
1243 ~~Lands list or the priority list established pursuant to s.~~
1244 259.105 objecting to the property being included in an
1245 acquisition project, where such property is a project or part of
1246 a project which has not been listed for purchase in the current
1247 year's land acquisition work plan, the board of trustees shall

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1248 delete the property from the list or from the boundary of an
1249 acquisition project on the list.

1250 Section 18. Subsections (3), (4), and (6) of section
1251 259.035, Florida Statutes, are amended to read:

1252 259.035 Acquisition and Restoration Council.—

1253 (3) The council shall provide assistance to the board of
1254 trustees in reviewing the recommendations and plans for state-
1255 owned lands required under s. 253.034 and chapter 259 ~~ss.~~
1256 ~~253.034 and 259.032~~. The council shall, in reviewing such
1257 recommendations and plans, consider the optimization of
1258 multiple-use and conservation strategies to accomplish the
1259 provisions funded pursuant to former s. 259.101(3)(a), Florida
1260 Statutes 2014, and to s. 259.105(3)(b) ~~ss. 259.101(3)(a) and~~
1261 ~~259.105(3)(b)~~.

1262 (4) ~~(a) The council may use existing rules adopted by the~~
1263 ~~board of trustees, until it develops and recommends amendments~~
1264 ~~to those rules, to competitively evaluate, select, and rank~~
1265 ~~projects eligible for the Conservation and Recreation Lands list~~
1266 ~~pursuant to ss. 259.032(3) and 259.101(4).~~

1267 ~~(a)(b)~~ By January 1, 2017 ~~December 1, 2009~~, the Acquisition
1268 and Restoration Council shall develop rules defining specific
1269 criteria and numeric performance measures needed for lands that
1270 are to be acquired for public purpose with funds deposited into
1271 the Land Acquisition Trust Fund pursuant to s. 28(a), Art. X of
1272 the State Constitution ~~under the Florida Forever program~~
1273 ~~pursuant to s. 259.105. Each recipient of Florida Forever funds~~
1274 ~~shall assist the council in the development of such rules. These~~
1275 rules shall be reviewed and adopted by the board, then submitted
1276 to the Legislature for consideration by February 1, 2017 ~~2010~~.

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1277 The Legislature may reject, modify, or take no action relative
1278 to the proposed rules. If no action is taken, the rules shall be
1279 implemented. Subsequent to their approval, each recipient of
1280 ~~Florida Forever~~ funds from the Land Acquisition Trust Fund shall
1281 annually report to the Division of State Lands on each of the
1282 numeric performance measures accomplished during the previous
1283 fiscal year.

1284 (b)~~(e)~~ In developing or amending rules, the council shall
1285 give weight to the criteria included in s. 259.105(10). The
1286 board of trustees shall review the recommendations and shall
1287 adopt rules necessary to administer this section.

1288 (6) The proposal for a project pursuant to this section or
1289 s. 259.105(3)(b) may be implemented only if adopted by the
1290 council and approved by the board of trustees. The council shall
1291 consider and evaluate in writing the merits and demerits of each
1292 project that is proposed for acquisition using funds available
1293 pursuant to s. 28, Art. X of the State Constitution ~~Conservation~~
1294 ~~and Recreation Lands, Florida Preservation 2000,~~ or Florida
1295 Forever funding and shall ensure that each proposed project
1296 meets the requirements of s. 28, Art. X of the State
1297 Constitution ~~will meet a stated public purpose for the~~
1298 ~~restoration, conservation, or preservation of environmentally~~
1299 ~~sensitive lands and water areas or for providing outdoor~~
1300 ~~recreational opportunities.~~ The council also shall determine
1301 whether the project conforms, where applicable, with the
1302 comprehensive plan developed pursuant to s. 259.04(1)(a), the
1303 comprehensive multipurpose outdoor recreation plan developed
1304 pursuant to s. 375.021, the state lands management plan adopted
1305 pursuant to s. 253.03(7), the water resources work plans

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1306 developed pursuant to s. 373.199, and the provisions of s.
1307 259.032, s. 259.101, or s. 259.105, whichever is applicable.

1308 Section 19. Subsection (4) of section 259.036, Florida
1309 Statutes, is amended to read:

1310 259.036 Management review teams.—

1311 (4) In the event a land management plan has not been
1312 adopted within the timeframes specified in s. 259.032(8) ~~s.~~
1313 ~~259.032(10)~~, the department may direct a management review of
1314 the property, to be conducted by the land management review
1315 team. The review shall consider the extent to which the land is
1316 being managed for the purposes for which it was acquired and the
1317 degree to which actual management practices are in compliance
1318 with the management policy statement and management prospectus
1319 for that property.

1320 Section 20. Paragraph (b) of subsection (3) of section
1321 259.037, Florida Statutes, is amended to read:

1322 259.037 Land Management Uniform Accounting Council.—

1323 (3)

1324 (b) Each reporting agency shall also:

1325 1. Include a report of the available public use
1326 opportunities for each management unit of state land, the total
1327 management cost for public access and public use, and the cost
1328 associated with each use option.

1329 2. List the acres of land requiring minimal management
1330 effort, moderate management effort, and significant management
1331 effort pursuant to s. 259.032(9)(c) ~~former s. 259.032(11)(e)~~.
1332 For each category created in paragraph (a), the reporting agency
1333 shall include the amount of funds requested, the amount of funds
1334 received, and the amount of funds expended for land management.

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1335 3. List acres managed and cost of management for each park,
1336 preserve, forest, reserve, or management area.

1337 4. List acres managed, cost of management, and lead manager
1338 for each state lands management unit for which secondary
1339 management activities were provided.

1340 5. Include a report of the estimated calculable financial
1341 benefits to the public for the ecosystem services provided by
1342 conservation lands, based on the best readily available
1343 information or science that provides a standard measurement
1344 methodology to be consistently applied by the land managing
1345 agencies. Such information may include, but need not be limited
1346 to, the value of natural lands for protecting the quality and
1347 quantity of drinking water through natural water filtration and
1348 recharge, contributions to protecting and improving air quality,
1349 benefits to agriculture through increased soil productivity and
1350 preservation of biodiversity, and savings to property and lives
1351 through flood control.

1352 Section 21. Subsection (1) of section 259.04, Florida
1353 Statutes, is amended to read:

1354 259.04 Board; powers and duties.—

1355 (1) For projects and acquisitions selected for purchase
1356 pursuant to ss. 259.035, ~~259.101~~, and 259.105:

1357 (a) The board is given the responsibility, authority, and
1358 power to develop and execute a comprehensive, statewide 5-year
1359 plan to conserve, restore, and protect environmentally
1360 endangered lands, ecosystems, lands necessary for outdoor
1361 recreational needs, and other lands as identified in ss.
1362 259.032, ~~259.101~~, and 259.105. This plan shall be kept current
1363 through continual reevaluation and revision. The advisory

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1364 council or its successor shall assist the board in the
1365 development, reevaluation, and revision of the plan.

1366 (b) The board may enter into contracts with the government
1367 of the United States or any agency or instrumentality thereof;
1368 the state or any county, municipality, district authority, or
1369 political subdivision; or any private corporation, partnership,
1370 association, or person providing for or relating to the
1371 conservation or protection of certain lands in accomplishing the
1372 purposes of this chapter.

1373 (c) Within 45 days after the advisory council or its
1374 successor submits the lists of projects to the board, the board
1375 shall approve, in whole or in part, the lists of projects in the
1376 order of priority in which such projects are presented. To the
1377 greatest extent practicable, projects on the lists shall be
1378 acquired in their approved order of priority.

1379 (d) The board is authorized to acquire, by purchase, gift,
1380 or devise or otherwise, the fee title or any lesser interest of
1381 lands, water areas, and related resources for environmentally
1382 endangered lands.

1383 Section 22. Paragraphs (a) and (b) of subsection (11) and
1384 subsection (15) of section 259.041, Florida Statutes, are
1385 amended to read:

1386 259.041 Acquisition of state-owned lands for preservation,
1387 conservation, and recreation purposes.—

1388 (11) (a) The Legislature finds that, with the increasing
1389 pressures on the natural areas of this state and on open space
1390 suitable for recreational use, the state must develop creative
1391 techniques to maximize the use of acquisition and management
1392 funds. The Legislature also finds that the state's conservation

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1393 and recreational land acquisition agencies should be encouraged
1394 to augment their traditional, fee simple acquisition programs
1395 with the use of alternatives to fee simple acquisition
1396 techniques. Additionally, the Legislature finds that generations
1397 of private landowners have been good stewards of their land,
1398 protecting or restoring native habitats and ecosystems to the
1399 benefit of the natural resources of this state, its heritage,
1400 and its citizens. The Legislature also finds that using
1401 alternatives to fee simple acquisition by public land
1402 acquisition agencies will achieve the following public policy
1403 goals:

1404 1. Allow more lands to be brought under public protection
1405 for preservation, conservation, and recreational purposes with
1406 less expenditure of public funds.

1407 2. Retain, on local government tax rolls, some portion of
1408 or interest in lands which are under public protection.

1409 3. Reduce long-term management costs by allowing private
1410 property owners to continue acting as stewards of their land,
1411 where appropriate.

1412

1413 Therefore, it is the intent of the Legislature that public land
1414 acquisition agencies develop programs to pursue alternatives to
1415 fee simple acquisition and to educate private landowners about
1416 such alternatives and the benefits of such alternatives. It is
1417 also the intent of the Legislature that a portion of the shares
1418 of ~~Preservation 2000~~ and Florida Forever bond proceeds be used
1419 to purchase eligible properties using alternatives to fee simple
1420 acquisition.

1421 (b) All project applications shall identify, within their

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1422 acquisition plans, projects that require a full fee simple
1423 interest to achieve the public policy goals, together with the
1424 reasons full title is determined to be necessary. The state
1425 agencies and the water management districts may use alternatives
1426 to fee simple acquisition to bring the remaining projects in
1427 their acquisition plans under public protection. For the
1428 purposes of this subsection, the term "alternatives to fee
1429 simple acquisition" includes, but is not limited to: purchase of
1430 development rights; obtaining conservation easements; obtaining
1431 flowage easements; purchase of timber rights, mineral rights, or
1432 hunting rights; purchase of agricultural interests or
1433 silvicultural interests; ~~entering into land protection~~
1434 ~~agreements as defined in s. 380.0677(3);~~ fee simple acquisitions
1435 with reservations; creating life estates; or any other
1436 acquisition technique that achieves the public policy goals
1437 listed in paragraph (a). It is presumed that a private landowner
1438 retains the full range of uses for all the rights or interests
1439 in the landowner's land which are not specifically acquired by
1440 the public agency. The lands upon which hunting rights are
1441 specifically acquired pursuant to this paragraph shall be
1442 available for hunting in accordance with the management plan or
1443 hunting regulations adopted by the Florida Fish and Wildlife
1444 Conservation Commission, unless the hunting rights are purchased
1445 specifically to protect activities on adjacent lands.

1446 (15) The board of trustees, by an affirmative vote of at
1447 least three of its members, may direct the department to
1448 purchase lands on an immediate basis using up to 15 percent of
1449 the funds allocated to the department pursuant to s. 259.105 ~~ss.~~
1450 ~~259.101(3)(a) and 259.105~~ for the acquisition of lands that:

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1451 (a) Are listed or placed at auction by the Federal
 1452 Government as part of the Resolution Trust Corporation sale of
 1453 lands from failed savings and loan associations;

1454 (b) Are listed or placed at auction by the Federal
 1455 Government as part of the Federal Deposit Insurance Corporation
 1456 sale of lands from failed banks; or

1457 (c) Will be developed or otherwise lost to potential public
 1458 ownership, or for which federal matching funds will be lost, by
 1459 the time the land can be purchased under the program within
 1460 which the land is listed for acquisition.

1461
 1462 For such acquisitions, the board of trustees may waive or modify
 1463 all procedures required for land acquisition pursuant to this
 1464 chapter and all competitive bid procedures required pursuant to
 1465 chapters 255 and 287. Lands acquired pursuant to this subsection
 1466 must, at the time of purchase, be on one of the acquisition
 1467 lists established pursuant to this chapter, or be essential for
 1468 water resource development, protection, or restoration, or a
 1469 significant portion of the lands must contain natural
 1470 communities or plant or animal species that ~~which~~ are listed by
 1471 the Florida Natural Areas Inventory as critically imperiled,
 1472 imperiled, or rare, or as excellent quality occurrences of
 1473 natural communities.

1474 Section 23. Section 259.101, Florida Statutes, is amended
 1475 to read:

1476 259.101 Florida Preservation 2000 Act.—

1477 (1) SHORT TITLE.—This section may be cited as the "Florida
 1478 Preservation 2000 Act."

1479 (2) LEGISLATIVE FINDINGS.—The Legislature finds and

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1480 declares that:

1481 (a) The alteration and development of Florida's natural
1482 areas to accommodate its rapidly growing population have
1483 contributed to the degradation of water resources, the
1484 fragmentation and destruction of wildlife habitats, the loss of
1485 recreation space, and the diminishment of wetlands and forests.

1486 (b) Imminent development of Florida's remaining natural
1487 areas and continuing increases in land values necessitate an
1488 aggressive program of public land acquisition during the next
1489 decade to preserve the quality of life that attracts so many
1490 people to Florida.

1491 (c) Acquisition of public lands, in fee simple or in any
1492 lesser interest, should be based on a comprehensive assessment
1493 of Florida's natural resources and planned so as to protect the
1494 integrity of ecological systems and to provide multiple
1495 benefits, including preservation of fish and wildlife habitat,
1496 recreation space, and water recharge areas. Governmental
1497 agencies responsible for public land acquisition should work
1498 together to purchase lands jointly and to coordinate individual
1499 purchases within ecological systems.

1500 (d) One of the purposes of the Florida Communities Trust
1501 program is to acquire, protect, and preserve open space and
1502 recreation properties within urban areas where pristine animal
1503 and plant communities no longer exist. These areas are often
1504 overlooked in other programs because of their smaller size and
1505 proximity to developed property. These smaller parcels are,
1506 however, critically important to the quality of life in these
1507 urban areas for the residents who live there as well as to the
1508 many visitors to the state. The trust shall consider projects

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1509 submitted by local governments which further the goals,
1510 objectives, and policies of the conservation, recreation and
1511 open space, or coastal elements of their local comprehensive
1512 plans or which serve to conserve natural resources or resolve
1513 land use conflicts.

1514 (e) South Florida's water supply and unique natural
1515 environment depend on the protection of lands buffering the East
1516 Everglades and the Everglades water conservation areas.

1517
1518 In addition, the Legislature recognizes the conflicting desires
1519 of the citizens of this state to prosper through economic
1520 development and to preserve the natural areas of Florida that
1521 development threatens to claim. The Legislature further
1522 recognizes the urgency of acquiring natural areas in the state
1523 for preservation, yet acknowledges the difficulty of ensuring
1524 adequate funding for accelerated acquisition in light of other
1525 equally critical financial needs of the state. ~~It is the~~
1526 ~~Legislature's desire and intent to fund the implementation of~~
1527 ~~the Florida Preservation 2000 Act for each of the 10 years of~~
1528 ~~the program's duration and to do so in a fiscally responsible~~
1529 ~~manner.~~

1530 (3) TITLE TO CERTAIN PROPERTY ACQUIRED WITH PRESERVATION
1531 2000 BONDS LAND ACQUISITION PROGRAMS SUPPLEMENTED. ~~Less the~~
1532 ~~costs of issuance, the costs of funding reserve accounts, and~~
1533 ~~other costs with respect to the bonds, the proceeds of bonds~~
1534 ~~issued pursuant to this act shall be deposited into the Florida~~
1535 ~~Preservation 2000 Trust Fund created by s. 375.045. In fiscal~~
1536 ~~year 2000-2001, for each Florida Preservation 2000 program~~
1537 ~~described in paragraphs (a) - (g), that portion of each program's~~

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1538 ~~total remaining cash balance which, as of June 30, 2000, is in~~
1539 ~~excess of that program's total remaining appropriation balances~~
1540 ~~shall be redistributed by the department and deposited into the~~
1541 ~~Save Our Everglades Trust Fund for land acquisition. For~~
1542 ~~purposes of calculating the total remaining cash balances for~~
1543 ~~this redistribution, the Florida Preservation 2000 Series 2000~~
1544 ~~bond proceeds, including interest thereon, and the fiscal year~~
1545 ~~1999-2000 General Appropriations Act amounts shall be deducted~~
1546 ~~from the remaining cash and appropriation balances,~~
1547 ~~respectively. The remaining proceeds shall be distributed by the~~
1548 ~~Department of Environmental Protection in the following manner:~~

1549 ~~(a) Fifty percent to the Department of Environmental~~
1550 ~~Protection for the purchase of public lands as described in s.~~
1551 ~~259.032. Of this 50 percent, at least one-fifth shall be used~~
1552 ~~for the acquisition of coastal lands.~~

1553 ~~(b) Thirty percent to the Department of Environmental~~
1554 ~~Protection for the purchase of water management lands pursuant~~
1555 ~~to s. 373.59, to be distributed among the water management~~
1556 ~~districts as provided in that section. Funds received by each~~
1557 ~~district may also be used for acquisition of lands necessary to~~
1558 ~~implement surface water improvement and management plans or for~~
1559 ~~acquisition of lands necessary to implement the Everglades~~
1560 ~~Construction Project authorized by s. 373.4592.~~

1561 ~~(c) Ten percent to the Department of Environmental~~
1562 ~~Protection to provide land acquisition grants and loans to local~~
1563 ~~governments through the Florida Communities Trust pursuant to~~
1564 ~~part III of chapter 380. From funds allocated to the trust, \$3~~
1565 ~~million annually shall be used by the Division of State Lands~~
1566 ~~within the Department of Environmental Protection to implement~~

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1567 ~~the Green Swamp Land Protection Initiative specifically for the~~
1568 ~~purchase of conservation easements, as defined in s.~~
1569 ~~380.0677(3), of lands, or severable interests or rights in~~
1570 ~~lands, in the Green Swamp Area of Critical State Concern. From~~
1571 ~~funds allocated to the trust, \$3 million annually shall be used~~
1572 ~~by the Monroe County Comprehensive Plan Land Authority~~
1573 ~~specifically for the purchase of a real property interest in~~
1574 ~~those lands subject to the Rate of Growth Ordinances adopted by~~
1575 ~~local governments in Monroe County or those lands within the~~
1576 ~~boundary of an approved Conservation and Recreation Lands~~
1577 ~~project located within the Florida Keys or Key West Areas of~~
1578 ~~Critical State Concern; however, title to lands acquired within~~
1579 ~~the boundary of an approved Conservation and Recreation Lands~~
1580 ~~project may, in accordance with an approved joint acquisition~~
1581 ~~agreement, vest in the Board of Trustees of the Internal~~
1582 ~~Improvement Trust Fund. Of the remaining funds, one-half shall~~
1583 ~~be matched by local governments on a dollar-for-dollar basis. To~~
1584 ~~the extent allowed by federal requirements for the use of bond~~
1585 ~~proceeds, the trust shall expend Preservation 2000 funds to~~
1586 ~~carry out the purposes of part III of chapter 380.~~

1587 ~~(d) Two and nine-tenths percent to the Department of~~
1588 ~~Environmental Protection for the purchase of inholdings and~~
1589 ~~additions to state parks. For the purposes of this paragraph,~~
1590 ~~"state park" means all real property in the state under the~~
1591 ~~jurisdiction of the Division of Recreation and Parks of the~~
1592 ~~department, or which may come under its jurisdiction.~~

1593 ~~(e) Two and nine-tenths percent to the Florida Forest~~
1594 ~~Service of the Department of Agriculture and Consumer Services~~
1595 ~~to fund the acquisition of state forest inholdings and additions~~

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1596 ~~pursuant to s. 589.07.~~

1597 ~~(f) Two and nine-tenths percent to the Fish and Wildlife~~
1598 ~~Conservation Commission to fund the acquisition of inholdings~~
1599 ~~and additions to lands managed by the commission which are~~
1600 ~~important to the conservation of fish and wildlife.~~

1601 ~~(g) One and three-tenths percent to the Department of~~
1602 ~~Environmental Protection for the Florida Greenways and Trails~~
1603 ~~Program, to acquire greenways and trails or greenways and trails~~
1604 ~~systems pursuant to chapter 260, including, but not limited to,~~
1605 ~~abandoned railroad rights-of-way and the Florida National Scenic~~
1606 ~~Trail.~~

1607
1608 ~~Local governments may use federal grants or loans, private~~
1609 ~~donations, or environmental mitigation funds, including~~
1610 ~~environmental mitigation funds required pursuant to s. 338.250,~~
1611 ~~for any part or all of any local match required for the purposes~~
1612 ~~described in this subsection. Bond proceeds allocated pursuant~~
1613 ~~to paragraph (c) may be used to purchase lands on the priority~~
1614 ~~lists developed pursuant to s. 259.035. Title to lands purchased~~
1615 ~~pursuant to former paragraphs (a), (d), (e), (f), or and (g) of~~
1616 ~~this subsection, Florida Statutes 2014, shall be vested in the~~
1617 ~~Board of Trustees of the Internal Improvement Trust Fund. Title~~
1618 ~~to lands purchased pursuant to former paragraph (c) of this~~
1619 ~~subsection, Florida Statutes 2014, may be vested in the Board of~~
1620 ~~Trustees of the Internal Improvement Trust Fund. The board of~~
1621 ~~trustees shall hold title to land protection agreements and~~
1622 ~~conservation easements that were ~~or will be~~ acquired pursuant to~~
1623 ~~former s. 380.0677, Florida Statutes 2014, and the Southwest~~
1624 ~~Florida Water Management District and the St. Johns River Water~~

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1625 Management District shall monitor such agreements and easements
1626 within their respective districts until the state assumes this
1627 responsibility.

