



COMMITTEE ON CONSERVATION & STATE LANDS

**WEDNESDAY, MARCH 26, 2008
5:15 PM – 7:00 PM
216 THE CAPITOL**

**Marco Rubio
Speaker**

**Rep. Will Kendrick
Chair**

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Speaker Marco Rubio

Committee on Conservation & State Lands

Start Date and Time: Wednesday, March 26, 2008 05:15 pm or 10 minutes after Session

End Date and Time: Wednesday, March 26, 2008 07:00 pm

Location: 216 Capitol

Duration: 1.75 hrs

Consideration of the following bill(s):

HB 31 Springs Protection by Boyd

Consideration of recommendations with respect to Proposed Council Bill ENRC 08-09, relating to Florida Forever Successor.

Pursuant to rule 7.12, the deadline for amendments to bills on the agenda by non-appointed member shall be 6:00p.m., Tuesday, March 25, 2008.

NOTICE FINALIZED on 03/24/2008 16:23 by SIMS-DAVIS.LINDA

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1 A bill to be entitled
 2 An act relating to state lands; amending s Paragraph (a)
 3 of subsection (1) of section 201.15F.S.; Subsection (1) of
 4 section 215.618, F.S.; amending subsection (1) of s.
 5 253.002, F.S.; amending s. 253.0325, F.S.; amending
 6 subsections (1), (2), (4), (5) and (6)s. 253.034, F.S.;
 7 transferring the Florida Community Trust from Department
 8 of Community Affairs to the Department of Environmental
 9 Protection; amending s. 259.032, F.S.; amending s.
 10 259.035, F.S.; amending s. 259.036, F.S.; amending s.
 11 259.037.F.S. .; amending s. 259.105, F.S.; providing an
 12 effective date.

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

17 Section 1. Paragraph (a) of subsection (1) of section
 18 201.15, Florida Statutes, is amended to read:

19 201.15 Distribution of taxes collected.--All taxes
 20 collected under this chapter shall be distributed as follows and
 21 shall be subject to the service charge imposed in s. 215.20(1),
 22 except that such service charge shall not be levied against any
 23 portion of taxes pledged to debt service on bonds to the extent
 24 that the amount of the service charge is required to pay any
 25 amounts relating to the bonds:

26 (1) Sixty-two and sixty-three hundredths percent of the
 27 remaining taxes collected under this chapter shall be used for
 28 the following purposes:

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29 (a) Amounts as shall be necessary to pay the debt service
 30 on, or fund debt service reserve funds, rebate obligations, or
 31 other amounts payable with respect to Preservation 2000 bonds
 32 issued pursuant to s. 375.051 and Florida Forever bonds issued
 33 pursuant to s. 215.618, shall be paid into the State Treasury to
 34 the credit of the Land Acquisition Trust Fund to be used for
 35 such purposes. The amount transferred to the Land Acquisition
 36 Trust Fund shall not exceed \$300 million in fiscal year 1999-
 37 2000 and thereafter for Preservation 2000 bonds and bonds issued
 38 to refund Preservation 2000 bonds, and \$300 million in fiscal
 39 year 2000-2001 and thereafter for Florida Forever bonds. The
 40 annual amount transferred to the Land Acquisition Trust Fund for
 41 Florida Forever bonds shall not exceed \$30 million in the first
 42 fiscal year in which bonds are issued. The limitation on the
 43 amount transferred shall be increased by an additional \$30
 44 million in each subsequent fiscal year, but shall not exceed a
 45 total of \$300 million in any fiscal year for all bonds issued.
 46 It is the intent of the Legislature that all bonds issued to
 47 fund the Florida Forever Act be retired by December 31, 2033
 48 ~~2030~~. Except for bonds issued to refund previously issued bonds,
 49 no series of bonds may be issued pursuant to this paragraph
 50 unless such bonds are approved and the debt service for the
 51 remainder of the fiscal year in which the bonds are issued is
 52 specifically appropriated in the General Appropriations Act. For
 53 purposes of refunding Preservation 2000 bonds, amounts
 54 designated within this section for Preservation 2000 and Florida
 55 Forever bonds may be transferred between the two programs to the
 56 extent provided for in the documents authorizing the issuance of

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57 | the bonds. The Preservation 2000 bonds and Florida Forever bonds
 58 | shall be equally and ratably secured by moneys distributable to
 59 | the Land Acquisition Trust Fund pursuant to this section, except
 60 | to the extent specifically provided otherwise by the documents
 61 | authorizing the issuance of the bonds. No moneys transferred to
 62 | the Land Acquisition Trust Fund pursuant to this paragraph, or
 63 | earnings thereon, shall be used or made available to pay debt
 64 | service on the Save Our Coast revenue bonds.

65 | Section 2. Subsection (1) of section 215.618, Florida
 66 | Statutes, is amended to read:

67 | 215.618 Bonds for acquisition and improvement of land,
 68 | water areas, and related property interests and resources.--

69 | (1) (a) The issuance of Florida Forever bonds, not to
 70 | exceed \$3.2 ~~\$3~~ billion, to finance or refinance the cost of
 71 | acquisition and improvement of land, water areas, and related
 72 | property interests and resources, in urban and rural settings,
 73 | for the purposes of restoration, conservation, recreation, water
 74 | resource development, or historical preservation, and for
 75 | capital improvements to lands and water areas that accomplish
 76 | environmental restoration, enhance public access and
 77 | recreational enjoyment, promote long-term management goals, and
 78 | facilitate water resource development is hereby authorized,
 79 | subject to the provisions of s. 259.105 and pursuant to s.
 80 | 11(e), Art. VII of the State Constitution. Florida Forever bonds
 81 | may also be issued to refund Preservation 2000 bonds issued
 82 | pursuant to s. 375.051. The \$3.2 ~~\$3~~ billion limitation on the
 83 | issuance of Florida Forever bonds does not apply to refunding
 84 | bonds. The duration of each series of Florida Forever bonds

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85 issued may not exceed 20 annual maturities. Preservation 2000
 86 bonds and Florida Forever bonds shall be equally and ratably
 87 secured by moneys distributable to the Land Acquisition Trust
 88 Fund pursuant to s. 201.15(1)(a), except to the extent
 89 specifically provided otherwise by the documents authorizing the
 90 issuance of the bonds.

91 (b) Beginning July 1, 2013, the Legislature shall analyze
 92 the state's debt ratio in relation to projected revenues prior
 93 to the authorization of any bonds for land acquisition.

94 (c) By February 1, 2010, the Legislature shall complete an
 95 analysis of potential revenue sources for Florida Forever.

96 Section 3. The Florida Communities Trust of the Department
 97 of Community Affairs is hereby transferred by a type two
 98 transfer as define in s. 20.06(2), Florida Statutes, to the
 99 Department of Environmental Protection.

100 Section 4. The Division of Statutory Revision of the Joint
 101 Legislative Management Committee is requested to prepare a
 102 reviser's bill to conform the Florida Statutes to the
 103 organizational changes made by this act.

104 Section 5. Subsection (1) of section 253.002, Florida
 105 Statutes, is amended to read:

106 253.002 Department of Environmental Protection, water
 107 management districts, Fish and Wildlife Conservation Commission,
 108 and Department of Agriculture and Consumer Services; duties with
 109 respect to state lands.--

110 (1) The Department of Environmental Protection shall
 111 perform all staff duties and functions related to the
 112 acquisition, administration, and disposition of state lands,

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113 title to which is or will be vested in the Board of Trustees of
 114 the Internal Improvement Trust Fund. The Fish and Wildlife
 115 Conservation Commission and the Department of Agriculture and
 116 Consumer Service are designated the state's primary land
 117 managers. The duties and responsibility of the state's primary
 118 land managers include, but not limited to, concurrently
 119 developing the land management plans required pursuant to
 120 253.034(5), implementing the land management plans, and the
 121 monitoring the results of the land management activities.
 122 However, upon the effective date of rules adopted pursuant to s.
 123 373.427, a water management district created under s. 373.069
 124 shall perform the staff duties and functions related to the
 125 review of any application for authorization to use board of
 126 trustees-owned submerged lands necessary for an activity
 127 regulated under part IV of chapter 373 for which the water
 128 management district has permitting responsibility as set forth
 129 in an operating agreement adopted pursuant to s. 373.046(4); and
 130 the Department of Agriculture and Consumer Services shall
 131 perform the staff duties and functions related to the review of
 132 applications and compliance with conditions for use of board of
 133 trustees-owned submerged lands under authorizations or leases
 134 issued pursuant to ss. 253.67-253.75 and 597.010. Unless
 135 expressly prohibited by law, the board of trustees may delegate
 136 to the department any statutory duty or obligation relating to
 137 the acquisition, administration, or disposition of lands, title
 138 to which is or will be vested in the board of trustees. The
 139 board of trustees may also delegate to any water management
 140 district created under s. 373.069 the authority to take final

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141 agency action, without any action on behalf of the board, on
 142 applications for authorization to use board of trustees-owned
 143 submerged lands for any activity regulated under part IV of
 144 chapter 373 for which the water management district has
 145 permitting responsibility as set forth in an operating agreement
 146 adopted pursuant to s. 373.046(4). This water management
 147 district responsibility under this subsection shall be subject
 148 to the department's general supervisory authority pursuant to s.
 149 373.026(7). The board of trustees may also delegate to the
 150 Department of Agriculture and Consumer Services the authority to
 151 take final agency action on behalf of the board on applications
 152 to use board of trustees-owned submerged lands for any activity
 153 for which that department has responsibility pursuant to ss.
 154 253.67-253.75 and 597.010. However, the board of trustees shall
 155 retain the authority to take final agency action on establishing
 156 any areas for leasing, new leases, expanding existing lease
 157 areas, or changing the type of lease activity in existing
 158 leases. Upon issuance of an aquaculture lease or other real
 159 property transaction relating to aquaculture, the Department of
 160 Agriculture and Consumer Services must send a copy of the
 161 document and the accompanying survey to the Department of
 162 Environmental Protection.

163 Section 6. Section 253.0325, Florida Statutes, is amended
 164 to read:

165 253.0325 Modernization of state lands records.--

166 (1) The Department of Environmental Protection shall
 167 initiate an ongoing computerized information systems program to
 168 modernize its state lands records and documents that relate to

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169 lands to which title is vested in the Board of Trustees of the
 170 Internal Improvement Trust Fund. The program shall include, at a
 171 minimum:

172 (a) A document management component to automate the
 173 storage and retrieval of information contained in state lands
 174 records.

175 (b) A land records management component to organize the
 176 records by key elements present in the data.

177 (c) An evaluation component which includes the collection
 178 of resource and environmental data.

179 (d) A mapping component to generate and store maps of
 180 state-owned parcels using data from the land records management
 181 and evaluation components.

182 (2) The Department of Environmental Protection shall
 183 initiate and maintain an information system that is the basis
 184 for land acquisition and land management decision making and
 185 modeling. The information system shall map in an electronic
 186 format the natural communities on each tract of state land and
 187 proposed land acquisition. Natural community are defined as a
 188 distinct and recurring assemblage of populations of plants,
 189 animals, fungi and microorganisms naturally associated with each
 190 other and their physical environment. Each natural community
 191 will further partitioned into natural community categories.
 192 Each natural community category will be further partitioned into
 193 natural community groups. Each natural community group will
 194 further partition into natural community types. The Departmetn
 195 of Agriculture and Consumer Services and the Fish and Wildlife
 196 Conservation Commission will assist in the development and

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197 standardization of such a system. The Department of
 198 Environmental Protection may utilize a third party for the
 199 information system and its data. The Information system and its
 200 data are to be proprietary to the state.

201 ~~(3)-(2)~~ At all stages of its records modernization program,
 202 the department shall seek to ensure information systems
 203 compatibility within the department and with other state, local,
 204 and regional governmental agencies. The department also shall
 205 seek to promote standardization in the collection of information
 206 regarding state-owned lands by federal, state, regional, and
 207 local agencies.

208 ~~(4)-(3)~~ The information collected and stored as a result of
 209 the department's modernization of state lands records shall not
 210 be considered a final or complete accounting of lands which the
 211 state owns or to which the state may claim ownership.

212 Section 7. Subsections (1), (2), (4), (5) and (6) of section
 213 253.034, Florida Statutes, are amended to read:

214 253.034 State-owned lands; uses.--

215 (1) All lands acquired pursuant to chapter 259 shall be
 216 managed to serve the public interest by protecting and
 217 conserving land, air, water, and the state's natural resources,
 218 which contribute to the public health, welfare, and economy of
 219 the state. These lands shall be managed to provide for areas of
 220 recreation, including but not limited to, natural resource based
 221 recreation, and to ensure the survival of plant and animal
 222 species and the conservation of finite and renewable natural
 223 resources. The state's lands and natural resources shall be
 224 managed using a stewardship ethic that assures these resources

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225 will be available for the benefit and enjoyment of all people of
 226 the state, both present and future. It is the intent of the
 227 Legislature that, where feasible and consistent with the goals
 228 of protection and conservation of natural resources associated
 229 with lands held in the public trust by the Board of Trustees of
 230 the Internal Improvement Trust Fund, public land not designated
 231 for single-use purposes pursuant to paragraph (2) (b) be managed
 232 for multiple-use purposes. All multiple-use land management
 233 strategies shall address public access and enjoyment, resource
 234 conservation and protection, ecosystem maintenance and
 235 protection, and protection of threatened and endangered species,
 236 and the degree to which public-private partnerships or
 237 endowments may allow the entity with management responsibility
 238 to enhance its ability to manage these lands. The council
 239 created in s. 259.035 shall recommend rules to the board of
 240 trustees, and the board shall adopt rules necessary to carry out
 241 the purposes of this section.