1628 ~~(4) PROJECT CRITERIA.~~

1629 ~~(a) Proceeds of bonds issued pursuant to this act and~~
1630 ~~distributed pursuant to paragraphs (3) (a) and (b) shall be spent~~
1631 ~~only on projects which meet at least one of the following~~
1632 ~~criteria, as determined pursuant to paragraphs (b) and (c):~~

1633 ~~1. A significant portion of the land in the project is in~~
1634 ~~imminent danger of development, in imminent danger of loss of~~
1635 ~~its significant natural attributes, or in imminent danger of~~
1636 ~~subdivision which will result in multiple ownership and may make~~
1637 ~~acquisition of the project more costly or less likely to be~~
1638 ~~accomplished;~~

1639 ~~2. Compelling evidence exists that the land is likely to be~~
1640 ~~developed during the next 12 months, or appraisals made during~~
1641 ~~the past 5 years indicate an escalation in land value at an~~
1642 ~~average rate that exceeds the average rate of interest likely to~~
1643 ~~be paid on the bonds;~~

1644 ~~3. A significant portion of the land in the project serves~~
1645 ~~to protect or recharge groundwater and to protect other valuable~~
1646 ~~natural resources or provide space for natural resource based~~
1647 ~~recreation;~~

1648 ~~4. The project can be purchased at 80 percent of appraised~~
1649 ~~value or less;~~

1650 ~~5. A significant portion of the land in the project serves~~
1651 ~~as habitat for endangered, threatened, or rare species or serves~~
1652 ~~to protect natural communities which are listed by the Florida~~
1653 ~~Natural Areas Inventory as critically imperiled, imperiled, or~~

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1654 ~~rare, or as excellent quality occurrences of natural~~
1655 ~~communities; or~~

1656 ~~6. A significant portion of the land serves to preserve~~
1657 ~~important archaeological or historical sites.~~

1658 ~~(b) Each year that bonds are to be issued pursuant to this~~
1659 ~~act, the Land Acquisition and Management Advisory Council shall~~
1660 ~~review that year's approved Conservation and Recreation Lands~~
1661 ~~priority list and shall, by the first board meeting in February,~~
1662 ~~present to the Board of Trustees of the Internal Improvement~~
1663 ~~Trust Fund for approval a listing of projects on the list which~~
1664 ~~meet one or more of the criteria listed in paragraph (a). The~~
1665 ~~board may remove projects from the list developed pursuant to~~
1666 ~~this paragraph, but may not add projects.~~

1667 ~~(c) Each year that bonds are to be issued pursuant to this~~
1668 ~~act, each water management district governing board shall review~~
1669 ~~the lands on its current year's Save Our Rivers 5-year plan and~~
1670 ~~shall, by January 15, adopt a listing of projects from the plan~~
1671 ~~which meet one or more of the criteria listed in paragraph (a).~~

1672 ~~(d) In the acquisition of coastal lands pursuant to~~
1673 ~~paragraph (3) (a), the following additional criteria shall also~~
1674 ~~be considered:~~

1675 ~~1. The value of acquiring coastal high-hazard parcels,~~
1676 ~~consistent with hazard mitigation and postdisaster redevelopment~~
1677 ~~policies, in order to minimize the risk to life and property and~~
1678 ~~to reduce the need for future disaster assistance.~~

1679 ~~2. The value of acquiring beachfront parcels, irrespective~~
1680 ~~of size, to provide public access and recreational opportunities~~
1681 ~~in highly developed urban areas.~~

1682 ~~3. The value of acquiring identified parcels the~~

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1683 ~~development of which would adversely affect coastal resources.~~

1684
1685 ~~When a nonprofit environmental organization which is tax-exempt~~
1686 ~~pursuant to s. 501(c)(3) of the United States Internal Revenue~~
1687 ~~Code sells land to the state, such land at the time of such sale~~
1688 ~~shall be deemed to meet one or more of the criteria listed in~~
1689 ~~paragraph (a) if such land meets one or more of the criteria at~~
1690 ~~the time the organization purchases it. Listings of projects~~
1691 ~~compiled pursuant to paragraphs (b) and (c) may be revised to~~
1692 ~~include projects on the Conservation and Recreation Lands~~
1693 ~~priority list or in a water management district's 5-year plan~~
1694 ~~which come under the criteria in paragraph (a) after the dates~~
1695 ~~specified in paragraph (b) or paragraph (c). The requirement of~~
1696 ~~paragraph (3)(a) regarding coastal lands is met as long as an~~
1697 ~~average of one fifth of the cumulative proceeds allocated~~
1698 ~~through fiscal year 1999-2000 pursuant to that paragraph is used~~
1699 ~~to purchase coastal lands.~~

1700 ~~(e) The Legislature finds that the Florida Preservation~~
1701 ~~2000 Program has provided financial resources that have enabled~~
1702 ~~the acquisition of significant amounts of land for public~~
1703 ~~ownership in the first 7 years of the program's existence. In~~
1704 ~~the remaining years of the Florida Preservation 2000 Program,~~
1705 ~~agencies that receive funds are encouraged to better coordinate~~
1706 ~~their expenditures so that future acquisitions, when combined~~
1707 ~~with previous acquisitions, will form more complete patterns of~~
1708 ~~protection for natural areas and functioning ecosystems to~~
1709 ~~better accomplish the intent of paragraph (2)(c).~~

1710 ~~(f) The Legislature intends that, in the remaining years of~~
1711 ~~the Florida Preservation 2000 Program, emphasis be given to the~~

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1712 ~~completion of projects in which one or more parcels have already~~
1713 ~~been acquired and to the acquisition of lands containing~~
1714 ~~ecological resources which are either not represented or~~
1715 ~~underrepresented on lands currently in public ownership. The~~
1716 ~~Legislature also intends that future acquisitions under the~~
1717 ~~Florida Preservation 2000 Program be limited to projects on the~~
1718 ~~current project lists, or any additions to the list as~~
1719 ~~determined and prioritized by the study, or those projects that~~
1720 ~~can reasonably be expected to be acquired by the end of the~~
1721 ~~Florida Preservation 2000 Program.~~

1722 (4) FLORIDA FOREST SERVICE FUND USE. ~~(5) Any funds~~
1723 ~~received by the Florida Forest Service from the Preservation~~
1724 ~~2000 Trust Fund pursuant to paragraph (3) (c) shall be used only~~
1725 ~~to pay the cost of the acquisition of lands in furtherance of~~
1726 ~~outdoor recreation and natural resources conservation in this~~
1727 ~~state. The administration and use of any funds received by the~~
1728 ~~Florida Forest Service from the Preservation 2000 Trust Fund~~
1729 ~~will be subject to such terms and conditions imposed thereon by~~
1730 ~~the agency of the state responsible for the issuance of the~~
1731 ~~revenue bonds, the proceeds of which are deposited in the~~
1732 ~~Preservation 2000 Trust Fund, including restrictions imposed to~~
1733 ~~ensure that the interest on any such revenue bonds issued by the~~
1734 ~~state as tax-exempt revenue bonds will not be included in the~~
1735 ~~gross income of the holders of such bonds for federal income tax~~
1736 ~~purposes. All deeds or leases with respect to any real property~~
1737 ~~acquired with Preservation 2000 funds must received by the~~
1738 ~~Florida Forest Service from the Preservation 2000 Trust Fund~~
1739 ~~shall contain sufficient such covenants and restrictions as are~~
1740 ~~sufficient to ensure that the use of such real property at all~~

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1741 ~~times~~ complies with s. 375.051 and s. 9, Art. XII of the 1968
1742 Constitution of Florida, and ~~shall contain~~ reverter clauses
1743 providing for the reversion of title to such property to the
1744 Board of Trustees of the Internal Improvement Trust Fund or, in
1745 the case of a lease of such property, providing for termination
1746 of the lease upon a failure to use the property conveyed thereby
1747 for such purposes.

1748 (5) ~~(6)~~ DISPOSITION OF LANDS.—

1749 (a) Any lands acquired pursuant to former paragraphs
1750 ~~paragraph (3) (a), paragraph (3) (c), paragraph (3) (d), paragraph~~
1751 ~~(3) (e), paragraph (3) (f), or paragraph (3) (g)~~ of this section,
1752 Florida Statutes 2014, if title to such lands is vested in the
1753 Board of Trustees of the Internal Improvement Trust Fund, may be
1754 disposed of by the Board of Trustees of the Internal Improvement
1755 Trust Fund in accordance with the provisions and procedures set
1756 forth in s. 253.034(6), and lands acquired pursuant to former
1757 paragraph (3) (b) of this section, Florida Statutes 2014, may be
1758 disposed of by the owning water management district in
1759 accordance with the procedures and provisions set forth in ss.
1760 373.056 and 373.089 provided such disposition also shall satisfy
1761 the requirements of paragraphs (b) and (c).

1762 (b) Before land acquired with Preservation 2000 funds may
1763 be surplused as required by s. 253.034(6) ~~or~~ or determined to be
1764 no longer required for its purposes under s. 373.056(4), as
1765 ~~whichever may be~~ applicable, there shall first be a
1766 determination by the Board of Trustees of the Internal
1767 Improvement Trust Fund, or, in the case of water management
1768 district lands, by the owning water management district, that
1769 such land no longer needs to be preserved in furtherance of the

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1770 intent of the Florida Preservation 2000 Act. Any lands eligible
1771 to be disposed of under this procedure also may be used to
1772 acquire other lands through an exchange of lands if, provided
1773 such lands obtained in an exchange are described in the same
1774 paragraph of former subsection (3) of this section, Florida
1775 Statutes 2014, as the lands disposed.

1776 (c) ~~Notwithstanding paragraphs (a) and (b), no such~~
1777 ~~disposition of land shall be made if such disposition would have~~
1778 ~~the effect of causing all or any portion of the interest on any~~
1779 ~~revenue bonds issued to fund the Florida Preservation 2000 Act~~
1780 ~~to lose their exclusion from gross income for purposes of~~
1781 ~~federal income taxation. Any Revenue derived from the disposal~~
1782 ~~of such lands acquired with Preservation 2000 funds may not be~~
1783 ~~used for any purpose except for deposit into the Florida~~
1784 ~~Preservation 2000 Trust Fund, or the Florida Forever Trust Fund~~
1785 ~~within the Department of Environmental Protection, for recredit~~
1786 ~~to the share held under former subsection (3) of this section,~~
1787 Florida Statutes 2014, in which such disposed land is described.

1788 (6) ~~(7)~~ ALTERNATE USES OF ACQUIRED LANDS.—

1789 (a) The Board of Trustees of the Internal Improvement Trust
1790 Fund, or, in the case of water management district lands, the
1791 owning water management district, may authorize the granting of
1792 a lease, easement, or license for the use of any lands acquired
1793 pursuant to former subsection (3) of this section, Florida
1794 Statutes 2014, for any governmental use permitted by s. 17, Art.
1795 IX of the State Constitution of 1885, as adopted by s. 9(a),
1796 Art. XII of the State Constitution, and any other incidental
1797 public or private use that is determined by the board or the
1798 owning water management district to be compatible with the

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1799 purposes for which such lands were acquired.

1800 (b) Any existing lease, easement, or license acquired for
1801 incidental public or private use on, under, or across any lands
1802 acquired pursuant to former subsection (3) of this section,
1803 Florida Statutes 2014, shall be presumed not to be incompatible
1804 with the purposes for which such lands were acquired.

1805 ~~(c) Notwithstanding the provisions of paragraph (a), no~~
1806 ~~such lease, easement, or license shall be entered into by the~~
1807 ~~Department of Environmental Protection or other appropriate~~
1808 ~~state agency if the granting of such lease, easement, or license~~
1809 ~~would adversely affect the exclusion of the interest on any~~
1810 ~~revenue bonds issued to fund the acquisition of the affected~~
1811 ~~lands from gross income for federal income tax purposes, as~~
1812 ~~described in s. 375.045(4).~~

1813 (7) ALTERNATIVES TO FEE SIMPLE ACQUISITION. - ~~(8)~~

1814 (a) The Legislature finds that, with the increasing
1815 pressures on the natural areas of this state, the state must
1816 develop creative techniques to maximize the use of acquisition
1817 and management moneys. The Legislature ~~also~~ finds that the
1818 state's environmental land-buying agencies should be encouraged
1819 to augment their traditional, fee simple acquisition programs
1820 with the use of alternatives to fee simple acquisition
1821 techniques. The Legislature also finds that using alternatives
1822 to fee simple acquisition by public land-buying agencies will
1823 achieve the following public policy goals:

1824 1. Allow more lands to be brought under public protection
1825 for preservation, conservation, and recreational purposes at
1826 less expense using public funds.

1827 2. Retain, on local government tax rolls, some portion of

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1828 or interest in lands that ~~which~~ are under public protection.

1829 3. Reduce long-term management costs by allowing private
1830 property owners to continue acting as stewards of the land, as
1831 ~~where~~ appropriate.

1832
1833 Therefore, it is the intent of the Legislature that public land-
1834 buying agencies develop programs to pursue alternatives to fee
1835 simple acquisition and to educate private landowners about such
1836 alternatives and the benefits of such alternatives. It also is
1837 the intent of the Legislature that the department and the water
1838 management districts spend a portion of their shares of
1839 Preservation 2000 bond proceeds to purchase eligible properties
1840 using alternatives to fee simple acquisition. Finally, it is the
1841 intent of the Legislature that public agencies acquire lands in
1842 fee simple for public access and recreational activities. Lands
1843 protected using alternatives to fee simple acquisition
1844 techniques may ~~shall~~ not be accessible to the public unless such
1845 access is negotiated with and agreed to by the private
1846 landowners who retain interests in such lands.

1847 (b) The Land Acquisition Advisory Council and the water
1848 management districts shall identify, within their 1997
1849 acquisition plans, those projects that ~~which~~ require a full fee
1850 simple interest to achieve the public policy goals, along with
1851 the reasons why full title is determined to be necessary. The
1852 council and the water management districts may use alternatives
1853 to fee simple acquisition to bring the remaining projects in
1854 their acquisition plans under public protection. For the
1855 purposes of this subsection, the term "alternatives to fee
1856 simple acquisition" includes the, ~~but is not limited to:~~

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1857 purchase of development rights; conservation easements; flowage
1858 easements; the purchase of timber rights, mineral rights, or
1859 hunting rights; the purchase of agricultural interests or
1860 silvicultural interests; land protection agreements; fee simple
1861 acquisitions with reservations; or any other acquisition
1862 technique that ~~which~~ achieves the public policy goals identified
1863 ~~listed~~ in paragraph (a). It is presumed that a private landowner
1864 retains the full range of uses for all the rights or interests
1865 in the landowner's land which are not specifically acquired by
1866 the public agency. Life estates and fee simple acquisitions with
1867 leaseback provisions do ~~shall~~ not qualify as an alternative to
1868 fee simple acquisition under this subsection, although the
1869 department and the districts are encouraged to use such
1870 techniques if ~~where~~ appropriate.

1871 (c) The department and each water management district shall
1872 implement initiatives to use alternatives to fee simple
1873 acquisition and to educate private landowners about such
1874 alternatives. These initiatives must ~~shall~~ include at least two
1875 acquisitions a year by the department and each water management
1876 district utilizing alternatives to fee simple.

1877 (d) The Legislature finds that the lack of direct sales
1878 comparison information has served as an impediment to successful
1879 implementation of alternatives to fee simple acquisition. It is
1880 the intent of the Legislature that, in the absence of direct
1881 comparable sales information, appraisals of alternatives to fee
1882 simple acquisitions be based on the difference between the full
1883 fee simple valuation and the value of the interests remaining
1884 with the seller after acquisition.

1885 (e) The public agency that ~~which~~ has been assigned

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1886 management responsibility shall inspect and monitor any less-
1887 than-fee-simple interest according to the terms of the purchase
1888 agreement relating to such interest.

1889 (f) The department and the water management districts may
1890 enter into joint acquisition agreements to jointly fund the
1891 purchase of lands using alternatives to fee simple techniques.

1892 (8) PUBLIC RECREATIONAL USE.—An agency or water management
1893 district that acquired lands using Preservation 2000 funds
1894 distributed pursuant to former subsection (3) of this section,
1895 Florida Statutes 2014, shall manage such lands to make them
1896 available for public recreational use if the recreational use
1897 does not interfere with the protection of natural resource
1898 values. The agency or district may enter into an agreement with
1899 the department or another appropriate state agency to transfer
1900 management authority or lease to such agencies lands purchased
1901 with Preservation 2000 funds for the purpose of managing the
1902 lands to make them available for public recreational use. The
1903 water management districts and the department shall take action
1904 to control the growth of nonnative invasive plant species on
1905 lands they manage which were purchased with Preservation 2000
1906 funds.

1907 Section 24. Section 259.105, Florida Statutes, is amended
1908 to read:

1909 259.105 The Florida Forever Act.—

1910 (1) This section may be cited as the "Florida Forever Act."

1911 (2) (a) The Legislature finds and declares that:

1912 1. Land acquisition programs have provided tremendous
1913 financial resources for purchasing environmentally significant
1914 lands to protect those lands from imminent development or

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1915 alteration, thereby ensuring present and future generations'
1916 access to important waterways, open spaces, and recreation and
1917 conservation lands.

1918 2. The continued alteration and development of Florida's
1919 natural and rural areas to accommodate the state's growing
1920 population have contributed to the degradation of water
1921 resources, the fragmentation and destruction of wildlife
1922 habitats, the loss of outdoor recreation space, and the
1923 diminishment of wetlands, forests, working landscapes, and
1924 coastal open space.

1925 3. The potential development of Florida's remaining natural
1926 areas and escalation of land values require government efforts
1927 to restore, bring under public protection, or acquire lands and
1928 water areas to preserve the state's essential ecological
1929 functions and invaluable quality of life.

1930 4. It is essential to protect the state's ecosystems by
1931 promoting a more efficient use of land, to ensure opportunities
1932 for viable agricultural activities on working lands, and to
1933 promote vital rural and urban communities that support and
1934 produce development patterns consistent with natural resource
1935 protection.

1936 5. Florida's groundwater, surface waters, and springs are
1937 under tremendous pressure due to population growth and economic
1938 expansion and require special protection and restoration
1939 efforts, including the protection of uplands and springsheds
1940 that provide vital recharge to aquifer systems and are critical
1941 to the protection of water quality and water quantity of the
1942 aquifers and springs. To ensure that sufficient quantities of
1943 water are available to meet the current and future needs of the

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1944 natural systems and citizens of the state, and assist in
1945 achieving the planning goals of the department and the water
1946 management districts, water resource development projects on
1947 public lands, where compatible with the resource values of and
1948 management objectives for the lands, are appropriate.

1949 6. The needs of urban, suburban, and small communities in
1950 Florida for high-quality outdoor recreational opportunities,
1951 greenways, trails, and open space have not been fully met by
1952 previous acquisition programs. Through such programs as the
1953 Florida Communities Trust and the Florida Recreation Development
1954 Assistance Program, the state shall place additional emphasis on
1955 acquiring, protecting, preserving, and restoring open space,
1956 ecological greenways, and recreation properties within urban,
1957 suburban, and rural areas where pristine natural communities or
1958 water bodies no longer exist because of the proximity of
1959 developed property.

1960 7. Many of Florida's unique ecosystems, such as the Florida
1961 Everglades, are facing ecological collapse due to Florida's
1962 burgeoning population growth and other economic activities. To
1963 preserve these valuable ecosystems for future generations,
1964 essential parcels of land must be acquired to facilitate
1965 ecosystem restoration.

1966 8. Access to public lands to support a broad range of
1967 outdoor recreational opportunities and the development of
1968 necessary infrastructure, where compatible with the resource
1969 values of and management objectives for such lands, promotes an
1970 appreciation for Florida's natural assets and improves the
1971 quality of life.

1972 9. Acquisition of lands, in fee simple, less-than-fee

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1973 interest, or other techniques shall be based on a comprehensive
1974 science-based assessment of Florida's natural resources which
1975 targets essential conservation lands by prioritizing all current
1976 and future acquisitions based on a uniform set of data and
1977 planned so as to protect the integrity and function of
1978 ecological systems and working landscapes, and provide multiple
1979 benefits, including preservation of fish and wildlife habitat,
1980 recreation space for urban and rural areas, and the restoration
1981 of natural water storage, flow, and recharge.