242 (2) As used in this section, the following phrases have
 243 the following meanings:

244 (a) "Multiple use" means the harmonious and coordinated
 245 management of timber, recreation, conservation of fish and
 246 wildlife, forage, archaeological and historic sites, habitat and
 247 other biological resources, or water resources so that they are
 248 utilized in the combination that will best serve the people of
 249 the state, making the most judicious use of the land for ~~some~~ or
 250 all of these resources and giving consideration to the relative
 251 values of the various resources. Where necessary and appropriate
 252 for all state-owned lands that are larger than 1,000 acres in

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253 project size and are managed for multiple uses, buffers may be
 254 formed around any areas that require special protection or have
 255 special management needs. Such buffers shall not exceed more
 256 than one-half of the total acreage. Multiple uses within a
 257 buffer area may be restricted to provide the necessary buffering
 258 effect desired. Multiple use in this context includes both uses
 259 of land or resources by more than one management entity, which
 260 may include private sector land managers. In any case, lands
 261 identified as multiple-use lands in the land management plan
 262 shall be managed to enhance public access and conserve the lands
 263 and resources for the enjoyment of the people of the state.

264 (b) "Single use" means management for one particular
 265 purpose to the exclusion of all other purposes, except that the
 266 using entity shall have the option of including in its
 267 management program compatible secondary purposes which will not
 268 detract from or interfere with the primary management purpose.
 269 Such single uses may include, but are not necessarily restricted
 270 to, the use of agricultural lands for production of food and
 271 livestock, the use of improved sites and grounds for
 272 institutional purposes, ~~and the use of lands for parks,~~
 273 ~~preserves, wildlife management,~~ archaeological or historic
 274 sites, designated preserves, or wilderness areas where the
 275 maintenance of essentially natural conditions is important. All
 276 submerged lands shall be considered single-use lands and shall
 277 be managed primarily for the maintenance of essentially natural
 278 conditions, the propagation of fish and wildlife, and public
 279 recreation, including hunting and fishing where deemed

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280 appropriate by the managing entity, except where public access
 281 to state waters are enhanced.

282 (c) "Conservation lands" means state owned lands that are
 283 currently managed by the Department of Agriculture and Consumer
 284 Services and the Fish and Wildlife Conservation Commission for
 285 conservation, outdoor ~~resource-based~~ recreation, or
 286 archaeological or historic preservation, ~~except those lands that~~
 287 ~~were acquired solely to facilitate the acquisition of other~~
 288 ~~conservation lands.~~ Lands acquired for uses other than
 289 conservation, outdoor resource-based recreation, or
 290 archaeological or historic preservation shall not be designated
 291 conservation lands ~~except as otherwise authorized under this~~
 292 ~~section.~~ These lands shall include, but not be limited to, the
 293 following: correction and detention facilities, military
 294 installations and facilities, state office buildings,
 295 maintenance yards, state university or state community college
 296 campuses, agricultural field stations or offices, tower sites,
 297 law enforcement and license facilities, laboratories, hospitals,
 298 clinics, and other sites that possess no significant natural or
 299 historical resources. ~~However, lands acquired solely to~~
 300 ~~facilitate the acquisition of other conservation lands, and for~~
 301 ~~which the land management plan has not yet been completed or~~
 302 ~~updated, may be evaluated by the Board of Trustees of the~~
 303 ~~Internal Improvement Trust Fund on a case by case basis to~~
 304 ~~determine if they will be designated conservation lands.~~

305
 306 Lands acquired by the state as a gift, through donation, or by
 307 any other conveyance for which no consideration was paid, and

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308 which are not managed for conservation, outdoor resource-based
 309 recreation, or archaeological or historic preservation under a
 310 land management plan approved by the board of trustees are not
 311 conservation lands.

312 (5) State lands shall be managed to ensure the
 313 conservation of the state’s plant and animal species and to
 314 assure the accessibility of public lands for the benefit and
 315 enjoyment all people of the state, both present and future. The
 316 Department of Agriculture and Consumer Services and the Fish and
 317 Wildlife Conservation Commission shall concurrently prepare land
 318 management plans for state lands. Each land management plan
 319 shall provide a desired outcome with measurable objectives to
 320 obtain the desired outcome. The desired outcome shall at a
 321 minimum include sustainability, improving habitat and increasing
 322 public access and will be the basis for all subsequent land
 323 management activities.

324 (a) To ensure the desired outcome is achieved, state lands
 325 shall be managed to achieve the following objectives.

- 326 1. Habitat restoration and improvement.
- 327 2. Public access and recreation.
- 328 3. Hydrological preservation and restoration.
- 329 4. Forest management.
- 330 5. Exotic and invasive species control.
- 331 6. Financial sustainability of land management activities.

332 (b) The land management plan shall at a minimum contain
 333 the following elements.

- 334 1. Physical description of the property

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335 2. A quantitative data description of the property to
 336 include a survey of forest resources; exotic and invasive
 337 plants; hydrological features; capital facilities, including
 338 recreational facilities. The description shall be of such
 339 detail that objective measures and benchmarks can be established
 340 for each tract of land and monitored during the lifetime of the
 341 plan. All quantitative data collected shall be aggregated,
 342 standardized, collected and presented in an electronic format to
 343 allow for management reporting and analysis. The information
 344 collected by the Department of Environmental Protection pursuant
 345 to 253.0325(2) shall available to the land manager and their
 346 assignee.

347 3. A detailed description of each land management
 348 objective and the activities that are to be performed to meet
 349 the land management objectives. Each land management objective
 350 must be addressed by the land management plan but no land
 351 management objective shall be performed to the detriment of the
 352 other land management objectives.

353 4. An activity matrix shall be prepared that contain a
 354 timeline, quantitative measurements, detailed expense and
 355 manpower budgets for each activity. The activity matrix is to
 356 provide a management tool that facilitates development of
 357 performance measures.

358 5. A summary budget for the land management activities of
 359 the land management plan. The summary budget shall be prepared
 360 in such a manner that it facilitates an aggregate of land
 361 management costs for all state lands.

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362 (c) Upon completion, the land management plan will be
 363 transmitted to the Acquisition and Restoration Council for
 364 review. After a 30 day review and comment period, the land
 365 management plan will become operational. If issues arise during
 366 the review and comment period that require revisions to the land
 367 management plan, the Secretary of the Department of
 368 Environmental Protection, Commissioner of Agriculture and
 369 Consumer Services, the Fish and Wildlife Commission or their
 370 delegates shall develop a consensus for land management plan
 371 changes and redraft the plan. During the redrafting period, no
 372 funds for the management of the land may be expended other than
 373 those to address emergency situations.

374 (d) Annually, the state lands with an approved land
 375 management plan must be monitored by the Fish and Wildlife
 376 Commission and reviewed by a certified third party. The Fish
 377 and Wildlife Commission will prepare a monitoring report that
 378 accounts for the progress of land management activities and
 379 specifically identifies deficiencies in the management
 380 activities. The monitoring report shall be submitted to the
 381 Department of Agriculture and Consumer Services and the
 382 Acquisition and Restoration Council. The third party review and
 383 analysis of the management plan shall identify the progress of
 384 the management activities. The third party review and analysis
 385 shall provide suggested corrective actions needed to be taken by
 386 the land manager to address identified deficiencies. The third
 387 party review and analysis are to be submitted to the Department
 388 of Agriculture and Consumer Services, the Fish and Wildlife
 389 Conservation Commission, the Acquisition and Restoration

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390 Council. The Acquisition and Restoration Council shall review
 391 the monitoring report and the third party review and analysis
 392 and determine which deficiencies are of a significant
 393 consequence require a corrective action plan or revision to the
 394 land management plan. Such corrective actions and revision
 395 shall be brought in front of board who will determine whether
 396 the corrective actions and revision sufficiently address the
 397 identified deficiencies. Corrective actions plans shall be
 398 prepared and submitted in the same manner as the land management
 399 plan.

400 (e) Land management plans are to be prepared on rotating
 401 basis on a 10 year cycle.

402 (f) In developing and management plans at least two public
 403 hearings will be held.

404 ~~Each manager of conservation lands shall submit to the~~
 405 ~~Division of State Lands a land management plan at least every 10~~
 406 ~~years in a form and manner prescribed by rule by the board and~~
 407 ~~in accordance with the provisions of s. 259.032. Each manager of~~
 408 ~~conservation lands shall also update a land management plan~~
 409 ~~whenever the manager proposes to add new facilities or make~~
 410 ~~substantive land use or management changes that were not~~
 411 ~~addressed in the approved plan, or within 1 year of the addition~~
 412 ~~of significant new lands. Each manager of nonconservation lands~~
 413 ~~shall submit to the Division of State Lands a land use plan at~~
 414 ~~least every 10 years in a form and manner prescribed by rule by~~
 415 ~~the board. The division shall review each plan for compliance~~
 416 ~~with the requirements of this subsection and the requirements of~~
 417 ~~the rules established by the board pursuant to this section. All~~

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418 ~~land use plans, whether for single use or multiple use~~
 419 ~~properties, shall include an analysis of the property to~~
 420 ~~determine if any significant natural or cultural resources are~~
 421 ~~located on the property. Such resources include archaeological~~
 422 ~~and historic sites, state and federally listed plant and animal~~
 423 ~~species, and imperiled natural communities and unique natural~~
 424 ~~features. If such resources occur on the property, the manager~~
 425 ~~shall consult with the Division of State Lands and other~~
 426 ~~appropriate agencies to develop management strategies to protect~~
 427 ~~such resources. Land use plans shall also provide for the~~
 428 ~~control of invasive nonnative plants and conservation of soil~~
 429 ~~and water resources, including a description of how the manager~~
 430 ~~plans to control and prevent soil erosion and soil or water~~
 431 ~~contamination. Land use plans submitted by a manager shall~~
 432 ~~include reference to appropriate statutory authority for such~~
 433 ~~use or uses and shall conform to the appropriate policies and~~
 434 ~~guidelines of the state land management plan. Plans for managed~~
 435 ~~areas larger than 1,000 acres shall contain an analysis of the~~
 436 ~~multiple use potential of the property, which analysis shall~~
 437 ~~include the potential of the property to generate revenues to~~
 438 ~~enhance the management of the property. Additionally, the plan~~
 439 ~~shall contain an analysis of the potential use of private land~~
 440 ~~managers to facilitate the restoration or management of these~~
 441 ~~lands. In those cases where a newly acquired property has a~~
 442 ~~valid conservation plan that was developed by a soil and~~
 443 ~~conservation district, such plan shall be used to guide~~
 444 ~~management of the property until a formal land use plan is~~
 445 ~~completed.~~

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446 (g)(a) Each land manager ~~The Division of State Lands~~ shall
 447 make available to the public an electronic ~~a~~ copy a copy of each
 448 land management plan ~~for parcels that exceed 160 acres in size.~~
 449 The council shall review each plan for compliance with the
 450 requirements of this subsection, the requirements of chapter
 451 259, ~~and the requirements of the rules established by the board~~
 452 ~~pursuant to this section.~~ The council shall also consider the
 453 propriety of the recommendations of the managing entity with
 454 regard to the future use of the property, the protection of
 455 fragile or nonrenewable resources, the potential for alternative
 456 or multiple uses not recognized by the managing entity, and the
 457 possibility of disposal of the property by the board. After its
 458 review, the council shall submit the plan, along with its
 459 recommendations and comments, to the board. The council shall
 460 specifically recommend to the board whether to approve the plan
 461 as submitted, approve the plan with modifications, or reject the
 462 plan.

463 (h)(b) The Board of Trustees of the Internal Improvement
 464 Trust Fund shall consider the land management plan submitted by
 465 each entity and the recommendations of the council and the
 466 Division of State Lands and shall approve the plan ~~with or~~
 467 ~~without modification~~ or reject such plan. The use or possession
 468 of any such lands that is not in accordance with an approved
 469 land management plan is subject to termination by the board.

470 (6) The Board of Trustees of the Internal Improvement
 471 Trust Fund shall determine which lands, the title to which is
 472 vested in the board, may be surplus. For conservation lands,
 473 the board shall make a determination that the lands are no

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474 longer needed for conservation purposes and may dispose of them
 475 by an affirmative vote of at least three members. In the case of
 476 a land exchange involving the disposition of conservation lands,
 477 the board must determine by an affirmative vote of at least
 478 three members that the exchange will result in a net positive
 479 conservation benefit. For all other lands, the board shall make
 480 a determination that the lands are no longer needed and may
 481 dispose of them by an affirmative vote of at least three
 482 members.

483 (a) For the purposes of this subsection, all state owned
 484 lands managed by the Department of Agriculture and Consumer
 485 Services and the Fish and Wildlife Conservation Commission, and
 486 all lands acquired by the state prior to July 1, 1999, using
 487 proceeds from the Preservation 2000 bonds, the Conservation and
 488 Recreation Lands Trust Fund, the Water Management Lands Trust
 489 Fund, Environmentally Endangered Lands Program, and the Save Our
 490 Coast Program and titled to the board, which lands are
 491 identified as core parcels or within original project
 492 boundaries, shall be deemed to have been acquired for
 493 conservation purposes.

494 (b) For any lands purchased by the state on or after July
 495 1, 1999, a determination shall be made by the board prior to
 496 acquisition as to those parcels that shall be designated as
 497 having been acquired for conservation purposes. No lands
 498 acquired for use by the Department of Corrections, the
 499 Department of Management Services for use as state offices, the
 500 Department of Transportation, except those specifically managed
 501 for conservation or recreation purposes, or the State University

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502 System or the Florida Community College System shall be
 503 designated as having been purchased for conservation purposes.

504 (c) At least every 10 years, ~~as a component of each land~~
 505 ~~management plan or land use plan~~ and in a form and manner
 506 prescribed by rule by the board, each manager shall evaluate and
 507 indicate to the board those lands that are not being used for
 508 the purpose for which they were originally leased. For
 509 conservation lands, the council shall review and shall recommend
 510 to the board whether such lands should be retained in public
 511 ownership or disposed of by the board. For nonconservation
 512 lands, the division shall review such lands and shall recommend
 513 to the board whether such lands should be retained in public
 514 ownership or disposed of by the board.

515 (d) Lands owned by the board which are not actively
 516 managed by any state agency or for which a land management plan
 517 has not been completed pursuant to subsection (5) shall be
 518 reviewed by the council or its successor for its recommendation
 519 as to whether such lands should be managed by a private
 520 contractor, leased or disposed of by the board.

521 (e) Prior to any decision by the board to surplus lands,
 522 the Acquisition and Restoration Council shall review and make
 523 recommendations to the board concerning the request for
 524 surplus. The council shall determine whether the request for
 525 surplus is compatible with the resource values of and
 526 management objectives for such lands.

527 (f)1. In reviewing lands owned by the board, the council
 528 shall consider whether such lands would be more appropriately
 529 owned or managed by the county or other unit of local government

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530 in which the land is located. The council shall recommend to the
 531 board whether a sale, lease, or other conveyance to a local
 532 government would be in the best interests of the state and local
 533 government. The provisions of this paragraph in no way limit the
 534 provisions of ss. 253.111 and 253.115. Such lands shall be
 535 offered to the state, county, or local government for a period
 536 of 30 days. Permittable uses for such surplus lands may include
 537 public schools; public libraries; fire or law enforcement
 538 substations; governmental, judicial, or recreational centers;
 539 and affordable housing meeting the criteria of s. 420.0004(3).
 540 County or local government requests for surplus lands shall be
 541 expedited throughout the surplusing process. If the county or
 542 local government does not elect to purchase such lands in
 543 accordance with s. 253.111, then any surplusing determination
 544 involving other governmental agencies shall be made upon the
 545 board deciding the best public use of the lands. Surplus
 546 properties in which governmental agencies have expressed no
 547 interest shall then be available for sale on the private market.
 548 ~~2. Notwithstanding subparagraph 1., any parcel of surplus~~
 549 ~~lands less than 3 acres in size which was acquired by the state~~
 550 ~~before 1955 by gift or other conveyance or for \$1 consideration~~
 551 ~~from a fair association incorporated under chapter 616 for the~~
 552 ~~purpose of conducting and operating public fairs or expositions,~~
 553 ~~and concerning which the department has filed by July 1, 2008, a~~
 554 ~~notice of intent to dispose of as surplus lands, shall be~~
 555 ~~offered for reconveyance to such fair association for no~~
 556 ~~consideration; however, the agency that last held the lease from~~
 557 ~~the board for management of such lands may remove from the lands~~

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558 ~~any improvements, fixtures, goods, wares, and merchandise within~~
 559 ~~180 days after the effective date of the reconveyance. This~~
 560 ~~subparagraph expires July 1, 2008.~~

561 (g) The sale price of lands determined to be surplus
 562 pursuant to this subsection shall be determined by the division
 563 and shall take into consideration an appraisal of the property,
 564 or, when the estimated value of the land is less than \$100,000,
 565 a comparable sales analysis or a broker's opinion of value, and
 566 the price paid by the state to originally acquire the lands.

567 1.a. A written valuation of land determined to be surplus
 568 pursuant to this subsection, and related documents used to form
 569 the valuation or which pertain to the valuation, are
 570 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
 571 of the State Constitution until 2 weeks before the contract or
 572 agreement regarding the purchase, exchange, or disposal of the
 573 surplus land is first considered for approval by the board.

574 Notwithstanding the exemption provided under this subparagraph,
 575 the division may disclose appraisals, valuations, or valuation
 576 information regarding surplus land during negotiations for the
 577 sale or exchange of the land, during the marketing effort or
 578 bidding process associated with the sale, disposal, or exchange
 579 of the land to facilitate closure of such effort or process,
 580 when the passage of time has made the conclusions of value
 581 invalid, or when negotiations or marketing efforts concerning
 582 the land are concluded.

583 b. This subparagraph is subject to the Open Government
 584 Sunset Review Act of 1995 in accordance with s. 119.15, and

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585 shall stand repealed on October 2, 2009, unless reviewed and
 586 saved from repeal through reenactment by the Legislature.

587 2. A unit of government that acquires title to lands
 588 hereunder for less than appraised value may not sell or transfer
 589 title to all or any portion of the lands to any private owner
 590 for a period of 10 years. Any unit of government seeking to
 591 transfer or sell lands pursuant to this paragraph shall first
 592 allow the board of trustees to reacquire such lands for the
 593 price at which the board sold such lands.

594 (h) Where a unit of government acquired land by gift,
 595 donation, grant, quitclaim deed, or other such conveyance where
 596 no monetary consideration was exchanged, the price of land sold
 597 as surplus may be based on one appraisal. In the event that a
 598 single appraisal yields a value equal to or greater than \$1
 599 million, a second appraisal is required. The individual or
 600 entity requesting the surplus shall select and use appraisers
 601 from the list of approved appraisers maintained by the Division
 602 of State Lands in accordance with s. 253.025(6)(b). The
 603 individual or entity requesting the surplus is to incur all
 604 costs of the appraisals.

605 (i) After reviewing the recommendations of the council,
 606 the board shall determine whether lands identified for surplus
 607 are to be held for other public purposes or whether such lands
 608 are no longer needed. The board may require an agency to release
 609 its interest in such lands. For an agency that has requested the
 610 use of a property that was to be declared as surplus, said
 611 agency must have the property under lease within 6 months of the

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612 date of expiration of the notice provisions required under this
 613 subsection and s. 253.111.

614 (j) Requests for surplusing may be made by any public or
 615 private entity or person. All requests shall be submitted to the
 616 lead managing agency for review and recommendation to the
 617 council or its successor. Lead managing agencies shall have 90
 618 days to review such requests and make recommendations. Any
 619 surplusing requests that have not been acted upon within the 90-
 620 day time period shall be immediately scheduled for hearing at
 621 the next regularly scheduled meeting of the council or its
 622 successor. Requests for surplusing pursuant to this paragraph
 623 shall not be required to be offered to local or state
 624 governments as provided in paragraph (f).

625 (k) Proceeds from any sale of surplus lands pursuant to
 626 this subsection shall be deposited into the fund from which such
 627 lands were acquired. However, if the fund from which the lands
 628 were originally acquired no longer exists, such proceeds shall
 629 be deposited into an appropriate account to be used for land
 630 management ~~by the lead managing agency assigned the lands prior~~
 631 ~~to the lands being declared surplus.~~ Funds received from the
 632 sale of surplus nonconservation lands, or lands that were
 633 acquired by gift, by donation, or for no consideration, shall be
 634 deposited into the Internal Improvement Trust Fund.

635 (l) Notwithstanding the provisions of this subsection, no
 636 such disposition of land shall be made if such disposition would
 637 have the effect of causing all or any portion of the interest on
 638 any revenue bonds issued to lose the exclusion from gross income
 639 for federal income tax purposes.

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640 (m) The sale of filled, formerly submerged land that does
 641 not exceed 5 acres in area is not subject to review by the
 642 council or its successor.

643 (n) The board may adopt rules to implement the provisions
 644 of this section, which may include procedures for administering
 645 surplus land requests and criteria for when the division may
 646 approve requests to surplus nonconservation lands on behalf of
 647 the board.

648 Section 8. Section 259.032, Florida Statutes, is amended
 649 to read:

650 259.032 Conservation and Recreation Lands Trust Fund;
 651 purpose.--

652 (1) It is the policy of the state that the citizens of
 653 this state shall be assured public ownership of natural areas
 654 for purposes of maintaining this state's unique natural
 655 resources; protecting air, land, and water quality; promoting
 656 water resource development to meet the needs of natural systems
 657 and citizens of this state; promoting restoration activities on
 658 public lands; and providing lands for recreation, including but
 659 not limited to, natural resource based recreation. In
 660 recognition of this policy, it is the intent of the Legislature
 661 to provide such public lands for the people residing in urban
 662 and metropolitan areas of the state, as well as those residing
 663 in less populated, rural areas. It is the further intent of the
 664 Legislature, with regard to the lands described in paragraph
 665 (3)(c), that a high priority be given to the acquisition of such
 666 lands in or near counties exhibiting the greatest concentration
 667 of population and, with regard to the lands described in

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668 subsection (3), that a high priority be given to acquiring lands
 669 or rights or interests in lands within any area designated as an
 670 area of critical state concern under s. 380.05 which, in the
 671 judgment of the advisory council established pursuant to s.
 672 259.035, or its successor, cannot be adequately protected by
 673 application of land development regulations adopted pursuant to
 674 s. 380.05. Finally, it is the Legislature's intent that lands
 675 acquired through this program and any successor programs be
 676 managed in such a way as to protect or restore their natural
 677 resource values, and provide the greatest benefit, including
 678 public access, to the citizens of this state.

679 (2)

680 (a) The Conservation and Recreation Lands Trust Fund is
 681 established within the Department of Environmental Protection.
 682 The fund shall be used as a nonlapsing, revolving fund
 683 exclusively for the purposes of this section. The fund shall be
 684 credited with proceeds from the following excise taxes:

685 1. The excise taxes on documents as provided in s. 201.15;
 686 and

687 2. The excise tax on the severance of phosphate rock as
 688 provided in s. 211.3103.

689
 690 The Department of Revenue shall credit to the fund each month
 691 the proceeds from such taxes as provided in this paragraph.

692 (b) There shall annually be transferred from the
 693 Conservation and Recreation Lands Trust Fund to the Land
 694 Acquisition Trust Fund that amount, not to exceed \$20 million
 695 annually, as shall be necessary to pay the debt service on, or

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696 fund debt service reserve funds, rebate obligations, or other
 697 amounts with respect to bonds issued pursuant to s. 375.051 to
 698 acquire lands on the established priority list developed
 699 pursuant to ss. 259.101(4) and 259.105; however, no moneys
 700 transferred to the Land Acquisition Trust Fund pursuant to this
 701 paragraph, or earnings thereon, shall be used or made available
 702 to pay debt service on the Save Our Coast revenue bonds. Amounts
 703 transferred annually from the Conservation and Recreation Lands
 704 Trust Fund to the Land Acquisition Trust Fund pursuant to this
 705 paragraph shall have the highest priority over other payments or
 706 transfers from the Conservation and Recreation Lands Trust Fund,
 707 and no other payments or transfers shall be made from the
 708 Conservation and Recreation Lands Trust Fund until such
 709 transfers to the Land Acquisition Trust Fund have been made.
 710 Moneys in the Conservation and Recreation Lands Trust Fund also
 711 shall be used to manage lands and to pay for related costs,
 712 activities, and functions pursuant to the provisions of this
 713 section.

714 (3) The Governor and Cabinet, sitting as the Board of
 715 Trustees of the Internal Improvement Trust Fund, may allocate
 716 moneys from the fund in any one year to acquire the fee or any
 717 lesser interest in lands for the following public purposes:

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

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

725 (c) To conserve and protect native species habitat or
 726 endangered or threatened species, emphasizing long-term
 727 protection for endangered or threatened species designated G-1
 728 or G-2 by the Florida Natural Areas Inventory, and especially
 729 those areas that are special locations for breeding and
 730 reproduction;

731 (d) To conserve, protect, manage, or restore important
 732 ecosystems, landscapes, and forests, if the protection and
 733 conservation of such lands is necessary to enhance or protect
 734 significant surface water, groundwater, coastal, recreational,
 735 timber, or fish or wildlife resources which cannot otherwise be
 736 accomplished through local and state regulatory programs;

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

739 (f) To facilitate the restoration and subsequent health
 740 and vitality of the Florida Everglades;

741 (g) To provide areas, including recreational trails, for
 742 natural resource based recreation and other outdoor recreation
 743 on any part of any site compatible with conservation purposes;

744 (h) To preserve significant archaeological or historic
 745 sites; or

746 (i) To conserve urban open spaces suitable for greenways
 747 or outdoor recreation which are compatible with conservation
 748 purposes.

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749 (j) To preserve agricultural lands under threat of
 750 conversion to development through less-than-fee aquisitions.

751 (4)

752 (a) Lands acquired under this section shall be for use as
 753 state-designated parks, recreation areas, preserves, reserves,
 754 historic or archaeological sites, geologic or botanical sites,
 755 recreational trails, forests, wilderness areas, wildlife
 756 management areas, urban open space, or other state-designated
 757 recreation or conservation lands; or they shall qualify for such
 758 state designation and use if they are to be managed by other
 759 governmental agencies or nonstate entities as provided for in
 760 this section.

761 (b) In addition to the uses allowed in paragraph (a),
 762 moneys may be transferred from the Conservation and Recreation
 763 Lands Trust Fund to the Florida Forever Trust Fund or the Land
 764 Acquisition Trust Fund. This paragraph expires July 1, 2007.

765 (5) The board of trustees may allocate, in any year, an
 766 amount not to exceed 5 percent of the money credited to the fund
 767 in that year, such allocation to be used for the purposes of
 768 ~~253.0325(2) the initiation and maintenance of a natural areas~~
 769 ~~inventory to aid in the identification of areas to be acquired~~
 770 ~~pursuant to this section.~~

771 (6) Moneys in the fund not needed to meet obligations
 772 incurred under this section shall be deposited with the Chief
 773 Financial Officer to the credit of the fund and may be invested
 774 in the manner provided by law. Interest received on such
 775 investments shall be credited to the Conservation and Recreation
 776 Lands Trust Fund.

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777 (7) The board of trustees may enter into any contract
 778 necessary to accomplish the purposes of this section. The lead
 779 land managing agencies designated by the board of trustees also
 780 are directed by the Legislature, to the greatest extent
 781 possible, to enter into contracts or interagency agreements with
 782 other governmental entities, including local soil and water
 783 conservation districts, or private land managers who have the
 784 expertise to perform specific management activities which a lead
 785 agency lacks, or which would cost more to provide in-house. Such
 786 activities shall include, but not be limited to, controlled
 787 burning, road and ditch maintenance, mowing, and wildlife
 788 assessments.

789 (8) Lands to be considered for purchase under this section
 790 are subject to the selection procedures of s. 259.035 and
 791 related rules and shall be acquired in accordance with
 792 acquisition procedures for state lands provided for in s.
 793 259.041, except as otherwise provided by the Legislature. An
 794 inholding or an addition to a project selected for purchase
 795 pursuant to this chapter is not subject to the selection
 796 procedures of s. 259.035 if the estimated value of such
 797 inholding or addition does not exceed \$500,000. When at least 90
 798 percent of the acreage of a project has been purchased pursuant
 799 to this chapter, the project may be removed from the list and
 800 the remaining acreage may continue to be purchased. Moneys from
 801 the fund may be used for title work, appraisal fees,
 802 environmental audits, and survey costs related to acquisition
 803 expenses for lands to be acquired, donated, or exchanged which
 804 qualify under the categories of this section, at the discretion

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805 of the board. When the Legislature has authorized the Department
 806 of Environmental Protection to condemn a specific parcel of land
 807 and such parcel has already been approved for acquisition under
 808 this section, the land may be acquired in accordance with the
 809 provisions of chapter 73 or chapter 74, and the fund may be used
 810 to pay the condemnation award and all costs, including a
 811 reasonable attorney's fee, associated with condemnation.