1982 10. The state has embraced performance-based program
1983 budgeting as a tool to evaluate the achievements of publicly
1984 funded agencies, build in accountability, and reward those
1985 agencies which are able to consistently achieve quantifiable
1986 goals. While previous and existing state environmental programs
1987 have achieved varying degrees of success, few of these programs
1988 can be evaluated as to the extent of their achievements,
1989 primarily because performance measures, standards, outcomes, and
1990 goals were not established at the outset. Therefore, the Florida
1991 Forever program shall be developed and implemented in the
1992 context of measurable state goals and objectives.

1993 11. The state must play a major role in the recovery and
1994 management of its imperiled species through the acquisition,
1995 restoration, enhancement, and management of ecosystems that can
1996 support the major life functions of such species. It is the
1997 intent of the Legislature to support local, state, and federal
1998 programs that result in net benefit to imperiled species habitat
1999 by providing public and private land owners meaningful
2000 incentives for acquiring, restoring, managing, and repopulating
2001 habitats for imperiled species. It is the further intent of the

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2002 Legislature that public lands, both existing and to be acquired,
2003 identified by the lead land managing agency, in consultation
2004 with the Florida Fish and Wildlife Conservation Commission for
2005 animals or the Department of Agriculture and Consumer Services
2006 for plants, as habitat or potentially restorable habitat for
2007 imperiled species, be restored, enhanced, managed, and
2008 repopulated as habitat for such species to advance the goals and
2009 objectives of imperiled species management consistent with the
2010 purposes for which such lands are acquired without restricting
2011 other uses identified in the management plan. It is also the
2012 intent of the Legislature that of the proceeds distributed
2013 pursuant to subsection (3), additional consideration be given to
2014 acquisitions that achieve a combination of conservation goals,
2015 including the restoration, enhancement, management, or
2016 repopulation of habitat for imperiled species. The Acquisition
2017 and Restoration Council, in addition to the criteria in
2018 subsection (9), shall give weight to projects that include
2019 acquisition, restoration, management, or repopulation of habitat
2020 for imperiled species. The term "imperiled species" as used in
2021 this chapter and chapter 253, means plants and animals that are
2022 federally listed under the Endangered Species Act, or state-
2023 listed by the Fish and Wildlife Conservation Commission or the
2024 Department of Agriculture and Consumer Services.

2025 a. As part of the state's role, all state lands that have
2026 imperiled species habitat shall include as a consideration in
2027 management plan development the restoration, enhancement,
2028 management, and repopulation of such habitats. In addition, the
2029 lead land managing agency of such state lands may use fees
2030 received from public or private entities for projects to offset

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2031 adverse impacts to imperiled species or their habitat in order
2032 to restore, enhance, manage, repopulate, or acquire land and to
2033 implement land management plans developed under s. 253.034 or a
2034 land management prospectus developed and implemented under this
2035 chapter. Such fees shall be deposited into a foundation or fund
2036 created by each land management agency under s. 379.223, s.
2037 589.012, or s. 259.032 (9) (c) ~~s. 259.032(11)(e)~~, to be used
2038 solely to restore, manage, enhance, repopulate, or acquire
2039 imperiled species habitat.

2040 b. Where habitat or potentially restorable habitat for
2041 imperiled species is located on state lands, the Fish and
2042 Wildlife Conservation Commission and the Department of
2043 Agriculture and Consumer Services shall be included on any
2044 advisory group required under chapter 253, and the short-term
2045 and long-term management goals required under chapter 253 must
2046 advance the goals and objectives of imperiled species management
2047 consistent with the purposes for which the land was acquired
2048 without restricting other uses identified in the management
2049 plan.

2050 12. There is a need to change the focus and direction of
2051 the state's major land acquisition programs and to extend
2052 funding and bonding capabilities, so that future generations may
2053 enjoy the natural resources of this state.

2054 (b) The Legislature recognizes that acquisition of lands in
2055 fee simple is only one way to achieve the aforementioned goals
2056 and encourages the use of less-than-fee interests, other
2057 techniques, and the development of creative partnerships between
2058 governmental agencies and private landowners. Such partnerships
2059 may include those that advance the restoration, enhancement,

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2060 management, or repopulation of imperiled species habitat on
2061 state lands as provided for in subparagraph (a)11. Easements
2062 acquired pursuant to s. 570.71(2)(a) and (b), land protection
2063 agreements, and nonstate funded tools such as rural land
2064 stewardship areas, sector planning, and mitigation should be
2065 used, where appropriate, to bring environmentally sensitive
2066 tracts under an acceptable level of protection at a lower
2067 financial cost to the public, and to provide private landowners
2068 with the opportunity to enjoy and benefit from their property.

2069 (c) Public agencies or other entities that receive funds
2070 under this section shall coordinate their expenditures so that
2071 project acquisitions, when combined with acquisitions under
2072 Florida Forever, Preservation 2000, Save Our Rivers, the Florida
2073 Communities Trust, other public land acquisition programs, and
2074 the techniques, partnerships, and tools referenced in
2075 subparagraph (a)11. and paragraph (b), are used to form more
2076 complete patterns of protection for natural areas, ecological
2077 greenways, and functioning ecosystems, to better accomplish the
2078 intent of this section.

2079 (d) A long-term financial commitment to restoring,
2080 enhancing, and managing Florida's public lands in order to
2081 implement land management plans developed under s. 253.034 or a
2082 land management prospectus developed and implemented under this
2083 chapter must accompany any land acquisition program to ensure
2084 that the natural resource values of such lands are restored,
2085 enhanced, managed, and protected; that the public enjoys the
2086 lands to their fullest potential; and that the state achieves
2087 the full benefits of its investment of public dollars.
2088 Innovative strategies such as public-private partnerships and

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2089 interagency planning and sharing of resources shall be used to
2090 achieve the state's management goals.

2091 (e) With limited dollars available for restoration,
2092 enhancement, management, and acquisition of land and water areas
2093 and for providing long-term management and capital improvements,
2094 a competitive selection process shall select those projects best
2095 able to meet the goals of Florida Forever and maximize the
2096 efficient use of the program's funding.

2097 (f) To ensure success and provide accountability to the
2098 citizens of this state, it is the intent of the Legislature that
2099 any cash or bond proceeds used pursuant to this section be used
2100 to implement the goals and objectives recommended by a
2101 comprehensive science-based assessment and approved by the Board
2102 of Trustees of the Internal Improvement Trust Fund and the
2103 Legislature.

2104 (g) As it has with previous land acquisition programs, the
2105 Legislature recognizes the desires of the residents of this
2106 state to prosper through economic development and to preserve,
2107 restore, and manage the state's natural areas and recreational
2108 open space. The Legislature further recognizes the urgency of
2109 restoring the natural functions, including wildlife and
2110 imperiled species habitat functions, of public lands or water
2111 bodies before they are degraded to a point where recovery may
2112 never occur, yet acknowledges the difficulty of ensuring
2113 adequate funding for restoration, enhancement, and management
2114 efforts in light of other equally critical financial needs of
2115 the state. It is the Legislature's desire and intent to fund the
2116 implementation of this section and to do so in a fiscally
2117 responsible manner, by issuing bonds to be repaid with

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2118 documentary stamp tax or other revenue sources, including those
2119 identified in subparagraph (a)11.

2120 (h) The Legislature further recognizes the important role
2121 that many of our state and federal military installations
2122 contribute to protecting and preserving Florida's natural
2123 resources as well as our economic prosperity. Where the state's
2124 land conservation plans overlap with the military's need to
2125 protect lands, waters, and habitat to ensure the sustainability
2126 of military missions, it is the Legislature's intent that
2127 agencies receiving funds under this program cooperate with our
2128 military partners to protect and buffer military installations
2129 and military airspace, by:

2130 1. Protecting habitat on nonmilitary land for any species
2131 found on military land that is designated as threatened or
2132 endangered, or is a candidate for such designation under the
2133 Endangered Species Act or any Florida statute;

2134 2. Protecting areas underlying low-level military air
2135 corridors or operating areas;

2136 3. Protecting areas identified as clear zones, accident
2137 potential zones, and air installation compatible use buffer
2138 zones delineated by our military partners; and

2139 4. Providing the military with technical assistance to
2140 restore, enhance, and manage military land as habitat for
2141 imperiled species or species designated as threatened or
2142 endangered, or a candidate for such designation, and for the
2143 recovery or reestablishment of such species.

2144 (3) Less the costs of issuing and the costs of funding
2145 reserve accounts and other costs associated with bonds, the
2146 proceeds of cash payments or bonds issued pursuant to this

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2147 section shall be deposited into the Florida Forever Trust Fund
2148 created by s. 259.1051. The proceeds shall be distributed by the
2149 Department of Environmental Protection in the following manner:

2150 (a) Thirty percent to the Department of Environmental
2151 Protection for the acquisition of lands and capital project
2152 expenditures necessary to implement the water management
2153 districts' priority lists developed pursuant to s. 373.199. The
2154 funds are to be distributed to the water management districts as
2155 provided in subsection (11). A minimum of 50 percent of the
2156 total funds provided over the life of the Florida Forever
2157 program pursuant to this paragraph shall be used for the
2158 acquisition of lands.

2159 (b) Thirty-five percent to the Department of Environmental
2160 Protection for the acquisition of lands and capital project
2161 expenditures described in this section. Of the proceeds
2162 distributed pursuant to this paragraph, it is the intent of the
2163 Legislature that an increased priority be given to those
2164 acquisitions which achieve a combination of conservation goals,
2165 including protecting Florida's water resources and natural
2166 groundwater recharge. At a minimum, 3 percent, and no more than
2167 10 percent, of the funds allocated pursuant to this paragraph
2168 shall be spent on capital project expenditures identified during
2169 the time of acquisition which meet land management planning
2170 activities necessary for public access.

2171 (c) Twenty-one percent to the Department of Environmental
2172 Protection for use by the Florida Communities Trust for the
2173 purposes of part III of chapter 380, as described and limited by
2174 this subsection, and grants to local governments or nonprofit
2175 environmental organizations that are tax-exempt under s.

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2176 501(c)(3) of the United States Internal Revenue Code for the
2177 acquisition of community-based projects, urban open spaces,
2178 parks, and greenways to implement local government comprehensive
2179 plans. From funds available to the trust and used for land
2180 acquisition, 75 percent shall be matched by local governments on
2181 a dollar-for-dollar basis. The Legislature intends that the
2182 Florida Communities Trust emphasize funding projects in low-
2183 income or otherwise disadvantaged communities and projects that
2184 provide areas for direct water access and water-dependent
2185 facilities that are open to the public and offer public access
2186 by vessels to waters of the state, including boat ramps and
2187 associated parking and other support facilities. At least 30
2188 percent of the total allocation provided to the trust shall be
2189 used in Standard Metropolitan Statistical Areas, but one-half of
2190 that amount shall be used in localities in which the project
2191 site is located in built-up commercial, industrial, or mixed-use
2192 areas and functions to intersperse open spaces within congested
2193 urban core areas. From funds allocated to the trust, no less
2194 than 5 percent shall be used to acquire lands for recreational
2195 trail systems, provided that in the event these funds are not
2196 needed for such projects, they will be available for other trust
2197 projects. Local governments may use federal grants or loans,
2198 private donations, or environmental mitigation funds, including
2199 environmental mitigation funds required pursuant to s. 338.250,
2200 for any part or all of any local match required for acquisitions
2201 funded through the Florida Communities Trust. Any lands
2202 purchased by nonprofit organizations using funds allocated under
2203 this paragraph must provide for such lands to remain permanently
2204 in public use through a reversion of title to local or state

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2205 government, conservation easement, or other appropriate
2206 mechanism. Projects funded with funds allocated to the trust
2207 shall be selected in a competitive process measured against
2208 criteria adopted in rule by the trust.

2209 (d) Two percent to the Department of Environmental
2210 Protection for grants pursuant to s. 375.075.

2211 (e) One and five-tenths percent to the Department of
2212 Environmental Protection for the purchase of inholdings and
2213 additions to state parks and for capital project expenditures as
2214 described in this section. At a minimum, 1 percent, and no more
2215 than 10 percent, of the funds allocated pursuant to this
2216 paragraph shall be spent on capital project expenditures
2217 identified during the time of acquisition which meet land
2218 management planning activities necessary for public access. For
2219 the purposes of this paragraph, "state park" means any real
2220 property in the state which is under the jurisdiction of the
2221 Division of Recreation and Parks of the department, or which may
2222 come under its jurisdiction.

2223 (f) One and five-tenths percent to the Florida Forest
2224 Service of the Department of Agriculture and Consumer Services
2225 to fund the acquisition of state forest inholdings and additions
2226 pursuant to s. 589.07, the implementation of reforestation plans
2227 or sustainable forestry management practices, and for capital
2228 project expenditures as described in this section. At a minimum,
2229 1 percent, and no more than 10 percent, of the funds allocated
2230 for the acquisition of inholdings and additions pursuant to this
2231 paragraph shall be spent on capital project expenditures
2232 identified during the time of acquisition which meet land
2233 management planning activities necessary for public access.

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2234 (g) One and five-tenths percent to the Fish and Wildlife
2235 Conservation Commission to fund the acquisition of inholdings
2236 and additions to lands managed by the commission which are
2237 important to the conservation of fish and wildlife and for
2238 capital project expenditures as described in this section. At a
2239 minimum, 1 percent, and no more than 10 percent, of the funds
2240 allocated pursuant to this paragraph shall be spent on capital
2241 project expenditures identified during the time of acquisition
2242 which meet land management planning activities necessary for
2243 public access.

2244 (h) One and five-tenths percent to the Department of
2245 Environmental Protection for the Florida Greenways and Trails
2246 Program, to acquire greenways and trails or greenways and trail
2247 systems pursuant to chapter 260, including, but not limited to,
2248 abandoned railroad rights-of-way and the Florida National Scenic
2249 Trail and for capital project expenditures as described in this
2250 section. At a minimum, 1 percent, and no more than 10 percent,
2251 of the funds allocated pursuant to this paragraph shall be spent
2252 on capital project expenditures identified during the time of
2253 acquisition which meet land management planning activities
2254 necessary for public access.

2255 (i) Three and five-tenths percent to the Department of
2256 Agriculture and Consumer Services for the acquisition of
2257 agricultural lands, through perpetual conservation easements and
2258 other perpetual less-than-fee techniques, which will achieve the
2259 objectives of Florida Forever and s. 570.71. Rules concerning
2260 the application, acquisition, and priority ranking process for
2261 such easements shall be developed pursuant to s. 570.71(10) and
2262 as provided by this paragraph. The board shall ensure that such

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2263 rules are consistent with the acquisition process provided for
2264 in s. 259.041. Provisions of the rules developed pursuant to s.
2265 570.71(10), shall also provide for the following:

2266 1. An annual priority list shall be developed pursuant to
2267 s. 570.71(10), submitted to the Acquisition and Restoration
2268 Council for review, and approved by the board pursuant to s.
2269 259.04.

2270 2. Terms of easements and acquisitions proposed pursuant to
2271 this paragraph shall be approved by the board and shall not be
2272 delegated by the board to any other entity receiving funds under
2273 this section.

2274 3. All acquisitions pursuant to this paragraph shall
2275 contain a clear statement that they are subject to legislative
2276 appropriation.

2277

2278 No funds provided under this paragraph shall be expended until
2279 final adoption of rules by the board pursuant to s. 570.71.

2280 (j) Two and five-tenths percent to the Department of
2281 Environmental Protection for the acquisition of land and capital
2282 project expenditures necessary to implement the Stan Mayfield
2283 Working Waterfronts Program within the Florida Communities Trust
2284 pursuant to s. 380.5105.

2285 (k) It is the intent of the Legislature that cash payments
2286 or proceeds of Florida Forever bonds distributed under this
2287 section shall be expended in an efficient and fiscally
2288 responsible manner. An agency that receives proceeds from
2289 Florida Forever bonds under this section may not maintain a
2290 balance of unencumbered funds in its Florida Forever subaccount
2291 beyond 3 fiscal years from the date of deposit of funds from

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2292 each bond issue. Any funds that have not been expended or
2293 encumbered after 3 fiscal years from the date of deposit shall
2294 be distributed by the Legislature at its next regular session
2295 for use in the Florida Forever program.

2296 (1) For the purposes of paragraphs (e), (f), (g), and (h),
2297 the agencies that receive the funds shall develop their
2298 individual acquisition or restoration lists in accordance with
2299 specific criteria and numeric performance measures developed
2300 pursuant s. 259.035(4). Proposed additions may be acquired if
2301 they are identified within the original project boundary, the
2302 management plan required pursuant to s. 253.034(5), or the
2303 management prospectus required pursuant to s. 259.032(7)(d) ~~s.~~
2304 ~~259.032(9)(d)~~. Proposed additions not meeting the requirements
2305 of this paragraph shall be submitted to the Acquisition and
2306 Restoration Council for approval. The council may only approve
2307 the proposed addition if it meets two or more of the following
2308 criteria: serves as a link or corridor to other publicly owned
2309 property; enhances the protection or management of the property;
2310 would add a desirable resource to the property; would create a
2311 more manageable boundary configuration; has a high resource
2312 value that otherwise would be unprotected; or can be acquired at
2313 less than fair market value.

2314 ~~(m) Notwithstanding paragraphs (a) - (j) and for the 2014-~~
2315 ~~2015 fiscal year only:~~

2316 ~~1. Five million dollars to the Department of Agriculture~~
2317 ~~and Consumer Services for the acquisition of agricultural lands~~
2318 ~~through perpetual conservation easements and other perpetual~~
2319 ~~less-than-fee techniques, which will achieve the objectives of~~
2320 ~~Florida Forever and s. 570.71.~~

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2321 ~~2. The remaining moneys appropriated from the Florida~~
2322 ~~Forever Trust Fund shall be distributed only to the Division of~~
2323 ~~State Lands within the Department of Environmental Protection~~
2324 ~~for land acquisitions that are less than fee interest, for~~
2325 ~~partnerships in which the state's portion of the acquisition~~
2326 ~~cost is no more than 50 percent, or for conservation lands~~
2327 ~~needed for military buffering or springs or water resources~~
2328 ~~protection.~~

2329
2330 ~~This paragraph expires July 1, 2015.~~

2331 ~~(4) Notwithstanding subsection (3) and for the 2014-2015~~
2332 ~~fiscal year only, the funds appropriated in section 56 of the~~
2333 ~~2014-2015 General Appropriations Act may be provided to water~~
2334 ~~management districts for land acquisitions, including less than~~
2335 ~~fee interest, identified by water management districts as being~~
2336 ~~needed for water resource protection or ecosystem restoration.~~
2337 ~~This subsection expires July 1, 2015.~~

2338 (4)~~(5)~~ It is the intent of the Legislature that projects or
2339 acquisitions funded pursuant to paragraphs (3) (a) and (b)
2340 contribute to the achievement of the following goals, which
2341 shall be evaluated in accordance with specific criteria and
2342 numeric performance measures developed pursuant s. 259.035(4):

2343 (a) Enhance the coordination and completion of land
2344 acquisition projects, as measured by:

2345 1. The number of acres acquired through the state's land
2346 acquisition programs that contribute to the enhancement of
2347 essential natural resources, ecosystem service parcels, and
2348 connecting linkage corridors as identified and developed by the
2349 best available scientific analysis;

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- 2350 2. The number of acres protected through the use of
2351 alternatives to fee simple acquisition; or
- 2352 3. The number of shared acquisition projects among Florida
2353 Forever funding partners and partners with other funding
2354 sources, including local governments and the Federal Government.
- 2355 (b) Increase the protection of Florida's biodiversity at
2356 the species, natural community, and landscape levels, as
2357 measured by:
- 2358 1. The number of acres acquired of significant strategic
2359 habitat conservation areas;
- 2360 2. The number of acres acquired of highest priority
2361 conservation areas for Florida's rarest species;
- 2362 3. The number of acres acquired of significant landscapes,
2363 landscape linkages, and conservation corridors, giving priority
2364 to completing linkages;
- 2365 4. The number of acres acquired of underrepresented native
2366 ecosystems;
- 2367 5. The number of landscape-sized protection areas of at
2368 least 50,000 acres that exhibit a mosaic of predominantly intact
2369 or restorable natural communities established through new
2370 acquisition projects or augmentations to previous projects; or
- 2371 6. The percentage increase in the number of occurrences of
2372 imperiled species on publicly managed conservation areas.
- 2373 (c) Protect, restore, and maintain the quality and natural
2374 functions of land, water, and wetland systems of the state, as
2375 measured by:
- 2376 1. The number of acres of publicly owned land identified as
2377 needing restoration, enhancement, and management, acres
2378 undergoing restoration or enhancement, acres with restoration

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2379 activities completed, and acres managed to maintain such
2380 restored or enhanced conditions; the number of acres which
2381 represent actual or potential imperiled species habitat; the
2382 number of acres which are available pursuant to a management
2383 plan to restore, enhance, repopulate, and manage imperiled
2384 species habitat; and the number of acres of imperiled species
2385 habitat managed, restored, enhanced, repopulated, or acquired;

2386 2. The percentage of water segments that fully meet,
2387 partially meet, or do not meet their designated uses as reported
2388 in the Department of Environmental Protection's State Water
2389 Quality Assessment 305(b) Report;

2390 3. The percentage completion of targeted capital
2391 improvements in surface water improvement and management plans
2392 created under s. 373.453(2), regional or master stormwater
2393 management system plans, or other adopted restoration plans;

2394 4. The number of acres acquired that protect natural
2395 floodplain functions;

2396 5. The number of acres acquired that protect surface waters
2397 of the state;

2398 6. The number of acres identified for acquisition to
2399 minimize damage from flooding and the percentage of those acres
2400 acquired;

2401 7. The number of acres acquired that protect fragile
2402 coastal resources;

2403 8. The number of acres of functional wetland systems
2404 protected;

2405 9. The percentage of miles of critically eroding beaches
2406 contiguous with public lands that are restored or protected from
2407 further erosion;

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2408 10. The percentage of public lakes and rivers in which
 2409 invasive, nonnative aquatic plants are under maintenance
 2410 control; or

2411 11. The number of acres of public conservation lands in
 2412 which upland invasive, exotic plants are under maintenance
 2413 control.