812 (9) All lands managed under this chapter and s. 253.034
 813 shall be:

814 (a) Managed in a manner that will provide the greatest
 815 combination of benefits to the public, including public access,
 816 and to the resources.

817 (b) Managed for public ~~outdoor~~ recreation which is
 818 compatible with the conservation and protection of public lands.
 819 Such management may include, but not be limited to, the
 820 following public recreational uses: fishing, hunting, camping,
 821 bicycling, hiking, nature study, swimming, boating, canoeing,
 822 horseback riding, diving, model hobbyist activities, birding,
 823 sailing, jogging, and other related outdoor activities
 824 compatible with the purposes for which the lands were acquired.

825 (c) Managed for the purposes for which the lands were
 826 acquired, consistent with paragraph (11) (a).

827 (d) Concurrent with its adoption of the annual
 828 Conservation and Recreation Lands list of acquisition projects
 829 pursuant to s. 259.035, the board of trustees shall adopt a
 830 management prospectus for each project. The management
 831 prospectus shall delineate:

832 1. The management goals for the property;

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833 2. The conditions that will affect the intensity of
 834 management;

835 3. An estimate of the revenue-generating potential of the
 836 property, if appropriate;

837 4. A timetable for implementing the various stages of
 838 management and for providing access to the public, if
 839 applicable;

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

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

844 7. The anticipated costs of management and projected
 845 sources of revenue, including legislative appropriations, to
 846 fund management needs; and

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

851 The costs of infrastructure and management identified in the
 852 management prospectus will be standardized and aggregated in a
 853 manner sufficient to allow reporting to board of trustee and the
 854 legislature.

855 (e) Concurrent with the approval of the acquisition
 856 contract pursuant to s. 259.041(3)(c) for any interest in lands
 857 except those lands being acquired under the provisions of s.
 858 259.1052, the board of trustees shall designate an agency or
 859 agencies to manage such lands. The board shall evaluate and
 860 amend, as appropriate, the management policy statement for the

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861 project as provided by s. 259.035, consistent with the purposes
 862 for which the lands are acquired. For any fee simple acquisition
 863 of a parcel which is or will be leased back for agricultural
 864 purposes, or any acquisition of a less-than-fee interest in land
 865 that is or will be used for agricultural purposes, the Board of
 866 Trustees of the Internal Improvement Trust Fund shall first
 867 consider having a soil and water conservation district, created
 868 pursuant to chapter 582, manage and monitor such interests.

869 (f) State agencies designated to manage lands acquired
 870 under this chapter except those lands acquired under s. 259.1052
 871 may contract with local governments, ~~and~~ soil and water
 872 conservation districts, and private entities to assist in
 873 management activities, ~~including the responsibility of being the~~
 874 ~~lead land manager~~. Such land management contracts may include a
 875 provision for the transfer of management funding to the local
 876 government or soil and water conservation district from the
 877 Conservation and Recreation Lands Trust Fund in an amount
 878 adequate for the local government or soil and water conservation
 879 district to perform its contractual land management
 880 responsibilities and proportionate to its responsibilities, and
 881 which otherwise would have been expended by the state agency to
 882 manage the property.

883 (g) Immediately following the acquisition of any interest
 884 in lands under this chapter, the Department of Environmental
 885 Protection, acting on behalf of the board of trustees, may issue
 886 to the lead managing entity an interim assignment letter to be
 887 effective until the execution of a formal lease.

888 (10)

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889 (a) State, regional, or local governmental agencies or
 890 private entities designated to manage lands under this section
 891 shall develop and adopt, with the approval of the board of
 892 trustees, an individual land management plan for each project
 893 designed to conserve and protect such lands and their associated
 894 natural resources. Private sector involvement in land management
 895 plan development may be used to expedite the planning process.

896 (b) Individual land management plans required by s.
 897 253.034(5), ~~for parcels over 160 acres,~~ shall be developed with
 898 input from an advisory group. Members of this advisory group
 899 shall include, at a minimum, representatives of the lead land
 900 managing agency, comanaging entities, local private property
 901 owners, the appropriate soil and water conservation district, a
 902 local conservation organization, and a local elected official.
 903 The advisory group shall conduct at least two public hearings
 904 ~~one public hearing~~ within the county in which the parcel or
 905 project is located. For those parcels or projects that are
 906 within more than one county, at least one additional areawide
 907 public hearing ~~shall be acceptable~~ and the lead managing agency
 908 shall invite a local elected official from each county. The
 909 areawide public hearing shall be held in the county in which the
 910 core parcels are located. Notice of such public hearing shall be
 911 posted on the parcel or project designated for management,
 912 advertised in a paper of general circulation, and announced at a
 913 scheduled meeting of the local governing body before the actual
 914 public hearing. The management prospectus required pursuant to
 915 paragraph (9) (d) shall be available to the public for a period
 916 of 30 days prior each ~~to the~~ public hearing.

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917 (c) Once a plan is adopted, the managing agency or entity
 918 shall update the plan at least every 10 years in a form and
 919 manner prescribed by rule of the board of trustees. Such
 920 updates, for parcels over 160 acres, shall be developed with
 921 input from an advisory group. Such plans may include transfers
 922 of leasehold interests to appropriate conservation organizations
 923 or governmental entities designated by the Land Acquisition and
 924 Management Advisory Council or its successor, for uses
 925 consistent with the purposes of the organizations and the
 926 protection, preservation, conservation, restoration, and proper
 927 management of the lands and their resources. Volunteer
 928 management assistance is encouraged, including, but not limited
 929 to, assistance by youths participating in programs sponsored by
 930 state or local agencies, by volunteers sponsored by
 931 environmental or civic organizations, and by individuals
 932 participating in programs for committed delinquents and adults.

933 (d)1. For each project for which lands are acquired after
 934 July 1, 2008 ~~1995~~, an individual land management plan shall be
 935 adopted and in place no later than 1 year after the essential
 936 parcel or parcels identified in the priority list developed
 937 pursuant to ss. 259.101(4) and 259.105 have been acquired. The
 938 Department of Environmental Protection shall distribute only 75
 939 percent of the acquisition funds to which a budget entity or
 940 water management district would otherwise be entitled from the
 941 Preservation 2000 Trust Fund to any budget entity or any water
 942 management district that has more than one-third of its land
 943 management plans overdue.

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944 2. The requirements of subparagraph 1. do not apply to the
 945 individual management plan for the Babcock Crescent B Ranch
 946 being acquired pursuant to s. 259.1052. The management plan for
 947 the ranch shall be adopted and in place no later than 2 years
 948 following the date of acquisition by the state.

949 (e) Individual land management plans shall conform to the
 950 requirements of 253.034(5) and the appropriate policies and
 951 guidelines of the state land management plan and shall include,
 952 but not be limited to:

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

956 2. Key management activities necessary to achieve the
 957 desired outcome, including but not limited, providing public
 958 access, preserving and protecting natural resources and
 959 restoring habitat, controlling the spread of nonnative plants
 960 and animals, performing prescribed fire activities and other
 961 appropriate resource management activities ~~preserve and protect~~
 962 ~~natural resources and restore habitat, and for controlling the~~
 963 ~~spread of nonnative plants and animals, and for prescribed fire~~
 964 ~~and other appropriate resource management activities.~~

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

968 4. A priority schedule for conducting management
 969 activities, based on the desired outcome of the land management
 970 plan ~~purposes for which the lands were acquired.~~

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971 5. A cost estimate for conducting priority management
 972 activities, to include recommendations for cost-effective
 973 methods of accomplishing those activities.

974 6. A cost estimate for conducting other management
 975 activities which would enhance the natural resource value or
 976 public recreation value for which the lands were acquired. The
 977 cost estimate shall include recommendations for cost-effective
 978 methods of accomplishing those activities.

979 7. A determination of the public uses and public access
 980 that are to be provided and would be consistent with the
 981 purposes for which the lands were acquired.

982 (f) The Division of State Lands shall submit a copy of
 983 each individual land management plan for parcels ~~which exceed~~
 984 ~~160 acres in size~~ to each member of the Land Acquisition and
 985 Management Advisory Council or its successor, which shall:

986 1. Within 60 days after receiving a plan from the
 987 division, review each plan for compliance with the requirements
 988 of this subsection, 253.034(5), and with the requirements of the
 989 rules established by the board pursuant to this subsection.

990 2. Consider the propriety of the recommendations of the
 991 managing agency with regard to the future use or protection of
 992 the property.

993 3. After its review, submit the plan, along with its
 994 recommendations and comments, to the board of trustees, with
 995 recommendations as to whether to approve the plan as submitted,
 996 ~~approve the plan with modifications,~~ or reject the plan.

997 (g) The board of trustees shall consider the individual
 998 management plan submitted by each state agency and the

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999 recommendations of the Land Acquisition and Management Advisory
 1000 Council, or its successor, and the Division of State Lands and
 1001 shall approve the plan ~~with or without modification~~ or reject
 1002 such plan. The use or possession of any lands owned by the board
 1003 of trustees which is not in accordance with an approved
 1004 individual management plan is subject to termination by the
 1005 board of trustees.

1006
 1007 By July 1 of each year, each governmental agency and each
 1008 private entity designated to manage lands shall report to the
 1009 Secretary of Environmental Protection on the progress of
 1010 funding, staffing, and resource management of every project for
 1011 which the agency or entity is responsible.

1012 (11)

1013 (a) The Legislature recognizes that acquiring lands
 1014 pursuant to this chapter serves the public interest by
 1015 protecting land, air, and water resources which contribute to
 1016 the public health and welfare, providing areas for natural
 1017 resource based recreation, and ensuring the survival of unique
 1018 and irreplaceable plant and animal species. The Legislature
 1019 intends for these lands to be managed and maintained for the
 1020 purposes for which they were acquired and for the public to have
 1021 access to and use of these lands where it ~~is consistent with~~
 1022 ~~acquisition purposes~~ and would not harm the resources the state
 1023 is seeking to protect on the public's behalf.

1024 (b) An amount up to 1.5 percent of the cumulative total of
 1025 funds ever deposited into the Florida Preservation 2000 Trust
 1026 Fund and the Florida Forever Trust Fund shall be made available

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1027 for the purposes of management, maintenance, and capital
 1028 improvements not eligible for funding pursuant to s. 11(e), Art.
 1029 VII of the State Constitution, and for associated contractual
 1030 services, for lands acquired pursuant to this section, s.
 1031 259.101, s. 259.105, s. 259.1052, or previous programs for the
 1032 acquisition of lands for conservation and recreation, including
 1033 state forests, to which title is vested in the board of trustees
 1034 and other conservation and recreation lands managed by a state
 1035 agency. Of this amount, \$250,000 shall be transferred annually
 1036 to the Plant Industry Trust Fund within the Department of
 1037 Agriculture and Consumer Services for the purpose of
 1038 implementing the Endangered or Threatened Native Flora
 1039 Conservation Grants Program pursuant to s. 581.185(11). Each
 1040 agency with management responsibilities shall annually request
 1041 from the Legislature funds sufficient to fulfill such
 1042 responsibilities. For the purposes of this paragraph, capital
 1043 improvements shall include, but need not be limited to,
 1044 perimeter fencing, signs, firelanes, access roads and trails,
 1045 and minimal public accommodations, such as primitive campsites,
 1046 garbage receptacles, and toilets. Any equipment purchased with
 1047 funds provided pursuant to this paragraph may be used for
 1048 appropriate land management activities on state lands ~~the~~
 1049 ~~purposes described in this paragraph on any conservation and~~
 1050 ~~recreation lands managed by a state agency.~~

1051 (c) The Secretary of the Department of Environmental
 1052 Protection, the Executive Director of the Fish and Wildlife
 1053 Conservation Commission, and the Commissioner of Agriculture
 1054 shall prepare and deliver a report to the President of the

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1055 Senate and the Speaker of the House of Representatives no later
 1056 than December 31, 2008 that provides the methodology used and
 1057 recommendation that provides a formula to allocate land
 1058 management ~~In requesting~~ funds provided for in paragraph (b) for
 1059 long-term management of all acquisitions pursuant to this
 1060 chapter and for associated contractual services. The
 1061 methodology and formula shall recognize recognize, but not be
 1062 limited to, the following: ~~the managing agencies shall recognize~~
 1063 ~~the following categories of land management needs:~~
 1064 1. The assignment of management intensity associated with
 1065 the natural community categories, groups and types provided in
 1066 253.0325(2) and the related management activities to land
 1067 management goals provided in 253.034(5).
 1068 2. The assignment of management intensity associated with
 1069 public access, including but not limited to:
 1070 a. The acres of land which require minimal effort for
 1071 resource preservation, development, or restoration – these lands
 1072 generally are open to the public but offer no more than
 1073 minimally developed facilities;
 1074 b. The acres of land which require moderate effort for
 1075 resource preservation, development, or restoration – these lands
 1076 typically have a high degree of public use and offer highly
 1077 developed facilities;
 1078 c. The acres of land which require significant effort for
 1079 resource preservation, development, or restoration – these lands
 1080 generally are sites with historic significance or unique natural
 1081 features, and a very high degree of public use.

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1082 3. The acres of land with a secondary manager contributing
 1083 to the over-all management effort.

1084 4. The anticipated revenues generated from management of
 1085 the lands.

1086 5. The impacts of, and needs created or addressed by,
 1087 multiple-use management strategies.

1088 6. The acres of land with infestations of non-native or
 1089 invasive plants, animals, or fish.

1090 ~~1. Lands which are low-need tracts, requiring basic~~
 1091 ~~resource management and protection, such as state reserves,~~
 1092 ~~state preserves, state forests, and wildlife management areas.~~
 1093 ~~These lands generally are open to the public but have no more~~
 1094 ~~than minimum facilities development.~~

1095 ~~2. Lands which are moderate-need tracts, requiring more~~
 1096 ~~than basic resource management and protection, such as state~~
 1097 ~~parks and state recreation areas. These lands generally have~~
 1098 ~~extra restoration or protection needs, higher concentrations of~~
 1099 ~~public use, or more highly developed facilities.~~

1100 ~~3. Lands which are high-need tracts, with identified needs~~
 1101 ~~requiring unique site-specific resource management and~~
 1102 ~~protection. These lands generally are sites with historic~~
 1103 ~~significance, unique natural features, or very high intensity~~
 1104 ~~public use, or sites that require extra funds to stabilize or~~
 1105 ~~protect resources, such as lands with heavy infestations of~~
 1106 ~~nonnative, invasive plants.~~

1107
 1108 In evaluating the management funding needs of lands based on the
 1109 above categories, the lead land managing agencies shall include

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1110 in their considerations the impacts of, and needs created or
 1111 addressed by, multiple-use management strategies. Beginning
 1112 July 1, 2009, no fund provided in paragraph (b) shall be
 1113 allocated, distributed or expended until the allocation formula
 1114 for funding land management activities has be affirmed by the
 1115 legislature. Upon affirmation, the allocation formula will be
 1116 used in the allocation and distribution of funds provided in
 1117 paragraph (b).,

1118 (d) All revenues generated through multiple-use management
 1119 or compatible secondary-use management shall be returned to the
 1120 lead agency responsible for such management and shall be used to
 1121 pay for management activities on all conservation, preservation,
 1122 and recreation lands under the agency's jurisdiction. In
 1123 addition, such revenues shall be segregated in an agency trust
 1124 fund and shall remain available to the agency in subsequent
 1125 fiscal years to support land management appropriations. For the
 1126 purposes of this paragraph, compatible secondary-use management
 1127 shall be those activities described in subsection (9) undertaken
 1128 on parcels designated as single use pursuant to s.
 1129 253.034(2)(b).

1130 (e) Up to one-fifth of the funds provided for in paragraph
 1131 (b) shall be reserved by the board of trustees for interim
 1132 management of acquisitions and for associated contractual
 1133 services, to ensure the conservation and protection of natural
 1134 resources on project sites and to allow limited public
 1135 recreational use of lands. Interim management activities may
 1136 include, but not be limited to, resource assessments, control of
 1137 invasive, nonnative species, habitat restoration, fencing, law

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1138 enforcement, controlled burning, and public access consistent
 1139 with preliminary determinations made pursuant to paragraph
 1140 (9) (g). The board of trustees shall make these interim funds
 1141 available immediately upon purchase.

1142 (f) The department shall set long-range and annual goals
 1143 for the control and removal of nonnative, invasive plant species
 1144 on public lands. Such goals shall differentiate between aquatic
 1145 plant species and upland plant species. In setting such goals,
 1146 the department may rank, in order of adverse impact, species
 1147 that impede or destroy the functioning of natural systems.
 1148 Notwithstanding paragraph (a), up to one-fourth of the funds
 1149 provided for in paragraph (b) may be used by the agencies
 1150 receiving those funds for control and removal of nonnative,
 1151 invasive species on public lands.

1152 (g) In addition to the purposes specified in paragraph
 1153 (b), funds from the 1.5 percent of the cumulative total of funds
 1154 ever deposited into the Florida Preservation 2000 Trust Fund and
 1155 the Florida Forever Trust Fund may be appropriated for the 2006-
 1156 2007 fiscal year for the construction of replacement museum
 1157 facilities. This paragraph expires July 1, 2007.

1158 (12)

1159 (a) Beginning July 1, 1999, the Legislature shall make
 1160 available sufficient funds annually from the Conservation and
 1161 Recreation Lands Trust Fund to the department for payment in
 1162 lieu of taxes to qualifying counties and local governments as
 1163 defined in paragraph (b) for all actual tax losses incurred as a
 1164 result of board of trustees acquisitions for state agencies
 1165 under the Florida Forever program or the Florida Preservation

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1166 2000 program during any year. Reserved funds not used for
 1167 payments in lieu of taxes in any year shall revert to the fund
 1168 to be used for land management in accordance with the provisions
 1169 of this section.

1170 (b) Payment in lieu of taxes shall be available:

1171 1. To all counties that have a population of 150,000 or
 1172 fewer. Population levels shall be determined pursuant to s.
 1173 11.031.

1174 2. To all local governments located in eligible counties.

1175 3. To Glades County, where a privately owned and operated
 1176 prison leased to the state has recently been opened and where
 1177 privately owned and operated juvenile justice facilities leased
 1178 to the state have recently been constructed and opened, a
 1179 payment in lieu of taxes, in an amount that offsets the loss of
 1180 property tax revenue, which funds have already been appropriated
 1181 and allocated from the Department of Correction's budget for the
 1182 purpose of reimbursing amounts equal to lost ad valorem taxes.

1183 (c) If insufficient funds are available in any year to
 1184 make full payments to all qualifying counties and local
 1185 governments, such counties and local governments shall receive a
 1186 pro rata share of the moneys available.

1187 (d) The payment amount shall be based on the average
 1188 amount of actual taxes paid on the property for the 3 years
 1189 preceding acquisition. Applications for payment in lieu of taxes
 1190 shall be made no later than January 31 of the year following
 1191 acquisition. No payment in lieu of taxes shall be made for
 1192 properties which were exempt from ad valorem taxation for the
 1193 year immediately preceding acquisition.

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1194 (e) If property which was subject to ad valorem taxation
 1195 was acquired by a tax-exempt entity for ultimate conveyance to
 1196 the state under this chapter, payment in lieu of taxes shall be
 1197 made for such property based upon the average amount of taxes
 1198 paid on the property for the 3 years prior to its being removed
 1199 from the tax rolls. The department shall certify to the
 1200 Department of Revenue those properties that may be eligible
 1201 under this provision. Once eligibility has been established,
 1202 that county or local government shall receive 10 consecutive
 1203 annual payments for each tax loss, and no further eligibility
 1204 determination shall be made during that period.

1205 (f) Payment in lieu of taxes pursuant to this subsection
 1206 shall be made annually to qualifying counties and local
 1207 governments after certification by the Department of Revenue
 1208 that the amounts applied for are reasonably appropriate, based
 1209 on the amount of actual taxes paid on the eligible property.
 1210 With the assistance of the local government requesting payment
 1211 in lieu of taxes, the state agency that acquired the land is
 1212 responsible for preparing and submitting application requests
 1213 for payment to the Department of Revenue for certification.

1214 (g) If the board of trustees conveys to a local government
 1215 title to any land owned by the board, any payments in lieu of
 1216 taxes on the land made to the local government shall be
 1217 discontinued as of the date of the conveyance.

1218
 1219 For the purposes of this subsection, "local government" includes
 1220 municipalities, the county school board, mosquito control
 1221 districts, and any other local government entity which levies ad

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1222 valorem taxes, with the exception of a water management
 1223 district.

1224 (13) Moneys credited to the fund each year which are not
 1225 used for management, maintenance, or capital improvements
 1226 pursuant to subsection (11); for payment in lieu of taxes
 1227 pursuant to subsection (12); or for the purposes of subsection
 1228 (5), shall be available for the acquisition of land pursuant to
 1229 this section.

1230 (14) The board of trustees may adopt rules to further
 1231 define the categories of land for acquisition under this
 1232 chapter.

1233 (15) Within 90 days after receiving a certified letter
 1234 from the owner of a property on the Conservation and Recreation
 1235 Lands list or the priority list established pursuant to s.
 1236 259.105 objecting to the property being included in an
 1237 acquisition project, where such property is a project or part of
 1238 a project which has not been listed for purchase in the current
 1239 year's land acquisition work plan, the board of trustees shall
 1240 delete the property from the list or from the boundary of an
 1241 acquisition project on the list.

1242 Section 9. Section 259.035, Florida Statutes, is amended
 1243 to read:

1244 259.035 Acquisition and Restoration Council.--

1245 (1) There is created the Acquisition and Restoration
 1246 Council.

1247 (a) The council shall be composed of nine voting members,
 1248 two ~~four~~ of whom shall be appointed by the Governor, one
 1249 appointed by the Commissioner of Agriculture and Consumer

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1250 Services, and one appointed by the Fish and Wildlife
 1251 Conservation Commission. These four appointees shall be from
 1252 scientific disciplines related to agriculture, land, water, or
 1253 environmental sciences. They shall serve 4-year terms, except
 1254 that, initially, to provide for staggered terms, two of the
 1255 appointees shall serve 2-year terms. All subsequent appointments
 1256 shall be for 4-year terms. No appointee shall serve more than 6
 1257 years. The Governor, Commissioner of Agriculture and Consumer
 1258 Services, or the Fish and Wildlife Conservation Commission may
 1259 at any time fill a vacancy for their receptive appointment for
 1260 the unexpired term of a member appointed under this paragraph.

1261 (b) The five remaining appointees shall be composed of the
 1262 Secretary of Environmental Protection, the director of the
 1263 Division of Forestry of the Department of Agriculture and
 1264 Consumer Services, the executive director of the Fish and
 1265 Wildlife Conservation Commission, the director of the Division
 1266 of Historical Resources of the Department of State, and the
 1267 secretary of the Department of Community Affairs, or their
 1268 respective designees.

1269 (c) The Governor shall appoint the chair of the council,
 1270 and a vice chair shall be elected from among the members.

1271 (d) The council shall hold periodic meetings at the
 1272 request of the chair.

1273 (e) The Department of Environmental Protection shall
 1274 provide primary staff support to the council and shall ensure
 1275 that council meetings are electronically recorded. Such
 1276 recording shall be preserved pursuant to chapters 119 and 257.

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1277 (f) The board of trustees has authority to adopt rules
 1278 pursuant to ss. 120.536(1) and 120.54 to implement the
 1279 provisions of this section.

1280 (2) The four appointed members of the council ~~appointed by~~
 1281 ~~the Governor~~ shall receive ~~\$75 per day while engaged in the~~
 1282 ~~business of the council, as well as~~ reimbursement for expenses
 1283 and per diem for travel to attend council meetings ~~, including~~
 1284 ~~attendance at meetings~~, as allowed state officers and employees
 1285 while in the performance of their duties, pursuant to s.
 1286 112.061.

1287 (3) The council shall provide assistance to the board of
 1288 trustees in reviewing the recommendations and plans for state-
 1289 owned lands required under ss. 253.034 and 259.032. The council
 1290 shall, in reviewing such recommendations and plans, consider the
 1291 optimization of multiple-use and conservation strategies to
 1292 accomplish the provisions funded pursuant to ss. 259.101(3) (a)
 1293 and 259.105(3) (b) .

1294 (4) The council may use existing rules adopted by the
 1295 board of trustees, until it develops and recommends amendments
 1296 to those rules, to competitively evaluate, select, and rank
 1297 projects eligible for the Conservation and Recreation Lands list
 1298 pursuant to ss. 259.032(3) and 259.101(4) and, beginning no
 1299 later than May 1, 2001, for Florida Forever funds pursuant to s.
 1300 259.105(3) (b) . In developing or amending the rules, the council
 1301 shall give weight to the criteria included in s. 259.105(10) .
 1302 The board of trustees shall review the recommendations and shall
 1303 adopt rules necessary to administer this section.

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1304 (5) An affirmative vote of five members of the council is
 1305 required in order to change a project boundary or to place a
 1306 proposed project on a list developed pursuant to subsection (4).
 1307 Any member of the council who by family or a business
 1308 relationship has a connection with all or a portion of any
 1309 proposed project shall declare the interest before voting on its
 1310 inclusion on a list.

1311 (6) The proposal for a project pursuant to this section or
 1312 s. 259.105(3)(b) may be implemented only if adopted by the
 1313 council and approved by the board of trustees. The council shall
 1314 consider and evaluate in writing the merits and demerits of each
 1315 project that is proposed for Conservation and Recreation Lands,
 1316 Florida Preservation 2000, or Florida Forever funding and shall
 1317 ensure that each proposed project will meet a stated public
 1318 purpose for the restoration, conservation, or preservation of
 1319 environmentally sensitive lands and water areas or for providing
 1320 ~~outdoor~~ recreational opportunities. The council also shall
 1321 determine whether the project conforms, where applicable, with
 1322 the comprehensive plan developed pursuant to s. 259.04(1)(a),
 1323 the comprehensive multipurpose outdoor recreation plan developed
 1324 pursuant to s. 375.021, the state lands management plan adopted
 1325 pursuant to s. 253.03(7), the water resources work plans
 1326 developed pursuant to s. 373.199, and the provisions of s.
 1327 259.032, s. 259.101, or s. 259.105, whichever is applicable.

1328 Section 10. Section 259.036, Florida Statutes, is amended
 1329 to read:

1330 259.036 Management review teams.--

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1331 (1) To determine whether conservation, preservation, and
 1332 recreation lands titled in the name of the Board of Trustees of
 1333 the Internal Improvement Trust Fund are being managed for the
 1334 purposes for which they were acquired, and in accordance with a
 1335 land management plan adopted pursuant to s. 259.032, and
 1336 achieving the goals of the land management plans provided in
 1337 353.034(5), the board of trustees, acting through the Department
 1338 of Environmental Protection, shall cause periodic management
 1339 reviews to be conducted as follows:

1340 (a) The department shall establish a regional land
 1341 management review team composed of the following members:

1342 1. One individual who is from the county or local
 1343 community in which the parcel or project is located and who is
 1344 selected by the county commission in the county which is most
 1345 impacted by the acquisition.

1346 2. One individual from the Division of Recreation and
 1347 Parks of the department or one individual from the department's
 1348 district office in which the parcel is located.

1349 3. One individual from the Division of Forestry of the
 1350 Department of Agriculture and Consumer Services.

1351 4. One individual from the Fish and Wildlife Conservation
 1352 Commission.