2414 (d) Ensure that sufficient quantities of water are
 2415 available to meet the current and future needs of natural
 2416 systems and the citizens of the state, as measured by:

2417 1. The number of acres acquired which provide retention and
 2418 storage of surface water in naturally occurring storage areas,
 2419 such as lakes and wetlands, consistent with the maintenance of
 2420 water resources or water supplies and consistent with district
 2421 water supply plans;

2422 2. The quantity of water made available through the water
 2423 resource development component of a district water supply plan
 2424 for which a water management district is responsible; or

2425 3. The number of acres acquired of groundwater recharge
 2426 areas critical to springs, sinks, aquifers, other natural
 2427 systems, or water supply.

2428 (e) Increase natural resource-based public recreational and
 2429 educational opportunities, as measured by:

2430 1. The number of acres acquired that are available for
 2431 natural resource-based public recreation or education;

2432 2. The miles of trails that are available for public
 2433 recreation, giving priority to those that provide significant
 2434 connections including those that will assist in completing the
 2435 Florida National Scenic Trail; or

2436 3. The number of new resource-based recreation facilities,

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2437 by type, made available on public land.

2438 (f) Preserve significant archaeological or historic sites,
2439 as measured by:

2440 1. The increase in the number of and percentage of historic
2441 and archaeological properties listed in the Florida Master Site
2442 File or National Register of Historic Places which are protected
2443 or preserved for public use; or

2444 2. The increase in the number and percentage of historic
2445 and archaeological properties that are in state ownership.

2446 (g) Increase the amount of forestland available for
2447 sustainable management of natural resources, as measured by:

2448 1. The number of acres acquired that are available for
2449 sustainable forest management;

2450 2. The number of acres of state-owned forestland managed
2451 for economic return in accordance with current best management
2452 practices;

2453 3. The number of acres of forestland acquired that will
2454 serve to maintain natural groundwater recharge functions; or

2455 4. The percentage and number of acres identified for
2456 restoration actually restored by reforestation.

2457 (h) Increase the amount of open space available in urban
2458 areas, as measured by:

2459 1. The percentage of local governments that participate in
2460 land acquisition programs and acquire open space in urban cores;
2461 or

2462 2. The percentage and number of acres of purchases of open
2463 space within urban service areas.

2464
2465 Florida Forever projects and acquisitions funded pursuant to

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2466 paragraph (3)(c) shall be measured by goals developed by rule by
2467 the Florida Communities Trust Governing Board created in s.
2468 380.504.

2469 (5)~~(6)~~(a) All lands acquired pursuant to this section shall
2470 be managed for multiple-use purposes, where compatible with the
2471 resource values of and management objectives for such lands. As
2472 used in this section, "multiple-use" includes, but is not
2473 limited to, outdoor recreational activities as described in ss.
2474 253.034 and 259.032(7)(b) ~~259.032(9)(b)~~, water resource
2475 development projects, sustainable forestry management, carbon
2476 sequestration, carbon mitigation, or carbon offsets.

2477 (b) Upon a decision by the entity in which title to lands
2478 acquired pursuant to this section has vested, such lands may be
2479 designated single use as defined in s. 253.034(2)(b).

2480 (c) For purposes of this section, the Board of Trustees of
2481 the Internal Improvement Trust Fund shall adopt rules that
2482 pertain to the use of state lands for carbon sequestration,
2483 carbon mitigation, or carbon offsets and that provide for
2484 climate-change-related benefits.

2485 (6)~~(7)~~ As provided in this section, a water resource or
2486 water supply development project may be allowed only if the
2487 following conditions are met: minimum flows and levels have been
2488 established for those waters, if any, which may reasonably be
2489 expected to experience significant harm to water resources as a
2490 result of the project; the project complies with all applicable
2491 permitting requirements; and the project is consistent with the
2492 regional water supply plan, if any, of the water management
2493 district and with relevant recovery or prevention strategies if
2494 required pursuant to s. 373.0421(2).

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2495 (7)~~(8)~~(a) Beginning no later than July 1, 2001, and every
2496 year thereafter, the Acquisition and Restoration Council shall
2497 accept applications from state agencies, local governments,
2498 nonprofit and for-profit organizations, private land trusts, and
2499 individuals for project proposals eligible for funding pursuant
2500 to paragraph (3)(b). The council shall evaluate the proposals
2501 received pursuant to this subsection to ensure that they meet at
2502 least one of the criteria under subsection (8) ~~(9)~~.

2503 (b) Project applications shall contain, at a minimum, the
2504 following:

2505 1. A minimum of two numeric performance measures that
2506 directly relate to the overall goals adopted by the council.
2507 Each performance measure shall include a baseline measurement,
2508 which is the current situation; a performance standard which the
2509 project sponsor anticipates the project will achieve; and the
2510 performance measurement itself, which should reflect the
2511 incremental improvements the project accomplishes towards
2512 achieving the performance standard.

2513 2. Proof that property owners within any proposed
2514 acquisition have been notified of their inclusion in the
2515 proposed project. Any property owner may request the removal of
2516 such property from further consideration by submitting a request
2517 to the project sponsor or the Acquisition and Restoration
2518 Council by certified mail. Upon receiving this request, the
2519 council shall delete the property from the proposed project;
2520 however, the board of trustees, at the time it votes to approve
2521 the proposed project lists pursuant to subsection (15) ~~(16)~~, may
2522 add the property back on to the project lists if it determines
2523 by a super majority of its members that such property is

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2524 critical to achieve the purposes of the project.

2525 (c) The title to lands acquired under this section shall
2526 vest in the Board of Trustees of the Internal Improvement Trust
2527 Fund, except that title to lands acquired by a water management
2528 district shall vest in the name of that district and lands
2529 acquired by a local government shall vest in the name of the
2530 purchasing local government.

2531 (8)~~(9)~~ The Acquisition and Restoration Council shall
2532 develop a project list that shall represent those projects
2533 submitted pursuant to subsection (6) ~~(7)~~.

2534 (9)~~(10)~~ The Acquisition and Restoration Council shall
2535 recommend rules for adoption by the board of trustees to
2536 competitively evaluate, select, and rank projects eligible for
2537 Florida Forever funds pursuant to paragraph (3) (b) ~~and for~~
2538 ~~additions to the Conservation and Recreation Lands list pursuant~~
2539 ~~to ss. 259.032 and 259.101(4)~~. In developing these proposed
2540 rules, the Acquisition and Restoration Council shall give weight
2541 to the following criteria:

2542 (a) The project meets multiple goals described in
2543 subsection (4).

2544 (b) The project is part of an ongoing governmental effort
2545 to restore, protect, or develop land areas or water resources.

2546 (c) The project enhances or facilitates management of
2547 properties already under public ownership.

2548 (d) The project has significant archaeological or historic
2549 value.

2550 (e) The project has funding sources that are identified and
2551 assured through at least the first 2 years of the project.

2552 (f) The project contributes to the solution of water

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2553 resource problems on a regional basis.

2554 (g) The project has a significant portion of its land area
2555 in imminent danger of development, in imminent danger of losing
2556 its significant natural attributes or recreational open space,
2557 or in imminent danger of subdivision which would result in
2558 multiple ownership and make acquisition of the project costly or
2559 less likely to be accomplished.

2560 (h) The project implements an element from a plan developed
2561 by an ecosystem management team.

2562 (i) The project is one of the components of the Everglades
2563 restoration effort.

2564 (j) The project may be purchased at 80 percent of appraised
2565 value.

2566 (k) The project may be acquired, in whole or in part, using
2567 alternatives to fee simple, including but not limited to, tax
2568 incentives, mitigation funds, or other revenues; the purchase of
2569 development rights, hunting rights, agricultural or
2570 silvicultural rights, or mineral rights; or obtaining
2571 conservation easements or flowage easements.

2572 (l) The project is a joint acquisition, either among public
2573 agencies, nonprofit organizations, or private entities, or by a
2574 public-private partnership.

2575 (10)~~(11)~~ The Acquisition and Restoration Council shall give
2576 increased priority to those projects for which matching funds
2577 are available and to project elements previously identified on
2578 an acquisition list pursuant to this section that can be
2579 acquired at 80 percent or less of appraised value. The council
2580 shall also give increased priority to those projects where the
2581 state's land conservation plans overlap with the military's need

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2582 to protect lands, water, and habitat to ensure the
2583 sustainability of military missions including:

2584 (a) Protecting habitat on nonmilitary land for any species
2585 found on military land that is designated as threatened or
2586 endangered, or is a candidate for such designation under the
2587 Endangered Species Act or any Florida statute;

2588 (b) Protecting areas underlying low-level military air
2589 corridors or operating areas; and

2590 (c) Protecting areas identified as clear zones, accident
2591 potential zones, and air installation compatible use buffer
2592 zones delineated by our military partners, and for which federal
2593 or other funding is available to assist with the project.

2594 (11)~~(12)~~ For the purposes of funding projects pursuant to
2595 paragraph (3) (a), the Secretary of Environmental Protection
2596 shall ensure that each water management district receives the
2597 following percentage of funds annually:

2598 (a) Thirty-five percent to the South Florida Water
2599 Management District, of which amount \$25 million for 2 years
2600 beginning in fiscal year 2000-2001 shall be transferred by the
2601 Department of Environmental Protection into the Save Our
2602 Everglades Trust Fund and shall be used exclusively to implement
2603 the comprehensive plan under s. 373.470.

2604 (b) Twenty-five percent to the Southwest Florida Water
2605 Management District.

2606 (c) Twenty-five percent to the St. Johns River Water
2607 Management District.

2608 (d) Seven and one-half percent to the Suwannee River Water
2609 Management District.

2610 (e) Seven and one-half percent to the Northwest Florida

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2611 Water Management District.

2612 (12)~~(13)~~ It is the intent of the Legislature that in
2613 developing the list of projects for funding pursuant to
2614 paragraph (3)(a), that these funds not be used to abrogate the
2615 financial responsibility of those point and nonpoint sources
2616 that have contributed to the degradation of water or land areas.
2617 Therefore, an increased priority shall be given by the water
2618 management district governing boards to those projects that have
2619 secured a cost-sharing agreement allocating responsibility for
2620 the cleanup of point and nonpoint sources.

2621 (13)~~(14)~~ An affirmative vote of five members of the
2622 Acquisition and Restoration Council shall be required in order
2623 to place a proposed project on the list developed pursuant to
2624 subsection (7) ~~(8)~~. Any member of the council who by family or a
2625 business relationship has a connection with any project proposed
2626 to be ranked shall declare such interest prior to voting for a
2627 project's inclusion on the list.

2628 (14)~~(15)~~ Each year that cash disbursements or bonds are to
2629 be issued pursuant to this section, the Acquisition and
2630 Restoration Council shall review the most current approved
2631 project list and shall, by the first board meeting in May,
2632 present to the Board of Trustees of the Internal Improvement
2633 Trust Fund for approval a listing of projects developed pursuant
2634 to subsection (7) ~~(8)~~. The board of trustees may remove projects
2635 from the list developed pursuant to this subsection, but may not
2636 add projects or rearrange project rankings.

2637 (15)~~(16)~~ The Acquisition and Restoration Council shall
2638 submit to the board of trustees, with its list of projects, a
2639 report that includes, but shall not be limited to, the following

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- 2640 information for each project listed:
- 2641 (a) The stated purpose for inclusion.
- 2642 (b) Projected costs to achieve the project goals.
- 2643 (c) An interim management budget that includes all costs
2644 associated with immediate public access.
- 2645 (d) Specific performance measures.
- 2646 (e) Plans for public access.
- 2647 (f) An identification of the essential parcel or parcels
2648 within the project without which the project cannot be properly
2649 managed.
- 2650 (g) Where applicable, an identification of those projects
2651 or parcels within projects which should be acquired in fee
2652 simple or in less than fee simple.
- 2653 (h) An identification of those lands being purchased for
2654 conservation purposes.
- 2655 (i) A management policy statement for the project and a
2656 management prospectus pursuant to s. 259.032(7)(d) ~~s.~~
2657 ~~259.032(9)(d)~~.
- 2658 (j) An estimate of land value based on county tax assessed
2659 values.
- 2660 (k) A map delineating project boundaries.
- 2661 (l) An assessment of the project's ecological value,
2662 outdoor recreational value, forest resources, wildlife
2663 resources, ownership pattern, utilization, and location.
- 2664 (m) A discussion of whether alternative uses are proposed
2665 for the property and what those uses are.
- 2666 (n) A designation of the management agency or agencies.
- 2667 (16) ~~(17)~~ All proposals for projects pursuant to paragraph
2668 (3)(b) shall be implemented only if adopted by the Acquisition

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2669 and Restoration Council and approved by the board of trustees.
2670 The council shall consider and evaluate in writing the merits
2671 and demerits of each project that is proposed for Florida
2672 Forever funding ~~and each proposed addition to the Conservation~~
2673 ~~and Recreation Lands list program~~. The council shall ensure that
2674 each proposed project will meet a stated public purpose for the
2675 restoration, conservation, or preservation of environmentally
2676 sensitive lands and water areas or for providing outdoor
2677 recreational opportunities ~~and that each proposed addition to~~
2678 ~~the Conservation and Recreation Lands list will meet the public~~
2679 ~~purposes under s. 259.032(3) and, when applicable, s.~~
2680 ~~259.101(4)~~. The council also shall determine whether the project
2681 or addition conforms, where applicable, with the comprehensive
2682 plan developed pursuant to s. 259.04(1)(a), the comprehensive
2683 multipurpose outdoor recreation plan developed pursuant to s.
2684 375.021, the state lands management plan adopted pursuant to s.
2685 253.03(7), the water resources work plans developed pursuant to
2686 s. 373.199, and the provisions of this section.

2687 (17) ~~(18)~~ On an annual basis, the Division of State Lands
2688 shall prepare an annual work plan that prioritizes projects on
2689 the Florida Forever list and sets forth the funding available in
2690 the fiscal year for land acquisition. The work plan shall
2691 consider the following categories of expenditure for land
2692 conservation projects already selected for the Florida Forever
2693 list pursuant to subsection (7) ~~(8)~~:

2694 (a) A critical natural lands category, including functional
2695 landscape-scale natural systems, intact large hydrological
2696 systems, lands that have significant imperiled natural
2697 communities, and corridors linking large landscapes, as

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2698 identified and developed by the best available scientific
2699 analysis.

2700 (b) A partnerships or regional incentive category,
2701 including:

2702 1. Projects where local and regional cost-share agreements
2703 provide a lower cost and greater conservation benefit to the
2704 people of the state. Additional consideration shall be provided
2705 under this category where parcels are identified as part of a
2706 local or regional visioning process and are supported by
2707 scientific analysis; and

2708 2. Bargain and shared projects where the state will receive
2709 a significant reduction in price for public ownership of land as
2710 a result of the removal of development rights or other interests
2711 in lands or receives alternative or matching funds.

2712 (c) A substantially complete category of projects where
2713 mainly inholdings, additions, and linkages between preserved
2714 areas will be acquired and where 85 percent of the project is
2715 complete.

2716 (d) A climate-change category list of lands where
2717 acquisition or other conservation measures will address the
2718 challenges of global climate change, such as through protection,
2719 restoration, mitigation, and strengthening of Florida's land,
2720 water, and coastal resources. This category includes lands that
2721 provide opportunities to sequester carbon, provide habitat,
2722 protect coastal lands or barrier islands, and otherwise mitigate
2723 and help adapt to the effects of sea-level rise and meet other
2724 objectives of the program.

2725 (e) A less-than-fee category for working agricultural lands
2726 that significantly contribute to resource protection through

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2727 conservation easements and other less-than-fee techniques, tax
2728 incentives, life estates, landowner agreements, and other
2729 partnerships, including conservation easements acquired in
2730 partnership with federal conservation programs, which will
2731 achieve the objectives of Florida Forever while allowing the
2732 continuation of compatible agricultural uses on the land. Terms
2733 of easements proposed for acquisition under this category shall
2734 be developed by the Division of State Lands in coordination with
2735 the Department of Agriculture and Consumer Services.

2736

2737 Projects within each category shall be ranked by order of
2738 priority. The work plan shall be adopted by the Acquisition and
2739 Restoration Council after at least one public hearing. A copy of
2740 the work plan shall be provided to the board of trustees of the
2741 Internal Improvement Trust Fund no later than October 1 of each
2742 year.

2743 (18)~~(19)~~ (a) The Board of Trustees of the Internal
2744 Improvement Trust Fund, or, in the case of water management
2745 district lands, the owning water management district, may
2746 authorize the granting of a lease, easement, or license for the
2747 use of certain lands acquired pursuant to this section, for
2748 certain uses that are determined by the appropriate board to be
2749 compatible with the resource values of and management objectives
2750 for such lands.

2751 (b) Any existing lease, easement, or license acquired for
2752 incidental public or private use on, under, or across any lands
2753 acquired pursuant to this section shall be presumed to be
2754 compatible with the purposes for which such lands were acquired.

2755 (c) Notwithstanding the provisions of paragraph (a), no

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2756 such lease, easement, or license shall be entered into by the
2757 Department of Environmental Protection or other appropriate
2758 state agency if the granting of such lease, easement, or license
2759 would adversely affect the exclusion of the interest on any
2760 revenue bonds issued to fund the acquisition of the affected
2761 lands from gross income for federal income tax purposes,
2762 pursuant to Internal Revenue Service regulations.

2763 (19)~~(20)~~ The Acquisition and Restoration Council shall
2764 recommend adoption of rules by the board of trustees necessary
2765 to implement the provisions of this section relating to:
2766 solicitation, scoring, selecting, and ranking of Florida Forever
2767 project proposals; disposing of or leasing lands or water areas
2768 selected for funding through the Florida Forever program; and
2769 the process of reviewing and recommending for approval or
2770 rejection the land management plans associated with publicly
2771 owned properties. Rules promulgated pursuant to this subsection
2772 shall be submitted to the President of the Senate and the
2773 Speaker of the House of Representatives, for review by the
2774 Legislature, no later than 30 days prior to the 2010 Regular
2775 Session and shall become effective only after legislative
2776 review. In its review, the Legislature may reject, modify, or
2777 take no action relative to such rules. The board of trustees
2778 shall conform such rules to changes made by the Legislature, or,
2779 if no action was taken by the Legislature, such rules shall
2780 become effective.

2781 (20)~~(21)~~ Lands listed as projects for acquisition under the
2782 Florida Forever program may be managed for conservation pursuant
2783 to s. 259.032, on an interim basis by a private party in
2784 anticipation of a state purchase in accordance with a

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2785 contractual arrangement between the acquiring agency and the
2786 private party that may include management service contracts,
2787 leases, cost-share arrangements, or resource conservation
2788 agreements. Lands designated as eligible under this subsection
2789 shall be managed to maintain or enhance the resources the state
2790 is seeking to protect by acquiring the land and to accelerate
2791 public access to the lands as soon as practicable. Funding for
2792 these contractual arrangements may originate from the
2793 documentary stamp tax revenue deposited into the Land
2794 Acquisition Conservation and Recreation Lands Trust Fund and
2795 Water Management Lands Trust Fund. No more than \$6.2 million may
2796 be expended from the Land Acquisition Trust Fund ~~5 percent of~~
2797 ~~funds allocated under the trust funds shall be expended~~ for this
2798 purpose.