1353 5. ~~One individual from the department's district office in~~
 1354 ~~which the parcel is located.~~

1355 6. A private land manager selected by the Department of
 1356 Agriculture and Consumer Services ~~mutually agreeable to the~~
 1357 ~~state agency representatives.~~

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1358 7. A member of the local soil and water conservation
1359 district board of supervisors.

1360 8. A member of a conservation organization.

1361 9. A private land manager selected by the Fish and
1362 Wildlife Conservation Commission.

1363 (b) The staff of the Division of State Lands shall act as
1364 the review team coordinator for the purposes of establishing
1365 schedules for the reviews and other staff functions. The
1366 Legislature shall appropriate funds necessary to implement land
1367 management review team functions.

1368 (2) The land management review team shall review select
1369 management areas prior to the date the manager is required to
1370 submit a 10-year land management plan update. For management
1371 areas that exceed 1,000 acres in size, the Division of State
1372 Lands shall schedule a land management review at least every 5
1373 years. A copy of the review shall be provided to the manager,
1374 the Division of State Lands, and the Acquisition and Restoration
1375 Council. The manager shall consider the findings and
1376 recommendations of the land management review team in finalizing
1377 the required 10-year update of its management plan.

1378 (3) In conducting a review, the land management review
1379 team shall evaluate the extent to which the existing management
1380 plan provides sufficient protection to threatened or endangered
1381 species, unique or important natural or physical features,
1382 geological or hydrological functions, or archaeological
1383 features. The review shall also evaluate the extent to which the
1384 land is being managed for the purposes for which it was acquired
1385 and the degree to which actual management practices, including

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1386 public access, are in compliance with the adopted management
 1387 plan.

1388 (4) In the event a land management plan has not been
 1389 adopted within the timeframes specified in s. 259.032(10), the
 1390 department may direct a management review of the property, to be
 1391 conducted by the land management review team. The review shall
 1392 consider the extent to which the land is being managed for the
 1393 purposes for which it was acquired and the degree to which
 1394 actual management practices are in compliance with the
 1395 management policy statement and management prospectus for that
 1396 property.

1397 (5) If the land management review team determines that
 1398 reviewed lands are not being managed for the purposes for which
 1399 they were acquired or in compliance with the adopted land
 1400 management plan, management policy statement, or management
 1401 prospectus, or if the managing agency fails to address the
 1402 review findings in the updated management plan, the department
 1403 shall provide the review findings to the board, and the managing
 1404 agency must report to the board its reasons for managing the
 1405 lands as it has.

1406 (6) No later than the second board meeting in October of
 1407 each year, the department shall report the annual review
 1408 findings of its land management review team.

1409 Section 11. Section 259.037, Florida Statutes, is amended
 1410 to read.

1411 259.037 Land Management Uniform Accounting Council.--

1412 (1) The Land Management Uniform Accounting Council is
 1413 created within the Department of Environmental Protection and

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1414 shall consist of the director of the Division of State Lands,
 1415 the director of the Division of Recreation and Parks, the
 1416 director of the Office of Coastal and Aquatic Managed Areas, and
 1417 the director of the Office of Greenways and Trails of the
 1418 Department of Environmental Protection; the director of the
 1419 Division of Forestry of the Department of Agriculture and
 1420 Consumer Services; the executive director of the Fish and
 1421 Wildlife Conservation Commission; and the director of the
 1422 Division of Historical Resources of the Department of State, or
 1423 their respective designees. Each state agency represented on the
 1424 council shall have one vote. The chair of the council shall
 1425 rotate annually in the foregoing order of state agencies. The
 1426 agency of the representative serving as chair of the council
 1427 shall provide staff support for the council. The Division of
 1428 State Lands shall serve as the recipient of and repository for
 1429 the council's documents. The council shall meet at the request
 1430 of the chair.

1431 (2) The Auditor General and the director of the Office of
 1432 Program Policy Analysis and Government Accountability, or their
 1433 designees, shall advise the council to ensure that appropriate
 1434 accounting procedures are utilized and that a uniform method of
 1435 collecting and reporting accurate costs of land management
 1436 activities are created and can be used by all agencies.

1437 (3) (a) All land management activities and costs must be
 1438 assigned to a specific category, and any single activity or cost
 1439 may not be assigned to more than one category. Administrative
 1440 costs, such as planning or training, shall be segregated from
 1441 other management activities. Specific management activities and

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1442 costs must initially be grouped, at a minimum, within the
 1443 following categories:

- 1444 ~~1.(a)~~ Resource management.
- 1445 ~~2.(b)~~ Administration.
- 1446 ~~3.(c)~~ New facility construction.
- 1447 ~~4.(d)~~ Facility maintenance.

1448
 1449 Upon adoption of the initial list of land management categories
 1450 by the council, agencies assigned to manage conservation or
 1451 recreation lands shall, on July 1, 2000, begin to account for
 1452 land management costs in accordance with the category to which
 1453 an expenditure is assigned.

1454 (b) Each reporting agency shall also:

1455 a. Include a report of the available public use options
 1456 for each tract of state land and the total management cost for
 1457 public access and public use and the cost associated with each
 1458 use option.

1459 b. List the acres of land requiring minimal management
 1460 effort, moderate management effort, and significant management
 1461 effort. For each category they shall include the amount of funds
 1462 requested, the amount of funds received, and the amount of funds
 1463 expended for land management. The report shall also include a
 1464 description of planned management activities and accomplished
 1465 land management activities.

1466 c. List acres managed and cost of management for each
 1467 tract by natural community delineation, based on the Florida
 1468 Natural Areas Inventory's 1990 hierarchical classification,

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1469 including the natural community category, the natural community
 1470 group, and the natural community type.

1471 d. List acres managed, cost of management, and lead
 1472 manager for state lands tracts for which secondary management
 1473 activities were provided.

1474 (4) The council shall report agencies' expenditures
 1475 pursuant to the adopted categories to the President of the
 1476 Senate and the Speaker of the House of Representatives annually,
 1477 beginning July 1, 2001. The council shall also provide this
 1478 report to the Acquisition and Restoration Council for inclusion
 1479 in its annual report required pursuant to s. 259.105.

1480 (5) Should the council determine that the list of land
 1481 management categories needs to be revised, it shall meet upon
 1482 the call of the chair.

1483 Section 12. Section 259.105, Florida Statutes, is amended
 1484 to read:

1485 259.105 The Florida Forever Act.--

1486 (1) This section may be cited as the "Florida Forever
 1487 Act."

1488 (2)

1489 (a) The Legislature finds and declares that:

1490 1. The Preservation 2000 program provided tremendous
 1491 financial resources for purchasing environmentally significant
 1492 lands to protect those lands from imminent development, thereby
 1493 assuring present and future generations access to important open
 1494 spaces and recreation and conservation lands.

1495 2. The continued alteration and development of Florida's
 1496 natural areas to accommodate the state's rapidly growing

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1497 population have contributed to the degradation of water
 1498 resources, the fragmentation and destruction of wildlife
 1499 habitats, the loss of outdoor recreation space, and the
 1500 diminishment of wetlands, forests, and public beaches.

1501 3. The potential development of Florida's remaining
 1502 natural areas and escalation of land values require a
 1503 continuation of government efforts to restore, bring under
 1504 public protection, or acquire lands and water areas to preserve
 1505 the state's invaluable quality of life.

1506 4. Florida's groundwater, surface waters, and springs are
 1507 under tremendous pressure due to population growth and economic
 1508 expansion and require special protection and restoration
 1509 efforts. To ensure that sufficient quantities of water are
 1510 available to meet the current and future needs of the natural
 1511 systems and citizens of the state, and assist in achieving the
 1512 planning goals of the department and the water management
 1513 districts, water resource development projects on public lands,
 1514 where compatible with the resource values of and management
 1515 objectives for the lands, are appropriate.

1516 5. The needs of urban Florida for high-quality outdoor
 1517 recreational opportunities, greenways, trails, and open space
 1518 have not been fully met by previous acquisition programs.
 1519 Through such programs as the Florida Communities Trust and the
 1520 Florida Recreation Development Assistance Program, the state
 1521 shall place additional emphasis on acquiring, protecting,
 1522 preserving, and restoring open space, greenways, and recreation
 1523 properties within urban areas where pristine natural communities

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1524 or water bodies no longer exist because of the proximity of
 1525 developed property.

1526 6. Many of Florida's unique ecosystems, such as the
 1527 Florida Everglades, are facing ecological collapse due to
 1528 Florida's burgeoning population. To preserve these valuable
 1529 ecosystems for future generations, parcels of land must be
 1530 acquired to facilitate ecosystem restoration.

1531 7. Access to public lands to support a broad range of
 1532 outdoor recreational opportunities and the development of
 1533 necessary infrastructure, where compatible with the resource
 1534 values of and management objectives for such lands, promotes an
 1535 appreciation for Florida's natural assets and improves the
 1536 quality of life.

1537 8. Acquisition of lands, in fee simple or in any lesser
 1538 interest, should be based on a comprehensive assessment of
 1539 Florida's natural resources and planned so as to protect the
 1540 integrity of ecological systems and provide multiple benefits,
 1541 including preservation of fish and wildlife habitat, recreation
 1542 space for urban as well as rural areas, and water recharge.

1543 9. The state has embraced performance-based program
 1544 budgeting as a tool to evaluate the achievements of publicly
 1545 funded agencies, build in accountability, and reward those
 1546 agencies which are able to consistently achieve quantifiable
 1547 goals. While previous and existing state environmental programs
 1548 have achieved varying degrees of success, few of these programs
 1549 can be evaluated as to the extent of their achievements,
 1550 primarily because performance measures, standards, outcomes, and
 1551 goals were not established at the outset. Therefore, the Florida

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1552 Forever program shall be developed and implemented in the
 1553 context of measurable state goals and objectives.

1554 10. It is the intent of the Legislature to change the
 1555 focus and direction of the state's major land acquisition
 1556 programs and to extend funding and bonding capabilities, so that
 1557 future generations may enjoy the natural resources of Florida.

1558 (b) The Legislature recognizes that acquisition is only
 1559 one way to achieve the aforementioned goals and encourages the
 1560 development of creative partnerships between governmental
 1561 agencies and private landowners. Land protection agreements and
 1562 similar tools should be used, where appropriate, to bring
 1563 environmentally sensitive tracts under an acceptable level of
 1564 protection at a lower financial cost to the public, and to
 1565 provide private landowners with the opportunity to enjoy and
 1566 benefit from their property.

1567
 1568 (c) Public agencies or other entities that receive funds
 1569 under this section are encouraged to better coordinate their
 1570 expenditures so that project acquisitions, when combined with
 1571 acquisitions under Preservation 2000, Save Our Rivers, the
 1572 Florida Communities Trust, and other public land acquisition
 1573 programs, will form more complete patterns of protection for
 1574 natural areas and functioning ecosystems, to better accomplish
 1575 the intent of this section.

1576 (d) A long-term financial commitment to managing Florida's
 1577 public lands must accompany any new land acquisition program to
 1578 ensure that the natural resource values of such lands are
 1579 protected, that the public has the opportunity to enjoy the

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1580 lands to their fullest potential, and that the state achieves
 1581 the full benefits of its investment of public dollars.

1582 (e) With limited dollars available for restoration and
 1583 acquisition of land and water areas and for providing long-term
 1584 management and capital improvements, a competitive selection
 1585 process can select those projects best able to meet the goals of
 1586 Florida Forever and maximize the efficient use of the program's
 1587 funding.

1588 (f) To ensure success and provide accountability to the
 1589 citizens of this state, it is the intent of the Legislature that
 1590 any bond proceeds used pursuant to this section be used to
 1591 implement the goals and objectives recommended by the Florida
 1592 Forever Advisory Council as approved by the Board of Trustees of
 1593 the Internal Improvement Trust Fund and the Legislature.

1594 (g) As it has with previous land acquisition programs, the
 1595 Legislature recognizes the desires of the citizens of this state
 1596 to prosper through economic development and to preserve the
 1597 natural areas and recreational open space of Florida. The
 1598 Legislature further recognizes the urgency of restoring the
 1599 natural functions of public lands or water bodies before they
 1600 are degraded to a point where recovery may never occur, yet
 1601 acknowledges the difficulty of ensuring adequate funding for
 1602 restoration efforts in light of other equally critical financial
 1603 needs of the state. It is the Legislature's desire and intent to
 1604 fund the implementation of this section and to do so in a
 1605 fiscally responsible manner, by issuing bonds to be repaid with
 1606 documentary stamp tax revenue.

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1607 (h) The Legislature further recognizes the important role
 1608 that many of our state and federal military installations
 1609 contribute to protecting and preserving Florida's natural
 1610 resources as well as our economic prosperity. Where the state's
 1611 land conservation plans overlap with the military's need to
 1612 protect lands, waters, and habitat to ensure the sustainability
 1613 of military missions, it is the Legislature's intent that
 1614 agencies receiving funds under this program cooperate with our
 1615 military partners to protect and buffer military installations
 1616 and military airspace, by:

1617 1. Protecting habitat on nonmilitary land for any species
 1618 found on military land that is designated as threatened or
 1619 endangered, or is a candidate for such designation under the
 1620 Endangered Species Act or any Florida statute;

1621 2. Protecting areas underlying low-level military air
 1622 corridors or operating areas; and

1623 3. Protecting areas identified as clear zones, accident
 1624 potential zones, and air installation compatible use buffer
 1625 zones delineated by our military partners.

1626 (3) Less the costs of issuing and the costs of funding
 1627 reserve accounts and other costs associated with bonds, the
 1628 proceeds of bonds issued pursuant to this section shall be
 1629 deposited into the Florida Forever Trust Fund created by s.
 1630 259.1051. The proceeds shall be distributed by the Department of
 1631 Environmental Protection in the following manner:

1632 (a) Thirty-five percent to the Department of Environmental
 1633 Protection for the acquisition of lands and capital project
 1634 expenditures necessary to implement the water management

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1635 districts' priority lists developed pursuant to s. 373.199. The
 1636 funds are to be distributed to the water management districts as
 1637 provided in subsection (11). A minimum of 50 percent of the
 1638 total funds provided over the life of the Florida Forever
 1639 program pursuant to this paragraph shall be used for the
 1640 acquisition of lands.

1641 (b) Thirty-five percent to the Department of Environmental
 1642 Protection for the acquisition of lands and capital project
 1643 expenditures described in this section. Of the proceeds
 1644 distributed pursuant to this paragraph, it is the intent of the
 1645 Legislature that an increased priority be given to those
 1646 acquisitions which achieve a combination of conservation goals,
 1647 including protecting Florida's water resources and natural
 1648 groundwater recharge. Capital project expenditures may not
 1649 exceed 10 percent of the funds allocated pursuant to this
 1650 paragraph.

1651 (c) Twenty-two percent to the Department of Community
 1652 Affairs for use by the Florida Communities Trust for the
 1653 purposes of part III of chapter 380, as described and limited by
 1654 this subsection, and grants to local governments or nonprofit
 1655 environmental organizations that are tax-exempt under s.
 1656 501(c)(3) of the United States Internal Revenue Code for the
 1657 acquisition of community-based projects, urban open spaces,
 1658 parks, and greenways to implement local government comprehensive
 1659 plans. From funds available to the trust and used for land
 1660 acquisition, 75 percent shall be matched by local governments on
 1661 a dollar-for-dollar basis. The Legislature intends that the
 1662 Florida Communities Trust emphasize funding projects in low-

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1663 income or otherwise disadvantaged communities. At least 30
 1664 percent of the total allocation provided to the trust shall be
 1665 used in Standard Metropolitan Statistical Areas, but one-half of
 1666 that amount shall be used in localities in which the project
 1667 site is located in built-up commercial, industrial, or mixed-use
 1668 areas and functions to intersperse open spaces within congested
 1669 urban core areas. From funds allocated to the trust, no less
 1670 than 5 percent shall be used to acquire lands for recreational
 1671 trail systems, provided that in the event these funds are not
 1672 needed for such projects, they will be available for other trust
 1673 projects. Local governments may use federal grants or loans,
 1674 private donations, or environmental mitigation funds, including
 1675 environmental mitigation funds required pursuant to s. 338.250,
 1676 for any part or all of any local match required for acquisitions
 1677 funded through the Florida Communities Trust. Any lands
 1678 purchased by nonprofit organizations using funds allocated under
 1679 this paragraph must provide for such lands to remain permanently
 1680 in public use through a reversion of title to local or state
 1681 government, conservation easement, or other appropriate
 1682 mechanism. Projects funded with funds allocated to the Trust
 1683 shall be selected in a competitive process measured against
 1684 criteria adopted in rule by the Trust.

1685 (d) Two percent to the Department of Environmental
 1686 Protection for grants pursuant to s. 375.075.

1688 (e) One and five-tenths percent to the Department of
 1689 Environmental Protection for the purchase of inholdings and
 1690 additions to state parks and for capital project expenditures as

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1691 described in this section. Capital project expenditures may not
 1692 exceed 10 percent of the funds allocated under this paragraph.
 1693 For the purposes of this paragraph, "state park" means any real
 1694 property in the state which is under the jurisdiction of the
 1695 Division of Recreation and Parks of the department, or which may
 1696 come under its jurisdiction.

1697 (f) One and five-tenths percent to the Division of
 1698 Forestry of the Department of Agriculture and Consumer Services
 1699 to fund the acquisition of state forest inholdings and additions
 1700 pursuant to s. 589.07, the implementation of reforestation plans
 1701 or sustainable forestry management practices, and for capital
 1702 project expenditures as described in this section. Capital
 1703 project expenditures may not exceed 10 percent of the funds
 1704 allocated under this paragraph.

1705 (g) One and five-tenths percent to the Fish and Wildlife
 1706 Conservation Commission to fund the acquisition of inholdings
 1707 and additions to lands managed by the commission which are
 1708 important to the conservation of fish and wildlife and for
 1709 capital project expenditures as described in this section.
 1710 Capital project expenditures may not exceed 10 percent of the
 1711 funds allocated under this paragraph.

1712 (h) One and five-tenths percent to the Department of
 1713 Environmental Protection for the Florida Greenways and Trails
 1714 Program, to acquire greenways and trails or greenways and trail
 1715 systems pursuant to chapter 260, including, but not limited to,
 1716 abandoned railroad rights-of-way and the Florida National Scenic
 1717 Trail and for capital project expenditures as described in this

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1718 section. Capital project expenditures may not exceed 10 percent
 1719 of the funds allocated under this paragraph.

1720 (i) It is the intent of the Legislature that proceeds of
 1721 Florida Forever bonds distributed under this section shall be
 1722 expended in an efficient and fiscally responsible manner. An
 1723 agency that receives proceeds from Florida Forever bonds under
 1724 this section may not maintain a balance of unencumbered funds in
 1725 its Florida Forever subaccount beyond 3 fiscal years from the
 1726 date of deposit of funds from each bond issue. Any funds that
 1727 have not been expended or encumbered after 3 fiscal years from
 1728 the date of deposit shall be distributed by the Legislature at
 1729 its next regular session for use in the Florida Forever program.

1730 (j) For the purposes of paragraphs (d), (e), (f), and (g),
 1731 the agencies which receive the funds shall develop their
 1732 individual acquisition or restoration lists. Proposed additions
 1733 may be acquired if they are identified within the original
 1734 project boundary, the management plan required pursuant to s.
 1735 253.034(5), or the management prospectus required pursuant to s.
 1736 259.032(9)(d). Proposed additions not meeting the requirements
 1737 of this paragraph shall be submitted to the Acquisition and
 1738 Restoration Council for approval. The council may only approve
 1739 the proposed addition if it meets two or more of the following
 1740 criteria: serves as a link or corridor to other publicly owned
 1741 property; enhances the protection or management of the property;
 1742 would add a desirable resource to the property; would create a
 1743 more manageable boundary configuration; has a high resource
 1744 value that otherwise would be unprotected; or can be acquired at
 1745 less than fair market value.

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1746 (4) It is the intent of the Legislature that projects or
 1747 acquisitions funded pursuant to paragraphs (3)(a) and (b)
 1748 contribute to the achievement of the following goals:

1749 (a) Enhance the coordination and completion of land
 1750 acquisition projects, as measured by:

1751 1. The number of acres acquired through the state's land
 1752 acquisition programs that contribute to the completion of
 1753 Florida Preservation 2000 projects or projects begun before
 1754 Preservation 2000;

1755 2. The number of acres protected through the use of
 1756 alternatives to fee simple acquisition; or

1757 3. The number of shared acquisition projects among Florida
 1758 Forever funding partners and partners with other funding
 1759 sources, including local governments and the Federal Government.

1760 (b) Increase the protection of Florida's biodiversity at
 1761 the species, natural community, and landscape levels, as
 1762 measured by:

1763 1. The number of acres acquired of significant strategic
 1764 habitat conservation areas;

1765 2. The number of acres acquired of highest priority
 1766 conservation areas for Florida's rarest species;

1767 3. The number of acres acquired of significant landscapes,
 1768 landscape linkages, and conservation corridors, giving priority
 1769 to completing linkages;

1770 4. The number of acres acquired of underrepresented native
 1771 ecosystems;

1772 5. The number of landscape-sized protection areas of at
 1773 least 50,000 acres that exhibit a mosaic of predominantly intact

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1774 or restorable natural communities established through new
 1775 acquisition projects or augmentations to previous projects; or
 1776 6. The percentage increase in the number of occurrences of
 1777 endangered species, threatened species, or species of special
 1778 concern on publicly managed conservation areas.
 1779 (c) Protect, restore, and maintain the quality and natural
 1780 functions of land, water, and wetland systems of the state, as
 1781 measured by:
 1782 1. The number of acres of publicly owned land identified
 1783 as needing restoration, acres undergoing restoration, and acres
 1784 with restoration activities completed;
 1785 2. The percentage of water segments that fully meet,
 1786 partially meet, or do not meet their designated uses as reported
 1787 in the Department of Environmental Protection's State Water
 1788 Quality Assessment 305(b) Report;
 1789 3. The percentage completion of targeted capital
 1790 improvements in surface water improvement and management plans
 1791 created under s. 373.453(2), regional or master stormwater
 1792 management system plans, or other adopted restoration plans;
 1793 4. The number of acres acquired that protect natural
 1794 floodplain functions;
 1795 5. The number of acres acquired that protect surface
 1796 waters of the state;
 1797 6. The number of acres identified for acquisition to
 1798 minimize damage from flooding and the percentage of those acres
 1799 acquired;
 1800 7. The number of acres acquired that protect fragile
 1801 coastal resources;

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1802 8. The number of acres of functional wetland systems
1803 protected;

1804 9. The percentage of miles of critically eroding beaches
1805 contiguous with public lands that are restored or protected from
1806 further erosion;

1807 10. The percentage of public lakes and rivers in which
1808 invasive, nonnative aquatic plants are under maintenance
1809 control; or

1810 11. The number of acres of public conservation lands in
1811 which upland invasive, exotic plants are under maintenance
1812 control.

1813 (d) Ensure that sufficient quantities of water are
1814 available to meet the current and future needs of natural
1815 systems and the citizens of the state, as measured by:

1816 1. The number of acres acquired which provide retention
1817 and storage of surface water in naturally occurring storage
1818 areas, such as lakes and wetlands, consistent with the
1819 maintenance of water resources or water supplies and consistent
1820 with district water supply plans;

1821 2. The quantity of water made available through the water
1822 resource development component of a district water supply plan
1823 for which a water management district is responsible; or

1824 3. The number of acres acquired of groundwater recharge
1825 areas critical to springs, sinks, aquifers, other natural
1826 systems, or water supply.

1827 (e) Increase natural resource-based public recreational
1828 and educational opportunities, as measured by:

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- 1829 1. The number of acres acquired that are available for
 1830 natural resource-based public recreation or education;
- 1831 2. The miles of trails that are available for public
 1832 recreation, giving priority to those that provide significant
 1833 connections including those that will assist in completing the
 1834 Florida National Scenic Trail; or
- 1835 3. The number of new resource-based recreation facilities,
 1836 by type, made available on public land.
- 1837 (f) Preserve significant archaeological or historic sites,
 1838 as measured by:
- 1839 1. The increase in the number of and percentage of
 1840 historic and archaeological properties listed in the Florida
 1841 Master Site File or National Register of Historic Places which
 1842 are protected or preserved for public use; or
- 1843 2. The increase in the number and percentage of historic
 1844 and archaeological properties that are in state ownership.
- 1845 (g) Increase the amount of forestland available for
 1846 sustainable management of natural resources, as measured by:
- 1847 1. The number of acres acquired that are available for
 1848 sustainable forest management;
- 1849 2. The number of acres of state-owned forestland managed
 1850 for economic return in accordance with current best management
 1851 practices;
- 1852 3. The number of acres of forestland acquired that will
 1853 serve to maintain natural groundwater recharge functions; or
- 1854 4. The percentage and number of acres identified for
 1855 restoration actually restored by reforestation.

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1856 (h) Increase the amount of open space available in urban
 1857 areas, as measured by:
 1858 1. The percentage of local governments that participate in
 1859 land acquisition programs and acquire open space in urban cores;
 1860 or
 1861 2. The percentage and number of acres of purchases of open
 1862 space within urban service areas.
 1863
 1864 Florida Forever projects and acquisitions funded pursuant to
 1865 paragraph (3)(c) shall be measured by goals developed by rule by
 1866 the Florida Communities Trust Governing Board created in s.
 1867 380.504.
 1868 (5)
 1869 (a) All lands acquired pursuant to this section shall be
 1870 managed for multiple-use purposes, where compatible with the
 1871 resource values of and management objectives for such lands. As
 1872 used in this section, "multiple-use" includes, but is not
 1873 limited to, outdoor recreational activities as described in ss.
 1874 253.034 and 259.032(9)(b), water resource development projects,
 1875 and sustainable forestry management.
 1876 (b) Upon a decision by the entity in which title to lands
 1877 acquired pursuant to this section has vested, such lands may be
 1878 designated single use as defined in s. 253.034(2)(b).
 1879 (6) As provided in this section, a water resource or water
 1880 supply development project may be allowed only if the following
 1881 conditions are met: minimum flows and levels have been
 1882 established for those waters, if any, which may reasonably be
 1883 expected to experience significant harm to water resources as a

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1884 result of the project; the project complies with all applicable
 1885 permitting requirements; and the project is consistent with the
 1886 regional water supply plan, if any, of the water management
 1887 district and with relevant recovery or prevention strategies if
 1888 required pursuant to s. 373.0421(2).

1889 (7)

1890 (a) Beginning no later than July 1, 2001, and every year
 1891 thereafter, the Acquisition and Restoration Council shall accept
 1892 applications from state agencies, local governments, nonprofit
 1893 and for-profit organizations, private land trusts, and
 1894 individuals for project proposals eligible for funding pursuant
 1895 to paragraph (3)(b). The council shall evaluate the proposals
 1896 received pursuant to this subsection to ensure that they meet at
 1897 least one of the criteria under subsection (9).

1898 (b) Project applications shall contain, at a minimum, the
 1899 following:

1900 1. A minimum of two numeric performance measures that
 1901 directly relate to the overall goals adopted by the council.
 1902 Each performance measure shall include a baseline measurement,
 1903 which is the current situation; a performance standard which the
 1904 project sponsor anticipates the project will achieve; and the
 1905 performance measurement itself, which should reflect the
 1906 incremental improvements the project accomplishes towards
 1907 achieving the performance standard.

1908 2. Proof that property owners within any proposed
 1909 acquisition have been notified of their inclusion in the
 1910 proposed project. Any property owner may request the removal of
 1911 such property from further consideration by submitting a request

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1912 to the project sponsor or the Acquisition and Restoration
 1913 Council by certified mail. Upon receiving this request, the
 1914 council shall delete the property from the proposed project;
 1915 however, the board of trustees, at the time it votes to approve
 1916 the proposed project lists pursuant to subsection (16), may add
 1917 the property back on to the project lists if it determines by a
 1918 super majority of its members that such property is critical to
 1919 achieve the purposes of the project.