2799 Section 25. Subsections (1) and (3) of section 259.1051,
2800 Florida Statutes, are amended to read:

2801 259.1051 Florida Forever Trust Fund.—

2802 (1) There is created the Florida Forever Trust Fund to
2803 carry out the purposes of ss. 259.032, 259.105, 259.1052, and
2804 375.031. The Florida Forever Trust Fund shall be held and
2805 administered by the Department of Environmental Protection.
2806 Proceeds from the sale of bonds, except proceeds of refunding
2807 bonds, issued under s. 215.618 and payable from moneys
2808 transferred to the Land Acquisition Trust Fund under s.
2809 201.15(1) ~~s. 201.15(1)(a)~~, not to exceed \$5.3 billion, must be
2810 deposited into this trust fund to be distributed and used as
2811 provided in s. 259.105(3). The bond resolution adopted by the
2812 governing board of the Division of Bond Finance of the State
2813 Board of Administration may provide for additional provisions

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2814 that govern the disbursement of the bond proceeds.

2815 (3) The Department of Environmental Protection shall ensure
2816 that the proceeds from the sale of bonds issued under s. 215.618
2817 and payable from moneys transferred to the Land Acquisition
2818 Trust Fund under s. 201.15(1) ~~s. 201.15(1)(a)~~ shall be
2819 administered and expended in a manner that ensures compliance of
2820 each issue of bonds that are issued on the basis that interest
2821 thereon will be excluded from gross income for federal income
2822 tax purposes, with the applicable provisions of the United
2823 States Internal Revenue Code and the regulations promulgated
2824 thereunder, to the extent necessary to preserve the exclusion of
2825 interest on the bonds from gross income for federal income tax
2826 purposes. The Department of Environmental Protection shall
2827 administer the use and disbursement of the proceeds of such
2828 bonds or require that the use and disbursement thereof be
2829 administered in a manner to implement strategies to maximize any
2830 available benefits under the applicable provisions of the United
2831 States Internal Revenue Code or regulations promulgated
2832 thereunder, to the extent not inconsistent with the purposes
2833 identified in s. 259.105(3).

2834 Section 26. Paragraph (a) of subsection (2) of section
2835 338.250, Florida Statutes, is amended to read:

2836 338.250 Central Florida Beltway Mitigation.—

2837 (2) Environmental mitigation required as a result of
2838 construction of the beltway, or portions thereof, shall be
2839 satisfied in the following manner:

2840 (a) For those projects which the Department of
2841 Transportation is authorized to construct, funds for
2842 environmental mitigation shall be deposited in the Central

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2843 Florida Beltway Trust Fund created within the department at the
2844 time bonds for the specific project are sold. If a road building
2845 authority other than the department is authorized to construct
2846 the project, funds for environmental mitigation shall be
2847 deposited in a mitigation fund account established in the
2848 construction fund for the bond issues. Said account shall be
2849 established at the time bond proceeds are deposited into the
2850 construction fund for the specific project. These funds shall be
2851 provided from bond proceeds, and the use of such funds from bond
2852 proceeds for mitigation shall be deemed a public purpose. The
2853 amount to be provided for mitigation for the Eastern Beltway in
2854 Seminole County shall be up to \$4 million, the amount to be
2855 provided for mitigation for the Western Beltway shall be up to
2856 \$30.5 million, the amount to be provided for mitigation for the
2857 Southern Connector shall be up to \$14.28 million, the amount to
2858 be provided for mitigation for the Turnpike/Southern Connector
2859 Interchange shall be up to \$1.46 million, and the amount to be
2860 provided for mitigation for the Southern Connector Extension
2861 shall be in proportion to the amount provided for the Southern
2862 Connector based upon the amount of wetlands displaced. To the
2863 extent allowed by law, the interest on said funds as earned,
2864 after deposit into the Central Florida Beltway Trust Fund, or in
2865 a mitigation fund account shall accrue and be paid to the agency
2866 responsible for the construction of the appropriate project.
2867 Where feasible, mitigation funds shall be used in coordination
2868 with funds from ~~the Conservation and Recreation Lands Trust~~
2869 ~~Fund, Save Our Rivers Land Acquisition Program, or from other~~
2870 appropriate sources.

2871 Section 27. Paragraph (c) of subsection (8) of section

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2872 373.026, Florida Statutes, is repealed.

2873 Section 28. Subsection (4) of section 373.089, Florida
2874 Statutes, is amended to read:

2875 373.089 Sale or exchange of lands, or interests or rights
2876 in lands.—The governing board of the district may sell lands, or
2877 interests or rights in lands, to which the district has acquired
2878 title or to which it may hereafter acquire title in the
2879 following manner:

2880 (4) The governing board of a district may exchange lands,
2881 or interests or rights in lands, owned by, or lands, or
2882 interests or rights in lands, for which title is otherwise
2883 vested in, the district for other lands, or interests or rights
2884 in lands, within the state owned by any person. The governing
2885 board shall fix the terms and conditions of any such exchange
2886 and may pay or receive any sum of money that the board considers
2887 necessary to equalize the values of exchanged properties. Land,
2888 or interests or rights in land, acquired under former s. 373.59,
2889 Florida Statutes 2014, may be exchanged only for lands, or
2890 interests or rights in lands, that otherwise meet the
2891 requirements of that section for acquisition.

2892 Section 29. Paragraph (a) of subsection (5) of section
2893 373.129, Florida Statutes, is amended to read:

2894 373.129 Maintenance of actions.—The department, the
2895 governing board of any water management district, any local
2896 board, or a local government to which authority has been
2897 delegated pursuant to s. 373.103(8), is authorized to commence
2898 and maintain proper and necessary actions and proceedings in any
2899 court of competent jurisdiction for any of the following
2900 purposes:

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2901 (5) To recover a civil penalty for each offense in an
2902 amount not to exceed \$10,000 per offense. Each date during which
2903 such violation occurs constitutes a separate offense.

2904 (a) A civil penalty recovered by a water management
2905 district pursuant to this subsection shall be deposited in the
2906 Water Quality Assurance Management Lands Trust Fund established
2907 under s. 376.307 ~~s. 373.59~~ and used exclusively by the water
2908 management district that deposits the money into the fund. A
2909 civil penalty recovered by the department pursuant to this
2910 subsection shall be deposited into the Water Quality Assurance
2911 Trust Fund established under s. 376.307 ~~Any such civil penalty~~
2912 ~~recovered after the expiration of such fund shall be deposited~~
2913 ~~in the Ecosystem Management and Restoration Trust Fund and used~~
2914 ~~exclusively within the water management district that deposits~~
2915 ~~the money into the fund.~~

2916 Section 30. Subsection (5) of section 373.1391, Florida
2917 Statutes, is amended to read:

2918 373.1391 Management of real property.—

2919 (5) The following additional uses of lands acquired
2920 pursuant to the Florida Forever program and other state-funded
2921 land purchase programs shall be authorized, upon a finding by
2922 the governing board, if they meet the criteria specified in
2923 paragraphs (a)-(e): water resource development projects, water
2924 supply development projects, stormwater management projects,
2925 linear facilities, and sustainable agriculture and forestry.
2926 Such additional uses are authorized where:

2927 (a) Not inconsistent with the management plan for such
2928 lands;

2929 (b) Compatible with the natural ecosystem and resource

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2930 values of such lands;

2931 (c) The proposed use is appropriately located on such lands
2932 and where due consideration is given to the use of other
2933 available lands;

2934 (d) The using entity reasonably compensates the titleholder
2935 for such use based upon an appropriate measure of value; and

2936 (e) The use is consistent with the public interest.

2937

2938 A decision by the governing board pursuant to this subsection
2939 shall be given a presumption of correctness. Moneys received
2940 from the use of state lands pursuant to this subsection shall be
2941 returned to the lead managing agency ~~in accordance with the~~
2942 ~~provisions of s. 373.59.~~

2943 Section 31. Subsection (7) of section 373.199, Florida
2944 Statutes, is amended to read:

2945 373.199 Florida Forever Water Management District Work
2946 Plan.—

2947 (7) By June 1, 2001, each district shall file with the
2948 President of the Senate, the Speaker of the House of
2949 Representatives, and the Secretary of Environmental Protection
2950 the initial 5-year work plan as required under subsection (2).
2951 By March 1 of each year thereafter, as part of the consolidated
2952 annual report required by s. 373.036(7), each district shall
2953 report on acquisitions completed during the year together with
2954 modifications or additions to its 5-year work plan. Included in
2955 the report shall be:

2956 (a) A description of land management activity for each
2957 property or project area owned by the water management district.

2958 (b) A list of any lands surplused and the amount of

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2959 compensation received.

2960 (c) The progress of funding, staffing, and resource
 2961 management of every project funded pursuant to former s.
 2962 259.101(3), Florida Statutes 2014 ~~s. 259.101~~, s. 259.105, or
 2963 former s. 373.59(2), Florida Statutes 2014, ~~s. 373.59~~ for which
 2964 the district is responsible.

2965

2966 The secretary shall submit the report referenced in this
 2967 subsection to the Board of Trustees of the Internal Improvement
 2968 Trust Fund together with the Acquisition and Restoration
 2969 Council's project list as required under s. 259.105.

2970 Section 32. Subsection (7) of section 373.430, Florida
 2971 Statutes, is amended to read:

2972 373.430 Prohibitions, violation, penalty, intent.—

2973 (7) All moneys recovered under the provisions of this
 2974 section shall be allocated to the use of the water management
 2975 district, the department, or the local government, whichever
 2976 undertook and maintained the enforcement action. All monetary
 2977 penalties and damages recovered by the department or the state
 2978 under the provisions of this section shall be deposited into ~~in~~
 2979 the Florida Permit Fee Ecosystem Management and Restoration
 2980 Trust Fund. All monetary penalties and damages recovered
 2981 pursuant to this section by a water management district shall be
 2982 deposited into ~~in~~ the Florida Permit Fee Water Management Lands
 2983 Trust Fund established under s. 403.0871 ~~s. 373.59~~ and used
 2984 exclusively within the territory of the water management
 2985 district which deposits the money into the fund. ~~Any such~~
 2986 ~~monetary penalties and damages recovered after the expiration of~~
 2987 ~~such fund shall be deposited in the Ecosystem Management and~~

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2988 ~~Restoration Trust Fund and used exclusively within the territory~~
 2989 ~~of the water management district which deposits the money into~~
 2990 ~~the fund.~~ All monetary penalties and damages recovered pursuant
 2991 to this subsection by a local government to which authority has
 2992 been delegated pursuant to s. 373.103(8) shall be used to
 2993 enhance surface water improvement or pollution control
 2994 activities.

2995 Section 33. Subsections (3) through (6) of section 373.459,
 2996 Florida Statutes, are amended to read:

2997 373.459 Funds for surface water improvement and
 2998 management.—

2999 (3) ~~The Ecosystem Management and Restoration Trust Fund~~
 3000 ~~shall be used for the deposit of funds appropriated by the~~
 3001 ~~Legislature for the purposes of ss. 373.451-373.4595.~~ The
 3002 department shall administer all funds appropriated to or
 3003 received for surface water improvement and management
 3004 activities. Expenditure of the moneys shall be limited to the
 3005 costs of detailed planning and plan and program implementation
 3006 for priority surface water bodies. Moneys may ~~from the fund~~
 3007 ~~shall not be expended for planning for, or construction or~~
 3008 ~~expansion of, treatment facilities for domestic or industrial~~
 3009 ~~waste disposal.~~

3010 (4) The department shall authorize the release of money
 3011 ~~from the fund~~ in accordance with ~~the provisions of~~ s. 373.501(2)
 3012 ~~and procedures in s. 373.59(4) and (5).~~

3013 (5) ~~Moneys in the fund which are not needed to meet current~~
 3014 ~~obligations incurred under this section shall be transferred to~~
 3015 ~~the State Board of Administration, to the credit of the trust~~
 3016 ~~fund, to be invested in the manner provided by law. Interest~~

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3017 ~~received on such investments shall be credited to the trust~~
3018 ~~fund.~~

3019 (5)~~(6)~~ The match requirement of subsection (2) does ~~shall~~
3020 not apply to the Suwannee River Water Management District, the
3021 Northwest Florida Water Management District, or a financially
3022 disadvantaged small local government as defined in former s.
3023 403.885(3).

3024 Section 34. Paragraph (a) of subsection (3) of section
3025 373.4592, Florida Statutes, is amended to read:

3026 373.4592 Everglades improvement and management.—

3027 (3) EVERGLADES LONG-TERM PLAN.—

3028 (a) The Legislature finds that the Everglades Program
3029 required by this section establishes more extensive and
3030 comprehensive requirements for surface water improvement and
3031 management within the Everglades than the SWIM plan requirements
3032 provided in ss. 373.451 and 373.453. In order to avoid
3033 duplicative requirements, and in order to conserve the resources
3034 available to the district, the SWIM plan requirements of those
3035 sections shall not apply to the Everglades Protection Area and
3036 the EAA during the term of the Everglades Program, and the
3037 district will neither propose, nor take final agency action on,
3038 any Everglades SWIM plan for those areas until the Everglades
3039 Program is fully implemented. Funds identified under former s.
3040 259.101(3)(b), Florida Statutes 2014, may be used for
3041 acquisition of lands necessary to implement the Everglades
3042 Construction Project, to the extent these funds are identified
3043 in the Statement of Principles of July 1993. The district's
3044 actions in implementing the Everglades Construction Project
3045 relating to the responsibilities of the EAA and C-139 Basin for

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3046 funding and water quality compliance in the EAA and the
3047 Everglades Protection Area shall be governed by this section.
3048 Other strategies or activities in the March 1992 Everglades SWIM
3049 plan may be implemented if otherwise authorized by law.

3050 Section 35. Subsection (4) of section 373.45926, Florida
3051 Statutes, is amended to read:

3052 373.45926 Everglades Trust Fund; allocation of revenues and
3053 expenditure of funds for conservation and protection of natural
3054 resources and abatement of water pollution.—

3055 (4) The following funds shall be deposited into the
3056 Everglades Trust Fund specifically for the implementation of the
3057 Everglades Forever Act.

3058 (a) Alligator Alley toll revenues pursuant to s. 338.26(3).

3059 (b) Everglades agricultural privilege tax revenues pursuant
3060 to s. 373.4592(6).

3061 (c) C-139 agricultural privilege tax revenues pursuant to
3062 s. 373.4592(7).

3063 (d) Special assessment revenues pursuant to s. 373.4592(8).

3064 (e) Ad valorem revenues pursuant to s. 373.4592(4)(a).

3065 (f) Federal funds appropriated by the United States
3066 Congress for any component of the Everglades Construction
3067 Project.

3068 ~~(g) Preservation 2000 funds for acquisition of lands~~
3069 ~~necessary for implementation of the Everglades Forever Act as~~
3070 ~~prescribed in an annual appropriation.~~

3071 (g)(h) Any additional funds specifically appropriated by
3072 the Legislature for this purpose.

3073 (h)(i) Gifts designated for implementation of the
3074 Everglades Forever Act from individuals, corporations, and other

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3075 entities.

3076 (i)~~(j)~~ Any additional funds that become available for this
3077 purpose from any other source.

3078 Section 36. Paragraph (a) of subsection (6) and paragraph
3079 (b) of subsection (7) of section 373.470, Florida Statutes, are
3080 amended to read:

3081 373.470 Everglades restoration.—

3082 (6) DISTRIBUTIONS FROM SAVE OUR EVERGLADES TRUST FUND.—

3083 (a) Except as provided in paragraphs (d) and (e) and for
3084 funds appropriated for debt service, the department shall
3085 distribute funds in the Save Our Everglades Trust Fund to the
3086 district in accordance with a legislative appropriation and s.
3087 373.026(8)(b) ~~and (e)~~. Distribution of funds to the district
3088 from the Save Our Everglades Trust Fund shall be equally matched
3089 by the cumulative contributions from the district by fiscal year
3090 2019-2020 by providing funding or credits toward project
3091 components. The dollar value of in-kind project design and
3092 construction work by the district in furtherance of the
3093 comprehensive plan and existing interest in public lands needed
3094 for a project component are credits towards the district's
3095 contributions.

3096 (7) ANNUAL REPORT.—To provide enhanced oversight of and
3097 accountability for the financial commitments established under
3098 this section and the progress made in the implementation of the
3099 comprehensive plan, the following information must be prepared
3100 annually as part of the consolidated annual report required by
3101 s. 373.036(7):

3102 (b) The department shall prepare a detailed report on all
3103 funds expended by the state and credited toward the state's

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3104 share of funding for implementation of the comprehensive plan.

3105 The report shall include:

3106 1. A description of all expenditures, by source and amount,
 3107 from ~~the Conservation and Recreation Lands Trust Fund,~~ the Land
 3108 Acquisition Trust Fund, ~~the Preservation 2000 Trust Fund,~~ the
 3109 Florida Forever Trust Fund, the Save Our Everglades Trust Fund,
 3110 and other named funds or accounts for the acquisition or
 3111 construction of project components or other features or
 3112 facilities that benefit the comprehensive plan.

3113 2. A description of the purposes for which the funds were
 3114 expended.

3115 3. The unencumbered fiscal-year-end balance that remains in
 3116 each trust fund or account identified in subparagraph 1.

3117

3118 The information required in paragraphs (a), (b), and (c) shall
 3119 be provided as part of the consolidated annual report required
 3120 by s. 373.036(7). The initial report is due by November 30,
 3121 2000, and each annual report thereafter is due by March 1.

3122 Section 37. Subsection (2) of section 373.584, Florida
 3123 Statutes, is amended to read:

3124 373.584 Revenue bonds.—

3125 (2) Revenues derived by the district ~~from the Water~~
 3126 ~~Management Lands Trust Fund as provided in s. 373.59 or any~~
 3127 ~~other revenues of the district~~ may be pledged to the payment of
 3128 such revenue bonds; however, the ad valorem taxing powers of the
 3129 district may not be pledged to the payment of such revenue bonds
 3130 without prior compliance with the requirements of the State
 3131 Constitution as to the affirmative vote of the electors of the
 3132 district and with the requirements of s. 373.563, ~~and bonds~~

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3133 ~~payable from the Water Management Lands Trust Fund shall be~~
3134 ~~issued solely for the purposes set forth in s. 373.59.~~ Revenue
3135 bonds and notes shall be, and shall be deemed to be, for all
3136 purposes, negotiable instruments, subject only to the provisions
3137 of the revenue bonds and notes for registration. The powers and
3138 authority of districts to issue revenue bonds, including, but
3139 not limited to, bonds to finance a stormwater management system
3140 as defined by s. 373.403, and to enter into contracts incidental
3141 thereto, and to do all things necessary and desirable in
3142 connection with the issuance of revenue bonds, shall be
3143 coextensive with the powers and authority of municipalities to
3144 issue bonds under state law. The provisions of this section
3145 constitute full and complete authority for the issuance of
3146 revenue bonds and shall be liberally construed to effectuate its
3147 purpose.