1920 (c) The title to lands acquired under this section shall
 1921 vest in the Board of Trustees of the Internal Improvement Trust
 1922 Fund, except that title to lands acquired by a water management
 1923 district shall vest in the name of that district and lands
 1924 acquired by a local government shall vest in the name of the
 1925 purchasing local government.

1926 (8) The Acquisition and Restoration Council shall develop
 1927 a project list that shall represent those projects submitted
 1928 pursuant to subsection (7).

1929 (9) The Acquisition and Restoration Council shall
 1930 recommend rules for adoption by the board of trustees to
 1931 competitively evaluate, select, and rank projects eligible for
 1932 Florida Forever funds pursuant to paragraph (3)(b) and for
 1933 additions to the Conservation and Recreation Lands list pursuant
 1934 to ss. 259.032 and 259.101(4). In developing these proposed
 1935 rules, the Acquisition and Restoration Council shall give weight
 1936 to the following criteria:

1937 (a) The project meets multiple goals described in
 1938 subsection (4).

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1939 (b) The project is part of an ongoing governmental effort
 1940 to restore, protect, or develop land areas or water resources.

1941 (c) The project enhances or facilitates management of
 1942 properties already under public ownership.

1943 (d) The project has significant archaeological or historic
 1944 value.

1945 (e) The project has funding sources that are identified
 1946 and assured through at least the first 2 years of the project.

1947 (f) The project contributes to the solution of water
 1948 resource problems on a regional basis.

1949 (g) The project has a significant portion of its land area
 1950 in imminent danger of development, in imminent danger of losing
 1951 its significant natural attributes or recreational open space,
 1952 or in imminent danger of subdivision which would result in
 1953 multiple ownership and make acquisition of the project costly or
 1954 less likely to be accomplished.

1955 (h) The project implements an element from a plan
 1956 developed by an ecosystem management team.

1957 (i) The project is one of the components of the Everglades
 1958 restoration effort.

1959 (j) The project may be purchased at 80 percent of
 1960 appraised value.

1961 (k) The project may be acquired, in whole or in part,
 1962 using alternatives to fee simple, including but not limited to,
 1963 purchase of development rights, hunting rights, agricultural or
 1964 silvicultural rights, or mineral rights or obtaining
 1965 conservation easements or flowage easements.

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1966 (1) The project is a joint acquisition, either among
 1967 public agencies, nonprofit organizations, or private entities,
 1968 or by a public-private partnership.

1969 (10) The Acquisition and Restoration Council shall give
 1970 increased priority to those projects for which matching funds
 1971 are available and to project elements previously identified on
 1972 an acquisition list pursuant to this section that can be
 1973 acquired at 80 percent or less of appraised value. The council
 1974 shall also give increased priority to those projects where the
 1975 state's land conservation plans overlap with the military's need
 1976 to protect lands, water, and habitat to ensure the
 1977 sustainability of military missions including:

1978 (a) Protecting habitat on nonmilitary land for any species
 1979 found on military land that is designated as threatened or
 1980 endangered, or is a candidate for such designation under the
 1981 Endangered Species Act or any Florida statute;

1982 (b) Protecting areas underlying low-level military air
 1983 corridors or operating areas; and

1984 (c) Protecting areas identified as clear zones, accident
 1985 potential zones, and air installation compatible use buffer
 1986 zones delineated by our military partners, and for which federal
 1987 or other funding is available to assist with the project.

1988 (11) For the purposes of funding projects pursuant to
 1989 paragraph (3)(a), the Secretary of Environmental Protection
 1990 shall ensure that each water management district receives the
 1991 following percentage of funds annually:

1992 (a) Thirty-five percent to the South Florida Water
 1993 Management District, of which amount \$25 million for 2 years

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1994 beginning in fiscal year 2000-2001 shall be transferred by the
 1995 Department of Environmental Protection into the Save Our
 1996 Everglades Trust Fund and shall be used exclusively to implement
 1997 the comprehensive plan under s. 373.470.

1998 (b) Twenty-five percent to the Southwest Florida Water
 1999 Management District.

2000 (c) Twenty-five percent to the St. Johns River Water
 2001 Management District.

2002 (d) Seven and one-half percent to the Suwannee River Water
 2003 Management District.

2004 (e) Seven and one-half percent to the Northwest Florida
 2005 Water Management District.

2006 (12) It is the intent of the Legislature that in
 2007 developing the list of projects for funding pursuant to
 2008 paragraph (3)(a), that these funds not be used to abrogate the
 2009 financial responsibility of those point and nonpoint sources
 2010 that have contributed to the degradation of water or land areas.
 2011 Therefore, an increased priority shall be given by the water
 2012 management district governing boards to those projects that have
 2013 secured a cost-sharing agreement allocating responsibility for
 2014 the cleanup of point and nonpoint sources.

2015 (13) An affirmative vote of five members of the
 2016 Acquisition and Restoration Council shall be required in order
 2017 to place a proposed project on the list developed pursuant to
 2018 subsection (8). Any member of the council who by family or a
 2019 business relationship has a connection with any project proposed
 2020 to be ranked shall declare such interest prior to voting for a
 2021 project's inclusion on the list.

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2022 (14) Each year that bonds are to be issued pursuant to
 2023 this section, the Acquisition and Restoration Council shall
 2024 review the most current approved project list and shall, by the
 2025 first board meeting in May, present to the Board of Trustees of
 2026 the Internal Improvement Trust Fund for approval a listing of
 2027 projects developed pursuant to subsection (8). The board of
 2028 trustees may remove projects from the list developed pursuant to
 2029 this subsection, but may not add projects or rearrange project
 2030 rankings.

2031 (15) The Acquisition and Restoration Council shall submit
 2032 to the board of trustees, with its list of projects, a report
 2033 that includes, but shall not be limited to, the following
 2034 information for each project listed:

2035 (a) The stated purpose for inclusion.

2036 (b) Projected costs to achieve the project goals.

2037 (c) An interim management budget.

2038 (d) Specific performance measures.

2039 (e) Plans for public access.

2040 (f) An identification of the essential parcel or parcels
 2041 within the project without which the project cannot be properly
 2042 managed.

2043 (g) Where applicable, an identification of those projects
 2044 or parcels within projects which should be acquired in fee
 2045 simple or in less than fee simple.

2046 (h) An identification of those lands being purchased for
 2047 conservation purposes.

2048 (i) A management policy statement for the project and a
 2049 management prospectus pursuant to s. 259.032(9)(d).

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2050 (j) An estimate of land value based on county tax assessed
2051 values.

2052 (k) A map delineating project boundaries.

2053 (l) An assessment of the project's ecological value,
2054 outdoor recreational value, forest resources, wildlife
2055 resources, ownership pattern, utilization, and location.

2056 (m) A discussion of whether alternative uses are proposed
2057 for the property and what those uses are.

2058 (n) A designation of the management agency or agencies.

2059 (16) All proposals for projects pursuant to paragraph
2060 (3)(b) or subsection (20) shall be implemented only if adopted
2061 by the Acquisition and Restoration Council and approved by the
2062 board of trustees. The council shall consider and evaluate in
2063 writing the merits and demerits of each project that is proposed
2064 for Florida Forever funding and each proposed addition to the
2065 Conservation and Recreation Lands list program. The council
2066 shall ensure that each proposed project will meet a stated
2067 public purpose for the restoration, conservation, or
2068 preservation of environmentally sensitive lands and water areas
2069 or for providing outdoor recreational opportunities and that
2070 each proposed addition to the Conservation and Recreation Lands
2071 list will meet the public purposes under s. 259.032(3) and, when
2072 applicable, s. 259.101(4). The council also shall determine
2073 whether the project or addition conforms, where applicable, with
2074 the comprehensive plan developed pursuant to s. 259.04(1)(a),
2075 the comprehensive multipurpose outdoor recreation plan developed
2076 pursuant to s. 375.021, the state lands management plan adopted
2077 pursuant to s. 253.03(7), the water resources work plans

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2078 developed pursuant to s. 373.199, and the provisions of this
 2079 section.

2080 (17)

2081 (a) The Board of Trustees of the Internal Improvement
 2082 Trust Fund, or, in the case of water management district lands,
 2083 the owning water management district, may authorize the granting
 2084 of a lease, easement, or license for the use of certain lands
 2085 acquired pursuant to this section, for certain uses that are
 2086 determined by the appropriate board to be compatible with the
 2087 resource values of and management objectives for such lands.

2088 (b) Any existing lease, easement, or license acquired for
 2089 incidental public or private use on, under, or across any lands
 2090 acquired pursuant to this section shall be presumed to be
 2091 compatible with the purposes for which such lands were acquired.

2092 (c) Notwithstanding the provisions of paragraph (a), no
 2093 such lease, easement, or license shall be entered into by the
 2094 Department of Environmental Protection or other appropriate
 2095 state agency if the granting of such lease, easement, or license
 2096 would adversely affect the exclusion of the interest on any
 2097 revenue bonds issued to fund the acquisition of the affected
 2098 lands from gross income for federal income tax purposes,
 2099 pursuant to Internal Revenue Service regulations.

2100 (18) The Acquisition and Restoration Council shall
 2101 recommend adoption of rules by the board of trustees necessary
 2102 to implement the provisions of this section relating to:
 2103 solicitation, scoring, selecting, and ranking of Florida Forever
 2104 project proposals; disposing of or leasing lands or water areas
 2105 selected for funding through the Florida Forever program; and

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2106 the process of reviewing and recommending for approval or
 2107 rejection the land management plans associated with publicly
 2108 owned properties. Rules promulgated pursuant to this subsection
 2109 shall be submitted to the President of the Senate and the
 2110 Speaker of the House of Representatives, for review by the
 2111 Legislature, no later than 30 days prior to the 2001 Regular
 2112 Session and shall become effective only after legislative
 2113 review. In its review, the Legislature may reject, modify, or
 2114 take no action relative to such rules. The board of trustees
 2115 shall conform such rules to changes made by the Legislature, or,
 2116 if no action was taken by the Legislature, such rules shall
 2117 become effective.

2118 (19) Lands listed as projects for acquisition under the
 2119 Florida Forever program may be managed for conservation pursuant
 2120 to s. 259.032, on an interim basis by a private party in
 2121 anticipation of a state purchase in accordance with a
 2122 contractual arrangement between the acquiring agency and the
 2123 private party that may include management service contracts,
 2124 leases, cost-share arrangements, or resource conservation
 2125 agreements. Lands designated as eligible under this subsection
 2126 shall be managed to maintain or enhance the resources the state
 2127 is seeking to protect by acquiring the land. Funding for these
 2128 contractual arrangements may originate from the documentary
 2129 stamp tax revenue deposited into the Conservation and Recreation
 2130 Lands Trust Fund and Water Management Lands Trust Fund. No more
 2131 than 5 percent of funds allocated under the trust funds shall be
 2132 expended for this purpose.

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2133 (20) The Acquisition and Restoration Council, as
 2134 successors to the Land Acquisition and Management Advisory
 2135 Council, may amend existing Conservation and Recreation Lands
 2136 projects and add to or delete from the 2000 Conservation and
 2137 Recreation Lands list until funding for the Conservation and
 2138 Recreation Lands program has been expended. The amendments to
 2139 the 2000 Conservation and Recreation Lands list will be reported
 2140 to the board of trustees in conjunction with the council's
 2141 report developed pursuant to subsection (15).

2142 (21) The use of rural-lands-protection easements as
 2143 described in 570.71(3) is encouraged as a way to maintain
 2144 working lands while furthering the goals of this chapter.

2145 Section 13. Section 259.1051, Florida Statutes, is amended
 2146 to read:

2147 259.1051 Florida Forever Trust Fund.--

2148 (1) There is created the Florida Forever Trust Fund to
 2149 carry out the purposes of ss. 259.032, 259.105, 259.1052, and
 2150 375.031. The Florida Forever Trust Fund shall be held and
 2151 administered by the Department of Environmental Protection.
 2152 Proceeds from the sale of bonds, except proceeds of refunding
 2153 bonds, issued under s. 215.618 and payable from moneys
 2154 transferred to the Land Acquisition Trust Fund under s.
 2155 201.15(1)(a), not to exceed \$3 billion, must be deposited into
 2156 this trust fund to be distributed and used as provided in s.
 2157 259.105(3). The bond resolution adopted by the governing board
 2158 of the Division of Bond Finance of the State Board of
 2159 Administration may provide for additional provisions that govern
 2160 the disbursement of the bond proceeds.

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2161 (2) The Department of Environmental Protection shall
 2162 distribute revenues from the Florida Forever Trust Fund only to
 2163 programs of state agencies or local governments as set out in s.
 2164 259.105(3) or as provided in s. 259.1052. Excluding
 2165 distributions to the Save Our Everglades Trust Fund and
 2166 distributions for the acquisition of the Babcock Crescent B
 2167 Ranch Florida Forever acquisition as provided in s. 259.1052,
 2168 the distributions shall be spent by the recipient within 90 days
 2169 after the date on which the Department of Environmental
 2170 Protection initiates the transfer.

2171 (3) The Department of Environmental Protection shall
 2172 ensure that the proceeds from the sale of bonds issued under s.
 2173 215.618 and payable from moneys transferred to the Land
 2174 Acquisition Trust Fund under s. 201.15(1)(a) shall be
 2175 administered and expended in a manner that ensures compliance of
 2176 each issue of bonds that are issued on the basis that interest
 2177 thereon will be excluded from gross income for federal income
 2178 tax purposes, with the applicable provisions of the United
 2179 States Internal Revenue Code and the regulations promulgated
 2180 thereunder, to the extent necessary to preserve the exclusion of
 2181 interest on the bonds from gross income for federal income tax
 2182 purposes. The Department of Environmental Protection shall
 2183 administer the use and disbursement of the proceeds of such
 2184 bonds or require that the use and disbursement thereof be
 2185 administered in a manner to implement strategies to maximize any
 2186 available benefits under the applicable provisions of the United
 2187 States Internal Revenue Code or regulations promulgated

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2188 | thereunder, to the extent not inconsistent with the purposes
2189 | identified in s. 259.105(3).

2190 | Section 14. This act shall take effect July 1, 2008.