3148 Section 38. Section 373.59, Florida Statutes, is amended to
3149 read:

3150 373.59 Payment in lieu of taxes for lands acquired for
3151 water management district purposes ~~Water Management Lands Trust~~
3152 ~~Fund.~~—

3153 (1) ~~There is established within the Department of~~
3154 ~~Environmental Protection the Water Management Lands Trust Fund~~
3155 ~~to be used as a nonlapsing fund for the purposes of this~~
3156 ~~section. The moneys in this fund are hereby continually~~
3157 ~~appropriated for the purposes of land acquisition, management,~~
3158 ~~maintenance, capital improvements of land titled to the~~
3159 ~~districts, payments in lieu of taxes, debt service on bonds~~
3160 ~~issued prior to July 1, 1999, debt service on bonds issued on or~~
3161 ~~after July 1, 1999, which are issued to refund bonds issued~~

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3162 ~~before July 1, 1999, preacquisition costs associated with land~~
3163 ~~purchases, and the department's costs of administration of the~~
3164 ~~fund. No refunding bonds may be issued which mature after the~~
3165 ~~final maturity date of the bonds being refunded or which provide~~
3166 ~~for higher debt service in any year than is payable on such~~
3167 ~~bonds as of February 1, 2009. The department's costs of~~
3168 ~~administration shall be charged proportionally against each~~
3169 ~~district's allocation using the formula provided in subsection~~
3170 ~~(8). Capital improvements shall include, but need not be limited~~
3171 ~~to, perimeter fencing, signs, firelanes, control of invasive~~
3172 ~~exotic species, controlled burning, habitat inventory and~~
3173 ~~restoration, law enforcement, access roads and trails, and~~
3174 ~~minimal public accommodations, such as primitive campsites,~~
3175 ~~garbage receptacles, and toilets. The moneys in the fund may~~
3176 ~~also be appropriated to supplement operational expenditures at~~
3177 ~~the Northwest Florida Water Management District and the Suwannee~~
3178 ~~River Water Management District, with such appropriations~~
3179 ~~allocated prior to the allocations set out in subsection (8) to~~
3180 ~~the five water management districts.~~

3181 ~~(2) Until the Preservation 2000 Program is concluded, each~~
3182 ~~district shall file with the Legislature and the Secretary of~~
3183 ~~Environmental Protection a report of acquisition activity, by~~
3184 ~~January 15 of each year, together with modifications or~~
3185 ~~additions to its 5-year plan of acquisition. Included in the~~
3186 ~~report shall be an identification of those lands which require a~~
3187 ~~full fee simple interest to achieve water management goals and~~
3188 ~~those lands which can be acquired using alternatives to fee~~
3189 ~~simple acquisition techniques and still achieve such goals. In~~
3190 ~~their evaluation of which lands would be appropriate for~~

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3191 ~~acquisition through alternatives to fee simple, district staff~~
3192 ~~shall consider criteria including, but not limited to,~~
3193 ~~acquisition costs, the net present value of future land~~
3194 ~~management costs, the net present value of ad valorem revenue~~
3195 ~~loss to the local government, and the potential for revenue~~
3196 ~~generated from activities compatible with acquisition~~
3197 ~~objectives. The report shall also include a description of land~~
3198 ~~management activity. However, no acquisition of lands shall~~
3199 ~~occur without a public hearing similar to those held pursuant to~~
3200 ~~the provisions set forth in s. 120.54. In the annual update of~~
3201 ~~its 5-year plan for acquisition, each district shall identify~~
3202 ~~lands needed to protect or recharge groundwater and shall~~
3203 ~~establish a plan for their acquisition as necessary to protect~~
3204 ~~potable water supplies. Lands which serve to protect or recharge~~
3205 ~~groundwater identified pursuant to this paragraph shall also~~
3206 ~~serve to protect other valuable natural resources or provide~~
3207 ~~space for natural resource based recreation. Once all~~
3208 ~~Preservation 2000 funds allocated to the water management~~
3209 ~~districts have been expended or committed, this subsection shall~~
3210 ~~be repealed.~~

3211 ~~(3) Each district shall remove the property of an unwilling~~
3212 ~~seller from its plan of acquisition at the next scheduled update~~
3213 ~~of the plan, if in receipt of a request to do so by the property~~
3214 ~~owner. This subsection shall be repealed at the conclusion of~~
3215 ~~the Preservation 2000 program.~~

3216 ~~(4) The Secretary of Environmental Protection shall release~~
3217 ~~moneys from the Water Management Lands Trust Fund to a district~~
3218 ~~for preacquisition costs within 30 days after receipt of a~~
3219 ~~resolution adopted by the district's governing board which~~

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3220 ~~identifies and justifies any such preacquisition costs necessary~~
3221 ~~for the purchase of any lands listed in the district's 5-year~~
3222 ~~plan. The district shall return to the department any funds not~~
3223 ~~used for the purposes stated in the resolution, and the~~
3224 ~~department shall deposit the unused funds into the Water~~
3225 ~~Management Lands Trust Fund.~~

3226 ~~(5) The Secretary of Environmental Protection shall release~~
3227 ~~to the districts moneys for management, maintenance, and capital~~
3228 ~~improvements following receipt of a resolution and request~~
3229 ~~adopted by the governing board which specifies the designated~~
3230 ~~managing agency, specific management activities, public use,~~
3231 ~~estimated annual operating costs, and other acceptable~~
3232 ~~documentation to justify release of moneys.~~

3233 ~~(6) If a district issues revenue bonds or notes under s.~~
3234 ~~373.584 prior to July 1, 1999, the district may pledge its share~~
3235 ~~of the moneys in the Water Management Lands Trust Fund as~~
3236 ~~security for such bonds or notes. The Department of~~
3237 ~~Environmental Protection shall pay moneys from the trust fund to~~
3238 ~~a district or its designee sufficient to pay the debt service,~~
3239 ~~as it becomes due, on the outstanding bonds and notes of the~~
3240 ~~district; however, such payments shall not exceed the district's~~
3241 ~~cumulative portion of the trust fund. However, any moneys~~
3242 ~~remaining after payment of the amount due on the debt service~~
3243 ~~shall be released to the district pursuant to subsection (5).~~

3244 ~~(7) Any unused portion of a district's share of the fund~~
3245 ~~shall accumulate in the trust fund to the credit of that~~
3246 ~~district. Interest earned on such portion shall also accumulate~~
3247 ~~to the credit of that district to be used for management,~~
3248 ~~maintenance, and capital improvements as provided in this~~

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3249 ~~section. The total moneys over the life of the fund available to~~
3250 ~~any district under this section shall not be reduced except by~~
3251 ~~resolution of the district governing board stating that the need~~
3252 ~~for the moneys no longer exists. Any water management district~~
3253 ~~with fund balances in the Water Management Lands Trust Fund as~~
3254 ~~of March 1, 1999, may expend those funds for land acquisitions~~
3255 ~~pursuant to s. 373.139, or for the purpose specified in this~~
3256 ~~subsection.~~

3257 ~~(8) Moneys from the Water Management Lands Trust Fund shall~~
3258 ~~be allocated as follows:~~

3259 ~~(a) Beginning with the 2009-2010 fiscal year, thirty~~
3260 ~~percent shall be used first to pay debt service on bonds issued~~
3261 ~~before February 1, 2009, by the South Florida Water Management~~
3262 ~~District which are secured by revenues provided by this section~~
3263 ~~or to fund debt service reserve funds, rebate obligations, or~~
3264 ~~other amounts payable with respect to such bonds, then to~~
3265 ~~transfer \$3,000,000 to the credit of the General Revenue Fund in~~
3266 ~~each fiscal year, and lastly to distribute the remainder to the~~
3267 ~~South Florida Water Management District.~~

3268 ~~(b) Beginning with the 2009-2010 fiscal year, twenty-five~~
3269 ~~percent shall be used first to transfer \$2,500,000 to the credit~~
3270 ~~of the General Revenue Fund in each fiscal year and then to~~
3271 ~~distribute the remainder to the Southwest Florida Water~~
3272 ~~Management District.~~

3273 ~~(c) Beginning with the 2009-2010 fiscal year, twenty-five~~
3274 ~~percent shall be used first to pay debt service on bonds issued~~
3275 ~~before February 1, 2009, by the St. Johns River Water Management~~
3276 ~~District which are secured by revenues provided by this section~~
3277 ~~or to fund debt service reserve funds, rebate obligations, or~~

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3278 ~~other amounts payable with respect to such bonds, then to~~
3279 ~~transfer \$2,500,000 to the credit of the General Revenue Fund in~~
3280 ~~each fiscal year, and to distribute the remainder to the St.~~
3281 ~~Johns River Water Management District.~~

3282 ~~(d) Ten percent to the Suwannee River Water Management~~
3283 ~~District.~~

3284 ~~(e) Ten percent to the Northwest Florida Water Management~~
3285 ~~District.~~

3286 ~~(9) Moneys in the fund not needed to meet current~~
3287 ~~obligations incurred under this section shall be transferred to~~
3288 ~~the State Board of Administration, to the credit of the fund, to~~
3289 ~~be invested in the manner provided by law. Interest received on~~
3290 ~~such investments shall be credited to the fund.~~

3291 ~~(10) (a) Beginning July 1, 1999, not more than one fourth of~~
3292 ~~the Funds provided for in subsections (1) and (8) in any year~~
3293 ~~shall be reserved annually by a governing board, during the~~
3294 ~~development of its annual operating budget, for payments in lieu~~
3295 ~~of taxes for all actual ad valorem tax losses incurred as a~~
3296 ~~result of all governing board acquisitions for water management~~
3297 ~~district purposes. Reserved funds not used for payments in lieu~~
3298 ~~of taxes in any year shall revert to the Water Management Lands~~
3299 ~~Trust Fund to be used in accordance with the provisions of this~~
3300 ~~section.~~

3301 ~~(2) (b)~~ (2) Payment in lieu of taxes shall be available:

3302 (a) 1. To all counties that have a population of 150,000 or
3303 fewer. Population levels shall be determined pursuant to s.
3304 186.901. The population estimates published April 1 and used in
3305 the revenue-sharing formula pursuant to s. 186.901 shall be used
3306 to determine eligibility under this subsection and shall apply

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3307 to payments made for the subsequent fiscal year.

3308 (b)2- To all local governments located in eligible counties
3309 and whose lands are bought and taken off the tax rolls.

3310
3311 For properties acquired after January 1, 2000, in the event that
3312 such properties otherwise eligible for payment in lieu of taxes
3313 under this subsection are leased or reserved and remain subject
3314 to ad valorem taxes, payments in lieu of taxes shall commence or
3315 recommence upon the expiration or termination of the lease or
3316 reservation. If the lease is terminated for only a portion of
3317 the lands at any time, the annual payments shall be made for
3318 that portion only commencing the year after such termination,
3319 without limiting the requirement that annual payments shall be
3320 made on the remaining portion or portions of the land as the
3321 lease on each expires. For the purposes of this subsection,
3322 "local government" includes municipalities and the county school
3323 board.

3324 (3)(e) If sufficient funds are unavailable in any year to
3325 make full payments to all qualifying counties and local
3326 governments, such counties and local governments shall receive a
3327 pro rata share of the moneys available.

3328 (4)(d) The payment amount shall be based on the average
3329 amount of actual ad valorem taxes paid on the property for the 3
3330 years preceding acquisition. Applications for payment in lieu of
3331 taxes shall be made no later than May 31 of the year for which
3332 payment is sought. No payment in lieu of taxes shall be made for
3333 properties which were exempt from ad valorem taxation for the
3334 year immediately preceding acquisition.

3335 (5)(e) If property that was subject to ad valorem taxation

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3336 was acquired by a tax-exempt entity for ultimate conveyance to
3337 the state under this chapter, payment in lieu of taxes shall be
3338 made for such property based upon the average amount of ad
3339 valorem taxes paid on the property for the 3 years prior to its
3340 being removed from the tax rolls. The water management districts
3341 shall certify to the Department of Revenue those properties that
3342 may be eligible under this provision. Once eligibility has been
3343 established, that governmental entity shall receive annual
3344 payments for each tax loss until the qualifying governmental
3345 entity exceeds the population threshold pursuant to subsection
3346 (2) ~~paragraph (b)~~.

3347 (6) ~~(f)~~ Payment in lieu of taxes pursuant to this subsection
3348 shall be made annually to qualifying counties and local
3349 governments after certification by the Department of Revenue
3350 that the amounts applied for are reasonably appropriate, based
3351 on the amount of actual ad valorem taxes paid on the eligible
3352 property, and after the water management districts have provided
3353 supporting documents to the Chief Financial Officer and have
3354 requested that payment be made in accordance with the
3355 requirements of this section. With the assistance of the local
3356 government requesting payment in lieu of taxes, the water
3357 management district that acquired the land is responsible for
3358 preparing and submitting application requests for payment to the
3359 Department of Revenue for certification.

3360 (7) ~~(g)~~ If a water management district conveys to a county
3361 or local government title to any land owned by the district, any
3362 payments in lieu of taxes on the land made to the county or
3363 local government shall be discontinued as of the date of the
3364 conveyance.

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3365 ~~(11) Notwithstanding any provision of this section to the~~
3366 ~~contrary, the governing board of a water management district may~~
3367 ~~request, and the Secretary of Environmental Protection shall~~
3368 ~~release upon such request, moneys allocated to the districts~~
3369 ~~pursuant to subsection (8) for purposes consistent with the~~
3370 ~~provisions of s. 373.709, s. 373.705, s. 373.139, or ss.~~
3371 ~~373.451-373.4595 and for legislatively authorized land~~
3372 ~~acquisition and water restoration initiatives. No funds may be~~
3373 ~~used pursuant to this subsection until necessary debt service~~
3374 ~~obligations, requirements for payments in lieu of taxes, and~~
3375 ~~land management obligations that may be required by this chapter~~
3376 ~~are provided for.~~

3377 ~~(12) Notwithstanding subsection (8), and for the 2014-2015~~
3378 ~~fiscal year only, the moneys from the Water Management Lands~~
3379 ~~Trust Fund are allocated as follows:~~

3380 ~~(a) An amount necessary to pay debt service on bonds issued~~
3381 ~~before February 1, 2009, by the South Florida Water Management~~
3382 ~~District and the St. Johns River Water Management District,~~
3383 ~~which are secured by revenues provided pursuant to this section,~~
3384 ~~or to fund debt service reserve funds, rebate obligations, or~~
3385 ~~other amounts payable with respect to such bonds.~~

3386 ~~(b) Eight million dollars to be transferred to the General~~
3387 ~~Revenue Fund.~~

3388 ~~(c) Seven million seven hundred thousand dollars to be~~
3389 ~~transferred to the Save Our Everglades Trust Fund to support~~
3390 ~~Everglades restoration projects included in the final report of~~
3391 ~~the Select Committee on Indian River Lagoon and Lake Okeechobee~~
3392 ~~Basin, dated November 8, 2013.~~

3393 ~~(d) Any remaining funds to be provided in accordance with~~

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3394 ~~the General Appropriations Act.~~

3395

3396 ~~This subsection expires July 1, 2015.~~

3397 Section 39. Section 373.5905, Florida Statutes, is amended
3398 to read:

3399 373.5905 Reinstatement of payments in lieu of taxes;
3400 duration.—If a water management district has made a payment in
3401 lieu of taxes to a governmental entity and subsequently
3402 suspended such payment, beginning July 1, 2009, the water
3403 management district shall reinstate appropriate payments and
3404 continue the payments for as long as the county population
3405 remains below the population threshold pursuant to s.
3406 373.59(2)(a) ~~s. 373.59(10)(b)~~. This section does not authorize
3407 or provide for payments in arrears.

3408 Section 40. Subsection (8) of section 373.703, Florida
3409 Statutes, is amended to read:

3410 373.703 Water production; general powers and duties.—In the
3411 performance of, and in conjunction with, its other powers and
3412 duties, the governing board of a water management district
3413 existing pursuant to this chapter:

3414 (8) In addition to the power to issue revenue bonds
3415 pursuant to s. 373.584, may issue revenue bonds for the purposes
3416 of paying the costs and expenses incurred in carrying out the
3417 purposes of this chapter or refunding obligations of the
3418 district issued pursuant to this section. Such revenue bonds
3419 shall be secured by, and be payable from, revenues derived from
3420 the operation, lease, or use of its water production and
3421 transmission facilities and other water-related facilities and
3422 from the sale of water or services relating thereto. Such

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3423 revenue bonds may not be secured by, or be payable from, ~~moneys~~
3424 ~~derived by the district from the Water Management Lands Trust~~
3425 ~~Fund or from~~ ad valorem taxes received by the district or from
3426 moneys appropriated by the Legislature, unless otherwise
3427 specifically authorized by law. All provisions of s. 373.584
3428 relating to the issuance of revenue bonds which are not
3429 inconsistent with this section shall apply to the issuance of
3430 revenue bonds pursuant to this section. The district may also
3431 issue bond anticipation notes in accordance with the provisions
3432 of s. 373.584.

3433 Section 41. Subsection (8) of section 375.031, Florida
3434 Statutes, is amended to read:

3435 375.031 Acquisition of land; procedures.—

3436 (8) The department may, if it deems it desirable and in the
3437 best interest of the program, request the board of trustees to
3438 sell or otherwise dispose of any lands or water storage areas
3439 acquired under this act. The board of trustees, when so
3440 requested, shall offer the lands or water storage areas, on such
3441 terms as the department may determine, first to other state
3442 agencies and then, if still available, to the county or
3443 municipality in which the lands or water storage areas lie. If
3444 not acquired by another state agency or local governmental body
3445 for beneficial public purposes, the lands or water storage areas
3446 shall then be offered by the board of trustees at public sale,
3447 after first giving notice of such sale by publication in a
3448 newspaper published in the county or counties in which such
3449 lands or water storage areas lie not less than once a week for 3
3450 consecutive weeks. All proceeds from the sale or disposition of
3451 any lands or water storage areas pursuant to this section shall

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3452 be deposited into the appropriate trust fund pursuant to s.
3453 253.034(6)(k), (l), or (m) in the Land Acquisition Trust Fund.

3454 Section 42. Section 375.041, Florida Statutes, is amended
3455 to read:

3456 375.041 Land Acquisition Trust Fund.—

3457 (1) There is created a Land Acquisition Trust Fund within
3458 the Department of Environmental Protection. The Land Acquisition
3459 Trust Fund is designated by s. 28, Art. X of the State
3460 Constitution for receipt of certain documentary stamp tax
3461 revenue for the uses prescribed therein ~~to facilitate and~~
3462 ~~expedite the acquisition of land, water areas, and related~~
3463 ~~resources required to accomplish the purposes of this act.~~ The
3464 Land Acquisition Trust Fund shall be held and administered by
3465 the department. All moneys and revenue from the ~~operation,~~
3466 ~~management, sale, lease, or other disposition of land, water~~
3467 ~~areas, or related resources~~ acquired on or after July 1, 2015,
3468 under the Florida Forever Program, and the facilities thereon
3469 ~~acquired or constructed under this act~~ shall be deposited into
3470 ~~in~~ or credited to the Land Acquisition Trust Fund or, if
3471 required by bond covenants, into the trust fund from which the
3472 lands were purchased. ~~Moneys accruing to any agency for the~~
3473 ~~purposes enumerated in this act may be deposited in this fund.~~
3474 ~~There shall also be deposited into the Land Acquisition Trust~~
3475 ~~Fund other moneys as authorized by appropriate act of the~~
3476 ~~Legislature.~~ All moneys so deposited into the Land Acquisition
3477 Trust Fund shall be trust funds for the uses and purposes herein
3478 set forth, within the meaning of s. 215.32(1)(b); and such
3479 moneys shall not become or be commingled with the General
3480 Revenue Fund of the state, as defined by s. 215.32(1)(a).

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3481 (2) Funds distributed into ~~The moneys on deposit in the~~
3482 Land Acquisition Trust Fund pursuant to s. 201.15(1) shall be
3483 ~~first~~ applied first to:

3484 (a) Pay debt service or to fund debt service reserve funds,
3485 rebate obligations, or other amounts payable with respect to
3486 Florida Forever bonds issued under s. 215.63; pay into the State
3487 Treasury to the credit of the Save Our Everglades Trust Fund
3488 amounts necessary to pay debt service, provide reserves, and pay
3489 rebate obligations and other amounts due with respect to bonds
3490 issued under s. 215.619; and pay debt service or funding of debt
3491 service reserve funds, rebate obligations, or other amounts
3492 payable with respect to the bonds issued under s. 373.584;

3493 (b) Pay debt service on bonds issued before February 1,
3494 2009, by the South Florida Water Management District and the St.
3495 Johns River Water Management District which are secured by
3496 revenues provided pursuant to former s. 373.59, Florida Statutes
3497 2014, or to fund debt service reserve funds, rebate obligations,
3498 or other amounts payable with respect to such bonds. This
3499 paragraph expires August 1, 2016; and

3500 (c) Distribute \$32 million to the South Florida Water
3501 Management District for the Long-Term Plan as defined in s.
3502 373.4592(2). This paragraph expires July 1, 2024 ~~pay the rentals~~
3503 ~~due under lease purchase agreements or to meet debt service~~
3504 ~~requirements of revenue bonds issued pursuant to s. 375.051;~~
3505 ~~provided, however, that debt service on Save Our Coast bonds~~
3506 ~~shall not be paid from moneys transferred to the Land~~
3507 ~~Acquisition Trust Fund pursuant to s. 259.032(2)(b).~~

3508 (3) ~~(a)~~ Any remaining moneys in the Land Acquisition Trust
3509 Fund which are not distributed ~~pledged for rentals or debt~~

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3510 ~~service~~ as provided in subsection (2) may be expended from time
3511 to time for the purposes set forth in s. 28, Art. X of the State
3512 Constitution to acquire land, water areas, and related resources
3513 ~~and to construct, improve, enlarge, extend, operate, and~~
3514 ~~maintain capital improvements and facilities in accordance with~~
3515 ~~the plan. Moneys accruing to other agencies for the purposes~~
3516 designated in subsection (1) shall be transferred pursuant to
3517 nonoperating budget authority under s. 216.181(12). Agencies
3518 shall maintain the integrity of such transferred moneys. Any
3519 transferred moneys available from reversions or reductions of
3520 budget authority in the other agencies shall be transferred back
3521 to the Land Acquisition Trust Fund in the Department of
3522 Environmental Protection within 15 days after such reversion or
3523 reduction and must be available for future appropriation
3524 pursuant to s. 28, Art. X of the State Constitution.

3525 ~~(b) In addition to the uses allowed under paragraph (a),~~
3526 ~~for the 2014-2015 fiscal year, moneys in the Land Acquisition~~
3527 ~~Trust Fund may be transferred to support the Total Maximum Daily~~
3528 ~~Loads Program as provided in the General Appropriations Act.~~
3529 ~~This paragraph expires July 1, 2015.~~

3530 ~~(c) For the 2014-2015 fiscal year only, moneys in the Land~~
3531 ~~Acquisition Trust Fund may be transferred to the Save Our~~
3532 ~~Everglades Trust Fund to support Everglades restoration projects~~
3533 ~~included in the final report of the Select Committee on Indian~~
3534 ~~River Lagoon and Lake Okeechobee Basin, dated November 8, 2013,~~
3535 ~~and to the Florida Forever Trust Fund for the Florida Forever~~
3536 ~~program pursuant to nonoperating budget authority under s.~~
3537 ~~216.181(12). This paragraph expires July 1, 2015.~~

3538 ~~(4) The department may disburse moneys in the Land~~

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3539 ~~Acquisition Trust Fund to pay all necessary expenses to carry~~
3540 ~~out the purposes of this act. The department shall disburse~~
3541 ~~moneys from the Land Acquisition Trust Fund to the Fish and~~
3542 ~~Wildlife Conservation Commission for the purpose of funding law~~
3543 ~~enforcement services on state lands.~~

3544 (4)~~(5)~~ When the Legislature has authorized the Department
3545 of Environmental Protection to condemn a specific parcel of land
3546 and such parcel already has been approved for acquisition
3547 through the fund, the land may be acquired in accordance with
3548 the provisions of chapter 73 or chapter 74, and the fund may be
3549 used to pay the condemnation award and all costs, including a
3550 reasonable attorney ~~attorney's~~ fee, associated with
3551 condemnation.

3552 Section 43. Subsection (2) of section 375.044, Florida
3553 Statutes, is amended to read:

3554 375.044 Land Acquisition Trust Fund budget request.—

3555 (2) The legislative budget request shall be submitted to
3556 the Executive Office of the Governor and the Legislature in
3557 conjunction with the provisions of ss. 216.023, 216.031, and
3558 216.043. The 10-year request shall include, but need ~~shall~~ not
3559 be limited to:

3560 (a) A 10-year annual cash-flow analysis of the Land
3561 Acquisition Trust Fund.

3562 ~~(b) The requested schedule of the agency for issuance of~~
3563 ~~Save Our Coasts bonds.~~

3564 (b)~~(e)~~ Forecasts of anticipated revenues to the Land
3565 Acquisition Trust Fund.

3566 (c)~~(d)~~ The estimate of the agency of Land Acquisition Trust
3567 Fund encumbrances and commitments for each year and the

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3568 corresponding estimates of expenditures.

3569 Section 44. Section 375.045, Florida Statutes, is repealed.

3570 Section 45. Subsection (1) and paragraph (c) of subsection
3571 (2) of section 375.075, Florida Statutes, are amended to read:
3572 375.075 Outdoor recreation; financial assistance to local
3573 governments.—

3574 (1) The Department of Environmental Protection is
3575 authorized to establish the Florida Recreation Development
3576 Assistance Program to provide grants subject to legislative
3577 appropriation to qualified local governmental entities to
3578 acquire or develop land for public outdoor recreation purposes.
3579 ~~To the extent not needed for debt service on bonds issued~~
3580 ~~pursuant to s. 375.051, each year the department shall develop~~
3581 ~~and plan a program which shall be based upon funding of not less~~
3582 ~~than 5 percent of the money credited to the Land Acquisition~~
3583 ~~Trust Fund pursuant to s. 201.15(2) and (3) in that year. The~~
3584 department shall develop and plan a program that must ~~which~~
3585 ~~shall~~ be based upon the ~~cumulative total~~ funding appropriated by
3586 the Legislature for such purpose ~~provided from this section and~~
3587 ~~from the Florida Forever Trust Fund pursuant to s.~~
3588 ~~259.105(3)(d).~~

3589 (2)

3590 (c) Funds may not be released under ~~No release of funds~~
3591 ~~from the Land Acquisition Trust Fund, or from the Florida~~
3592 ~~Forever Trust Fund beginning in fiscal year 2001-2002, for this~~
3593 program ~~may be made~~ for these public recreation projects until
3594 the projects have been selected through the competitive
3595 selection process provided for in this section.

3596 Section 46. Section 376.11, Florida Statutes, is amended to

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3597 read:

3598 376.11 Florida Coastal Protection Trust Fund.—

3599 (1) The purpose of this section is to provide a mechanism
3600 to have financial resources immediately available for prevention
3601 of, and cleanup and rehabilitation after, a pollutant discharge,
3602 to prevent further damage by the pollutant, and to pay for
3603 damages. It is the legislative intent that this section be
3604 liberally construed to effect the purposes set forth, such
3605 interpretation being especially imperative in light of the
3606 danger to the environment and resources.

3607 (2) The Florida Coastal Protection Trust Fund is
3608 established, to be used by the department and the Fish and
3609 Wildlife Conservation Commission as a nonlapsing revolving fund
3610 ~~for carrying out the purposes of ss. 376.011-376.21.~~

3611 (3) The following funds shall be deposited into the Florida
3612 Coastal Protection Trust Fund: ~~To this fund shall be credited~~

3613 (a) All registration fees, penalties, judgments, damages
3614 recovered pursuant to s. 376.121, other fees and charges related
3615 to ss. 376.011-376.21, and the excise tax revenues levied,
3616 collected, and credited pursuant to ss. 206.9935(1) and
3617 206.9945(1) (a);

3618 (b) Proceeds of fines and awards of damages pursuant to s.
3619 161.054; and

3620 (c) Funds from other sources otherwise specified by law.

3621 (4) Charges against the fund shall be in accordance with
3622 this section.

3623 (5) ~~(3)~~ Moneys in the fund that are not needed currently to
3624 meet the obligations of the department in the exercise of its
3625 responsibilities under ss. 376.011-376.21 shall be deposited

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3626 with the Chief Financial Officer to the credit of the fund and
3627 may be invested in such manner as is provided for by statute.
3628 Interest received on such investment shall be credited to the
3629 fund, except as otherwise specified herein.

3630 (6)~~(4)~~ Moneys in the Florida Coastal Protection Trust Fund
3631 may ~~shall~~ be used ~~disbursed~~ for the following purposes ~~and no~~
3632 ~~others~~:

3633 (a) Carrying out the purposes of ss. 376.011-376.21.

3634 (b)~~(a)~~ Administrative expenses, personnel expenses, and
3635 equipment costs of the department and the Fish and Wildlife
3636 Conservation Commission related to the enforcement of ss.
3637 376.011-376.21.

3638 (c)~~(b)~~ All costs involved in the prevention and abatement
3639 of pollution related to the discharge of pollutants covered by
3640 ss. 376.011-376.21 and the abatement of other potential
3641 pollution hazards as authorized herein.

3642 (d)~~(e)~~ All costs and expenses of the cleanup, restoration,
3643 and rehabilitation of waterfowl, wildlife, and all other natural
3644 resources damaged by the discharge of pollutants, including the
3645 costs of assessing and recovering damages to natural resources,
3646 whether performed or authorized by the department or any other
3647 state or local agency.

3648 (e)~~(d)~~ All provable costs and damages which are the
3649 proximate results of the discharge of pollutants covered by ss.
3650 376.011-376.21.

3651 (f)~~(e)~~ Loans to the Inland Protection Trust Fund created in
3652 s. 376.3071.

3653 (g)~~(f)~~ The interest earned from investments of the balance
3654 in the Florida Coastal Protection Trust Fund shall be used for

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3655 funding the administrative expenses, personnel expenses, and
3656 equipment costs of the department relating to the enforcement of
3657 ss. 376.011-376.21.

3658 (h)~~(g)~~ The funding of a grant program to local governments,
3659 pursuant to s. 376.15(3)(d) and (e), for the removal of derelict
3660 vessels from the public waters of the state.

3661 (i)~~(h)~~ The department may spend up to \$1 million per year
3662 from the principal of the fund to acquire, design, train, and
3663 maintain emergency cleanup response teams and equipment located
3664 at appropriate ports throughout the state for the purpose of
3665 cleaning oil and other toxic materials from coastal waters. When
3666 the teams and equipment are not needed for these purposes they
3667 may be used for any other valid purpose of the department.

3668 (j)~~(i)~~ To provide a temporary transfer of funds in an
3669 amount not to exceed \$10 million to the Minerals Trust Fund as
3670 set forth in s. 376.40.

3671 (k)~~(j)~~ Funding for marine law enforcement.

3672 (7)~~(5)~~ Any interest in lands acquired using moneys in the
3673 Florida Coastal Protection Trust Fund shall be held by the
3674 Trustees of the Internal Improvement Trust Fund, and such lands
3675 shall be acquired pursuant to the procedures set forth in s.
3676 253.025.

3677 (8)~~(6)~~ The department shall recover to the use of the fund
3678 from the person or persons causing the discharge or from the
3679 Federal Government, jointly and severally, all sums owed or
3680 expended from the fund, pursuant to s. 376.123(10), except that
3681 recoveries resulting from damage due to a discharge of a
3682 pollutant or other similar disaster shall be apportioned between
3683 the Florida Coastal Protection Trust Fund and the General

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3684 Revenue Fund so as to repay the full costs to the General
3685 Revenue Fund of any sums disbursed therefrom as a result of such
3686 disaster. Requests for reimbursement to the fund for the above
3687 costs, if not paid within 30 days of demand, shall be turned
3688 over to the Department of Legal Affairs for collection.

3689 Section 47. Subsection (8) of section 376.123, Florida
3690 Statutes, is amended to read:

3691 376.123 Claims against the Florida Coastal Protection Trust
3692 Fund.—

3693 (8) If a person chooses to make a claim against the fund
3694 and accepts payment from, or a judgment against, the fund, then
3695 the department shall be subrogated to any cause of action that
3696 the claimant may have had, to the extent of such payment or
3697 judgment, and shall diligently pursue recovery on that cause of
3698 action pursuant to subsection (10) and s. 376.11(8) ~~s.~~

3699 ~~376.11(6)~~. In any such action, the amount of damages shall be
3700 proved by the department by submitting to the court a written
3701 report of the amounts paid or owed from the fund to claimants.
3702 Such written report shall be admissible as evidence, and the
3703 amounts paid from or owed by the fund to the claimants stated
3704 therein shall be irrebuttably presumed to be the amount of
3705 damages.

3706 Section 48. Paragraphs (g) through (l) are added to
3707 subsection (1) of section 376.307, Florida Statutes, subsection
3708 (4) of that section is amended, and subsection (8) is added to
3709 that section, to read:

3710 376.307 Water Quality Assurance Trust Fund.—

3711 (1) The Water Quality Assurance Trust Fund is intended to
3712 serve as a broad-based fund for use in responding to incidents

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3713 of contamination that pose a serious danger to the quality of
3714 groundwater and surface water resources or otherwise pose a
3715 serious danger to the public health, safety, or welfare. Moneys
3716 in this fund may be used:

3717 (g) For detailed planning for and implementation of
3718 programs for the management and restoration of ecosystems.

3719 (h) For development and implementation of surface water
3720 improvement and management plans and programs under ss. 373.451-
3721 373.4595.

3722 (i) For activities to restore polluted areas of the state,
3723 as defined by the department, to their condition before
3724 pollution occurred or to otherwise enhance pollution control
3725 activities.

3726 (j) For activities undertaken by the department to recover
3727 moneys as a result of actions against a person for a violation
3728 of chapter 373.

3729 (k) Funding activities described in s. 403.086(9) which are
3730 authorized for implementation under the Leah Schad Memorial
3731 Ocean Outfall Program.

3732 (l) Funding activities to restore or rehabilitate injured
3733 or destroyed coral reefs.

3734 (4) The trust fund shall be funded as follows:

3735 (a) An annual transfer of interest funds from the Florida
3736 Coastal Protection Trust Fund pursuant to s. 376.11(6)(g) ~~s.~~
3737 ~~376.11(4)(f)~~.

3738 (b) All excise taxes levied, collected, and credited to the
3739 Water Quality Assurance Trust Fund in accordance with the
3740 provisions of ss. 206.9935(2) and 206.9945(1)(b).

3741 (c) All penalties, judgments, recoveries, reimbursements,

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3742 and other fees and charges related to the enforcement of ss.
3743 376.30-376.317, other than penalties, judgments, and other fees
3744 and charges related to the enforcement of ss. 376.3071 and
3745 376.3073.

3746 (d) The fee on the retail sale of lead-acid batteries
3747 credited to the Water Quality Assurance Trust Fund under s.
3748 403.7185.

3749 (e) All penalties, judgments, recoveries, reimbursements,
3750 loans, and other fees and charges collected under s. 376.3078;
3751 tax revenues levied, collected, and credited under ss. 376.70
3752 and 376.75; and registration fees collected under s.
3753 376.303(1)(d).

3754 (f) All civil penalties recovered pursuant to s.
3755 373.129(5)(a).

3756 (g) Funds appropriated by the Legislature for the purposes
3757 of ss. 373.451-373.4598.

3758 (h) Moneys collected pursuant to s. 403.121 and designated
3759 for deposit into the Water Quality Assurance Trust Fund.

3760 (i) Moneys recovered by the state as a result of actions
3761 against a person for a violation of chapter 373 or chapter 403
3762 initiated by the department.

3763 (j) Damages recovered for coral reef protection pursuant to
3764 s. 403.93345.

3765 (k) Funds available for the Leah Schad Memorial Ocean
3766 Outfall Program pursuant to s. 403.08601.

3767 (l) Funds received by the state for injury to or
3768 destruction of coral reefs, which moneys would otherwise be
3769 deposited into the General Revenue Fund or the Internal
3770 Improvement Trust Fund. The department may enter into settlement

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3771 agreements that require responsible parties to pay a third party
3772 to fund projects related to the restoration of a coral reef, to
3773 accomplish mitigation for injury to a coral reef, or to support
3774 the activities of law enforcement agencies related to coral reef
3775 injury response, investigation, and assessment. Participation of
3776 a law enforcement agency in the receipt of funds through this
3777 mechanism shall be at the law enforcement agency's discretion.

3778 (m) Moneys from sources otherwise specified by law.

3779 (8) A settlement entered into by the department may not
3780 limit the Legislature's authority to appropriate moneys from the
3781 trust fund; however, the department may enter into a settlement
3782 in which the department agrees to request that moneys received
3783 pursuant to the settlement will be included in its legislative
3784 budget request for purposes set out in the settlement; and
3785 further, the department may enter into a settlement in cases
3786 involving joint enforcement with the Hillsborough County
3787 pollution control program, as a program approved by the
3788 department pursuant to s. 403.182, in which the department
3789 agrees that moneys are to be deposited into that local program's
3790 pollution recovery fund and used for projects directed toward
3791 addressing the environmental damage that was the cause of action
3792 for which funds were received.

3793 Section 49. Subsection (4) of section 376.40, Florida
3794 Statutes, is amended to read:

3795 376.40 Petroleum exploration and production; purposes;
3796 funding.—

3797 (4) FUNDING.—There shall be deposited in the Minerals Trust
3798 Fund:

3799 (a) All fees charged permittees under ss. 377.24(1),

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3800 377.2408(1), and 377.2425(1) (b).

3801 (b) All penalties, judgments, recoveries, reimbursements,
3802 and other fees and charges related to the implementation of this
3803 section.

3804 (c) Any other funds required to be deposited in the trust
3805 fund under provisions of law.

3806

3807 If moneys on deposit in the trust fund are not sufficient to
3808 satisfy the needed remedial or corrective action, and if the
3809 responsible party does not take remedial and corrective action
3810 in a timely manner or if a catastrophic event occurs, a
3811 temporary transfer of the required amount, or a maximum of \$10
3812 million, from the Florida Coastal Protection Trust Fund pursuant
3813 to s. 376.11(6)(j) ~~s. 376.11(4)(i)~~ is authorized. The Florida
3814 Coastal Protection Trust Fund shall be reimbursed immediately
3815 upon deposit into the Minerals Trust Fund of moneys referred to
3816 in paragraph (b).

3817 Section 50. Section 379.202, Florida Statutes, is repealed.

3818 Section 51. Subsection (2) of section 379.206, Florida
3819 Statutes, is amended to read:

3820 379.206 Grants and Donations Trust Fund.—

3821 (2) The fund is established for use as a depository for
3822 funds to be used for allowable grant and donor agreement
3823 activities funded by restricted contractual revenue. Moneys to
3824 be credited to the trust fund shall consist of grants and
3825 donations from private and public nonfederal sources,
3826 development-of-regional-impact wildlife mitigation
3827 contributions, interest earnings, and cash advances from other
3828 trust funds.

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3829 Section 52. Section 379.212, Florida Statutes, is amended
3830 to read:

3831 379.212 Land Acquisition Trust Fund.—

3832 (1) (a) There is established within the Fish and Wildlife
3833 Conservation Commission the Land Acquisition Trust Fund to
3834 implement s. 28, Art. X of the State Constitution ~~for the~~
3835 ~~purpose of acquiring, assisting other agencies or local~~
3836 ~~governments in acquiring, or managing lands important to the~~
3837 ~~conservation of fish and wildlife.~~

3838 (b) The Fish and Wildlife Conservation Commission or its
3839 designee shall manage such lands for the primary purpose of
3840 maintaining and enhancing their habitat value for fish and
3841 wildlife. Other uses may be allowed that are not contrary to
3842 this purpose.

3843 (c) If ~~Where~~ acquisition pursuant to this section will
3844 result in state ownership of land, title shall be vested in the
3845 Board of Trustees of the Internal Improvement Trust Fund as
3846 required in chapter 253. Land acquisition pursuant to this
3847 section shall be voluntary, negotiated acquisition and, if ~~where~~
3848 title is to be vested in the Board of Trustees of the Internal
3849 Improvement Trust Fund, is subject to the acquisition procedures
3850 of s. 253.025.

3851 (d) Acquisition costs shall include purchase prices and
3852 costs and fees associated with title work, surveys, and
3853 appraisals required to complete an acquisition.

3854 (2) The fund may be credited with funds transferred from
3855 the Land Acquisition Trust Fund within the Department of
3856 Environmental Protection as provided in s. 375.041 ~~Moneys which~~
3857 ~~may be deposited into the Land Acquisition Trust Fund for the~~

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3858 ~~purposes of this section may include, but not be limited to,~~
3859 ~~donations, grants, development of regional impact wildlife~~
3860 ~~mitigation contributions, or legislative appropriations.~~
3861 ~~Preservation 2000 acquisition moneys and Conservation and~~
3862 ~~Recreation Lands management moneys shall not be deposited into~~
3863 ~~this fund.~~

3864 (3) The Fish and Wildlife Conservation Commission shall
3865 maintain the integrity of such moneys transferred from the
3866 Department of Environmental Protection. Any transferred moneys
3867 available from reversions and reductions in budget authority
3868 shall be transferred back to the Land Acquisition Trust Fund in
3869 the Department of Environmental Protection within 15 days after
3870 such reversion or reduction and must be available for future
3871 appropriation pursuant to s. 28, Art. X of the State
3872 Constitution.

3873 Section 53. Subsection (3) of section 379.362, Florida
3874 Statutes, is amended to read:

3875 379.362 Wholesale and retail saltwater products dealers;
3876 regulation.—

3877 (3) OYSTER MANAGEMENT AND RESTORATION PROGRAMS.—The
3878 Department of Agriculture and Consumer Services shall use ~~or~~
3879 ~~distribute~~ funds appropriated from the Land Acquisition Trust
3880 Fund within the department ~~paid into the State Treasury to the~~
3881 ~~credit of the General Inspection Trust Fund pursuant to s.~~
3882 ~~201.15, less reasonable costs of administration,~~ to fund the
3883 following oyster management and restoration programs in
3884 Apalachicola Bay and other oyster harvest areas in the state:

3885 (a) The relaying and transplanting of live oysters.

3886 (b) Shell planting to construct or rehabilitate oyster

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3887 bars.

3888 (c) Education programs for licensed oyster harvesters on
3889 oyster biology, aquaculture, boating and water safety,
3890 sanitation, resource conservation, small business management,
3891 and other relevant subjects.

3892 (d) Research directed toward the enhancement of oyster
3893 production in the bay and the water management needs of the bay.

3894 Section 54. Subsection (12) of section 380.0666, Florida
3895 Statutes, is amended to read:

3896 380.0666 Powers of land authority.—The land authority shall
3897 have all the powers necessary or convenient to carry out and
3898 effectuate the purposes and provisions of this act, including
3899 the following powers, which are in addition to all other powers
3900 granted by other provisions of this act:

3901 (12) To identify parcels of land within the area or areas
3902 of critical state concern that would be appropriate acquisitions
3903 by the state ~~from the Conservation and Recreational Lands Trust~~
3904 ~~Fund~~ and recommend such acquisitions to the advisory council
3905 established pursuant to s. 259.035 or its successor.

3906 Section 55. Section 380.0677, Florida Statutes, is
3907 repealed.

3908 Section 56. Subsection (11) of section 380.507, Florida
3909 Statutes, is amended to read:

3910 380.507 Powers of the trust.—The trust shall have all the
3911 powers necessary or convenient to carry out the purposes and
3912 provisions of this part, including:

3913 (11) To make rules necessary to carry out the purposes of
3914 this part and to exercise any power granted in this part,
3915 pursuant to ~~the provisions of~~ chapter 120. The trust shall adopt

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3916 rules governing the acquisition of lands with ~~using~~ proceeds
 3917 from ~~the Preservation 2000 Trust Fund and the Florida Forever~~
 3918 Trust Fund, consistent with the intent expressed in the Florida
 3919 Forever Act. Such rules for land acquisition must include, but
 3920 are not limited to, procedures for appraisals and
 3921 confidentiality consistent with ss. 125.355(1)(a) and (b) and
 3922 166.045(1)(a) and (b), a method of determining a maximum
 3923 purchase price, and procedures to assure that the land is
 3924 acquired in a voluntarily negotiated transaction, surveyed,
 3925 conveyed with marketable title, and examined for hazardous
 3926 materials contamination. Land acquisition procedures of a local
 3927 land authority created pursuant to s. 380.0663 ~~or s. 380.0677~~
 3928 may be used for the land acquisition programs described in
 3929 former s. ~~by ss.~~ 259.101(3)(c), Florida Statutes 2014, and in s.
 3930 259.105 if within areas of critical state concern designated
 3931 pursuant to s. 380.05, subject to approval of the trust.

3932 Section 57. Subsection (4) of section 380.508, Florida
 3933 Statutes, is amended to read:

3934 380.508 Projects; development, review, and approval.—

3935 (4) Projects or activities which the trust undertakes,
 3936 coordinates, or funds in any manner shall comply with the
 3937 following guidelines:

3938 (a) The purpose of redevelopment projects shall be to
 3939 restore areas which are adversely affected by scattered
 3940 ownership, poor lot layout, inadequate park and open space,
 3941 incompatible land uses, or other conditions which endanger the
 3942 environment or impede orderly development. Grants and loans
 3943 awarded for redevelopment projects shall be used for assembling
 3944 parcels of land within redevelopment project areas for the

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3945 redesign of such areas and for the installation of public
3946 improvements required to serve such areas. After redesign and
3947 installation of public improvements, if any, lands in
3948 redevelopment projects, with the exception of lands acquired for
3949 public purposes, shall be conveyed to any person for development
3950 in accordance with a redevelopment project plan approved
3951 according to this part.

3952 (b) The purpose of resource enhancement projects shall be
3953 to enhance natural resources which, because of indiscriminate
3954 dredging or filling, improper location of improvements, natural
3955 or human-induced events, or incompatible land uses, have
3956 suffered loss of natural and scenic values. Grants and loans
3957 awarded for resource enhancement projects shall be used for the
3958 assembly of parcels of land to improve resource management, for
3959 relocation of improperly located or designed improvements, and
3960 for other corrective measures which will enhance the natural and
3961 scenic character of project areas.

3962 (c) The purpose of public access projects shall be to
3963 acquire interests in and initially develop lands which are
3964 suitable for and which will be used for public accessways to
3965 surface waters. The trust shall identify local governments and
3966 nonprofit organizations which will accept responsibility for
3967 maintenance and liability for public accessways which are
3968 located outside the state park system. The trust may lease any
3969 public access site developed under this part to a local
3970 government or nonprofit organization, provided that the
3971 conditions of the lease guarantee public use of the site. The
3972 trust may accept, from any local government or nonprofit
3973 organization, fees collected for providing public access to

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3974 surface waters. The trust shall expend any such funds it accepts
3975 only for acquisition, development, and maintenance of such
3976 public accessways. To the maximum extent possible, the trust
3977 shall expend such fees in the general area where they are
3978 collected or in areas where public access to surface waters is
3979 clearly deficient. The trust may transfer funds, including such
3980 fees, to a local government or nonprofit organization to acquire
3981 public access sites. In developing or coordinating public access
3982 projects, the trust shall ensure that project plans involving
3983 beach access are consistent with state laws governing beach
3984 access.

3985 (d) The purpose of urban waterfront restoration projects
3986 shall be to restore deteriorated or deteriorating urban
3987 waterfronts for public use and enjoyment. Urban waterfront
3988 restoration projects shall include public access sites.

3989 (e) The purpose of working waterfront projects shall be to
3990 restore and preserve working waterfronts as provided in s.
3991 380.5105.

3992 (f) The trust shall cooperate with local governments, state
3993 agencies, federal agencies, and nonprofit organizations in
3994 ensuring the reservation of lands for parks, recreation, fish
3995 and wildlife habitat, historical preservation, or scientific
3996 study. If ~~In the event that~~ any local government, state agency,
3997 federal agency, or nonprofit organization is unable, due to
3998 limited financial resources or other circumstances of a
3999 temporary nature, to acquire a site for the purposes described
4000 in this paragraph, the trust may acquire and hold the site for
4001 subsequent conveyance to the appropriate governmental agency or
4002 nonprofit organization. The trust may provide such technical

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4003 assistance as ~~is~~ required to aid local governments, state and
4004 federal agencies, and nonprofit organizations in completing
4005 acquisition and related functions. The trust may ~~shall~~ not
4006 reserve lands acquired in accordance with this paragraph for
4007 more than 5 years from the time of acquisition. A local
4008 government, federal or state agency, or nonprofit organization
4009 may acquire the land at any time during this period for public
4010 purposes. The purchase price shall be based upon the trust's
4011 cost of acquisition, plus administrative and management costs in
4012 reserving the land. The payment of the ~~this~~ purchase price shall
4013 be by money, trust-approved property of an equivalent value, or
4014 a combination of money and trust-approved property. If, after
4015 the 5-year period, the trust has not sold to a governmental
4016 agency or nonprofit organization land acquired for site
4017 reservation, the trust shall dispose of such land at fair market
4018 value or shall trade it for other land of comparable value which
4019 will serve to accomplish the purposes of this part. Any proceeds
4020 from the sale of such land shall be deposited into ~~in~~ the
4021 appropriate Florida Communities trust fund pursuant to s.
4022 253.034(6)(k), (l), or (m). All moneys and revenue from the
4023 operation, management, lease, or other disposition of land,
4024 water areas, related resources, and the facilities thereon
4025 acquired or constructed under this part shall be credited to or
4026 deposited into the Internal Improvement Trust Fund.

4027
4028 Project costs may include costs of providing parks, open space,
4029 public access sites, scenic easements, and other areas and
4030 facilities serving the public where such features are part of a
4031 project plan approved according to this part. In undertaking or

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4032 coordinating projects or activities authorized by this part, the
4033 trust shall, when appropriate, use and promote the use of
4034 creative land acquisition methods, including the acquisition of
4035 less than fee interest through, among other methods,
4036 conservation easements, transfer of development rights, leases,
4037 and leaseback arrangements. The trust ~~also~~ shall assist local
4038 governments in the use of sound alternative methods of financing
4039 for funding projects and activities authorized under ~~by~~ this
4040 part. Any funds over and above eligible project costs, which
4041 remain after completion of a project approved according to this
4042 part, shall be transmitted to the state and deposited into ~~in~~
4043 the Florida Forever ~~Florida Communities~~ Trust Fund.

4044 Section 58. Paragraph (f) of subsection (3) and subsections
4045 (5) and (7) of section 380.510, Florida Statutes, are amended to
4046 read:

4047 380.510 Conditions of grants and loans.—

4048 (3) In the case of a grant or loan for land acquisition,
4049 agreements shall provide all of the following:

4050 ~~(f) The term of any grant using funds received from the~~
4051 ~~Preservation 2000 Trust Fund, pursuant to s. 259.101(3)(c),~~
4052 ~~shall be for a period not to exceed 24 months. The governing~~
4053 ~~board of the trust may offer a grant with a shorter term and may~~
4054 ~~extend a grant beyond 24 months when the grant recipient~~
4055 ~~demonstrates that significant progress is being made toward~~
4056 ~~closing the project or that extenuating circumstances warrant an~~
4057 ~~extension of time. If a local government project which was~~
4058 ~~awarded a grant is not closed within 24 months and the governing~~
4059 ~~board of the trust does not grant an extension, the grant~~
4060 ~~reverts to the trust's unencumbered balance of Preservation 2000~~

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4061 ~~funds to be redistributed to other eligible projects. The local~~
4062 ~~government may reapply for a grant to fund the project in the~~
4063 ~~trust's next application cycle.~~

4064
4065 Any deed or other instrument of conveyance whereby a nonprofit
4066 organization or local government acquires real property under
4067 this section shall set forth the interest of the state. The
4068 trust shall keep at least one copy of any such instrument and
4069 shall provide at least one copy to the Board of Trustees of the
4070 Internal Improvement Trust Fund.

4071 (5) Any funds the trust collects from a nonprofit
4072 organization or local government under a grant or loan agreement
4073 shall be deposited into ~~in~~ the Internal Improvement Florida
4074 Communities Trust Fund within the Department of Environmental
4075 Protection.

4076 (7) Any funds received by the trust ~~from the Preservation~~
4077 ~~2000 Trust Fund~~ pursuant to s. 259.105(3)(c) or s. 375.041 s.
4078 ~~259.101(3)(c) and the Florida Forever Trust Fund pursuant to s.~~
4079 ~~259.105(3)(c)~~ shall be held separate and apart from any other
4080 funds held by the trust and ~~shall be~~ used for the land
4081 acquisition purposes of this part. ~~In addition to the other~~
4082 ~~conditions set forth in this section, the disbursement of~~
4083 ~~Preservation 2000 and Florida Forever funds from the trust shall~~
4084 ~~be subject to the following conditions:~~

4085 (a) The administration and use of Florida Forever ~~any funds~~
4086 ~~are~~ received by the trust from the Preservation 2000 Trust Fund
4087 ~~and the Florida Forever Trust Fund shall be~~ subject to such
4088 terms and conditions imposed thereon by the agency of the state
4089 responsible for the bonds, the proceeds of which are deposited

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4090 into in the ~~Preservation 2000 Trust Fund and the~~ Florida Forever
4091 Trust Fund, including restrictions imposed to ensure that the
4092 interest on any such bonds issued by the state as tax-exempt
4093 bonds is ~~will~~ not ~~be~~ included in the gross income of the holders
4094 of such bonds for federal income tax purposes.

4095 (b) All deeds or leases with respect to any real property
4096 acquired with funds received by the trust from the Preservation
4097 2000 Trust Fund, the Florida Forever Trust Fund, or the Land
4098 Acquisition Trust Fund must ~~shall~~ contain such covenants and
4099 restrictions as are sufficient to ensure that the use of such
4100 real property at all times complies with s. 375.051 and s. 9,
4101 Art. XII of the State Constitution. Each deed ~~All deeds~~ or lease
4102 ~~leases~~ with respect to any real property acquired with funds
4103 received by the trust from the Florida Forever Trust Fund before
4104 July 1, 2015, must ~~shall~~ contain ~~such~~ covenants and restrictions
4105 ~~as are~~ sufficient to ensure that the use of such real property
4106 at all times complies with s. 11(e), Art. VII of the State
4107 Constitution. Each deed or lease with respect to any real
4108 property acquired with funds received by the trust from the
4109 Florida Forever Trust Fund after July 1, 2015, must contain
4110 covenants and restrictions sufficient to ensure that the use of
4111 such real property at all times complies with s. 28, Art. X of
4112 the State Constitution. Each deed or lease must ~~shall~~ contain a
4113 reversion, conveyance, or termination clause that vests ~~will~~
4114 ~~vest~~ title in the Board of Trustees of the Internal Improvement
4115 Trust Fund if any of the covenants or restrictions are violated
4116 by the titleholder or leaseholder or by some third party with
4117 the knowledge of the titleholder or leaseholder.

4118 Section 59. Section 380.511, Florida Statutes, is repealed.

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4119 Section 60. Subsection (2) of section 403.0615, Florida
4120 Statutes, is amended to read:

4121 403.0615 Water resources restoration and preservation.—

4122 (2) Subject to specific legislative appropriation, the
4123 department shall establish a program to assist in the
4124 restoration and preservation of bodies of water and to enhance
4125 existing public access when deemed necessary for the enhancement
4126 of the restoration effort. ~~This program shall be funded from the
4127 General Revenue Fund, from funds available from the Ecosystem
4128 Management and Restoration Trust Fund, and from available
4129 federal moneys.~~

4130 Section 61. Section 403.08601, Florida Statutes, is amended
4131 to read:

4132 403.08601 Leah Schad Memorial Ocean Outfall Program.—The
4133 Legislature declares that as funds become available the state
4134 may assist the local governments and agencies responsible for
4135 implementing the Leah Schad Memorial Ocean Outfall Program
4136 pursuant to s. 403.086(9). Funds received from other sources
4137 provided for in law, the General Appropriations Act, from gifts
4138 designated for implementation of the plan from individuals,
4139 corporations, or other entities, or federal funds appropriated
4140 by Congress for implementation of the plan, may be deposited
4141 into an account of the Water Quality Assurance Ecosystem
4142 ~~Management and Restoration Trust Fund created pursuant to s.
4143 403.1651.~~

4144 Section 62. Subsection (11) of section 403.121, Florida
4145 Statutes, is amended to read:

4146 403.121 Enforcement; procedure; remedies.—The department
4147 shall have the following judicial and administrative remedies

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4148 available to it for violations of this chapter, as specified in
4149 s. 403.161(1).

4150 (11) Penalties collected pursuant to this section shall be
4151 deposited into ~~in~~ the Water Quality Assurance Ecosystem
4152 ~~Management and Restoration~~ Trust Fund or other trust fund
4153 designated by statute and shall be used to fund the restoration
4154 of ecosystems, or polluted areas of the state, as defined by the
4155 department, to their condition before pollution occurred. The
4156 Florida Conflict Resolution Consortium may use a portion of the
4157 fund to administer the mediation process provided in paragraph
4158 (2) (e) and to contract with private mediators for administrative
4159 penalty cases.

4160 Section 63. Section 403.1651, Florida Statutes, is
4161 repealed.

4162 Section 64. Subsection (1) of section 403.885, Florida
4163 Statutes, is amended to read:

4164 403.885 Water Projects Grant Program.—

4165 (1) The Department of Environmental Protection shall
4166 administer a grant program to use funds ~~transferred pursuant to~~
4167 ~~s. 212.20 to the Ecosystem Management and Restoration Trust Fund~~
4168 ~~or other moneys~~ as appropriated by the Legislature for water
4169 quality improvement, stormwater management, wastewater
4170 management, and water restoration and other water projects as
4171 specifically appropriated by the Legislature. Eligible
4172 recipients of such grants include counties, municipalities,
4173 water management districts, and special districts that have
4174 legal responsibilities for water quality improvement, water
4175 management, stormwater management, wastewater management, lake
4176 and river water restoration projects, and drinking water

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4177 projects pursuant to this section.

4178 Section 65. Section 403.8911, Florida Statutes, is
4179 repealed.

4180 Section 66. Subsection (6) of section 403.9325, Florida
4181 Statutes, is amended to read:

4182 403.9325 Definitions.—For the purposes of ss. 403.9321-
4183 403.9333, the term:

4184 (6) "Public lands set aside for conservation or
4185 preservation" means:

4186 (a) Lands and interests acquired with funds deposited into
4187 the Land Acquisition Trust Fund pursuant to s. 28(a), Art. X of
4188 the State Constitution;

4189 (b)~~(a)~~ Conservation and recreation lands under chapter 259;

4190 (c)~~(b)~~ State and national parks;

4191 (d)~~(e)~~ State and national reserves and preserves, except as
4192 provided in s. 403.9326(3);

4193 (e)~~(d)~~ State and national wilderness areas;

4194 (f)~~(e)~~ National wildlife refuges (only those lands under
4195 Federal Government ownership);

4196 (g)~~(f)~~ Lands acquired through the former Water Management
4197 Lands Trust Fund, Save Our Rivers Program;

4198 (h)~~(g)~~ Lands acquired under the Save Our Coast program;

4199 (i)~~(h)~~ Lands acquired under the environmentally endangered
4200 lands bond program;

4201 (j)~~(i)~~ Public lands designated as conservation or
4202 preservation under a local government comprehensive plan;

4203 (k)~~(j)~~ Lands purchased by a water management district, the
4204 Fish and Wildlife Conservation Commission, or any other state
4205 agency for conservation or preservation purposes;

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4206 (l)~~(k)~~ Public lands encumbered by a conservation easement
4207 that does not provide for the trimming of mangroves; and

4208 (m)~~(l)~~ Public lands designated as critical wildlife areas
4209 by the Fish and Wildlife Conservation Commission.

4210 Section 67. Paragraph (f) of subsection (3) and subsection
4211 (11) of section 403.93345, Florida Statutes, are amended to
4212 read:

4213 403.93345 Coral reef protection.—

4214 (3) As used in this section, the term:

4215 (f) "Fund" means the Water Quality Assurance Ecosystem
4216 ~~Management and Restoration~~ Trust Fund.

4217 (11) All damages recovered by or on behalf of this state
4218 for injury to, or destruction of, the coral reefs of the state
4219 that would otherwise be deposited in the general revenue
4220 accounts of the State Treasury or in the Internal Improvement
4221 Trust Fund shall be deposited into ~~in~~ the Water Quality
4222 Assurance Ecosystem Management and Restoration Trust Fund in the
4223 department and shall remain in such account until expended by
4224 the department for the purposes of this section. Moneys in the
4225 fund received from damages recovered for injury to, or
4226 destruction of, coral reefs must be expended only for the
4227 following purposes:

4228 (a) To provide funds to the department for reasonable costs
4229 incurred in obtaining payment of the damages for injury to, or
4230 destruction of, coral reefs, including administrative costs and
4231 costs of experts and consultants. Such funds may be provided in
4232 advance of recovery of damages.

4233 (b) To pay for restoration or rehabilitation of the injured
4234 or destroyed coral reefs or other natural resources by a state

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4235 agency or through a contract to any qualified person.

4236 (c) To pay for alternative projects selected by the
4237 department. Any such project shall be selected on the basis of
4238 its anticipated benefits to the residents of this state who used
4239 the injured or destroyed coral reefs or other natural resources
4240 or will benefit from the alternative project.

4241 (d) All claims for trust fund reimbursements under
4242 paragraph (a) must be made within 90 days after payment of
4243 damages is made to the state.

4244 (e) Each private recipient of fund disbursements shall be
4245 required to agree in advance that its accounts and records of
4246 expenditures of such moneys are subject to audit at any time by
4247 appropriate state officials and to submit a final written report
4248 describing such expenditures within 90 days after the funds have
4249 been expended.

4250 (f) When payments are made to a state agency from the fund
4251 for expenses compensable under this subsection, such
4252 expenditures shall be considered as being for extraordinary
4253 expenses, and no agency appropriation shall be reduced by any
4254 amount as a result of such reimbursement.

4255 Section 68. Section 570.207, Florida Statutes, is repealed.

4256 Section 69. Subsection (2) of section 570.321, Florida
4257 Statutes, is amended to read:

4258 570.321 Plant Industry Trust Fund.—

4259 (2) Funds to be credited to and uses of the trust fund
4260 shall be administered in accordance with ss. ~~259.032~~, 581.031,
4261 581.141, 581.211, 581.212, 586.045, 586.15, 586.16, 593.114, and
4262 593.117.

4263 Section 70. Subsection (12) of section 570.71, Florida

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4264 Statutes, is amended to read:

4265 570.71 Conservation easements and agreements.—

4266 (12) The department may use appropriated funds from the
4267 following sources to implement this section:

4268 (a) State funds;

4269 (b) Federal funds;

4270 (c) Other governmental entities;

4271 (d) Nongovernmental organizations; or

4272 (e) Private individuals.

4273

4274 Any such funds provided, other than from the Land Acquisition
4275 Trust Fund, shall be deposited into the Incidental Conservation
4276 and Recreation Lands Program Trust Fund within the Department of
4277 Agriculture and Consumer Services and used for the purposes of
4278 this section, including administrative and operating expenses
4279 related to appraisals, mapping, title process, personnel, and
4280 other real estate expenses.

4281 Section 71. Paragraph (c) of subsection (1) of section
4282 895.09, Florida Statutes, is amended to read:

4283 895.09 Disposition of funds obtained through forfeiture
4284 proceedings.—

4285 (1) A court entering a judgment of forfeiture in a
4286 proceeding brought pursuant to s. 895.05 shall retain
4287 jurisdiction to direct the distribution of any cash or of any
4288 cash proceeds realized from the forfeiture and disposition of
4289 the property. The court shall direct the distribution of the
4290 funds in the following order of priority:

4291 (c) Any claim by the Board of Trustees of the Internal
4292 Improvement Trust Fund on behalf of the Internal Improvement

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4293 Trust Fund or the ~~Land Acquisition~~ trust fund used pursuant to
4294 s. 253.03(12), not including administrative costs of the
4295 Department of Environmental Protection previously paid directly
4296 from the Internal Improvement Trust Fund in accordance with
4297 legislative appropriation.

4298 Section 72. Paragraph (c) of subsection (1) of s. 260.015,
4299 Florida Statutes, is reenacted for the purpose of incorporating
4300 the amendment made by this act to s. 259.035, Florida Statutes,
4301 in a reference thereto.

4302 Section 73. Paragraph (b) of subsection (3) of s. 258.015,
4303 Florida Statutes, is reenacted for the purpose of incorporating
4304 the amendment made by this act to s. 375.041, Florida Statutes,
4305 in a reference thereto.

4306 Section 74. Subsection (2) of s. 287.0595, Florida
4307 Statutes, is reenacted for the purpose of incorporating the
4308 amendment made by this act to s. 376.307, Florida Statutes, in a
4309 reference thereto.

4310 Section 75. This act shall take effect July 1, 2015.