

1 A bill to be entitled
2 An act relating to land acquisition and management;
3 amending s. 20.255, F.S.; providing for appointment of the
4 Director of the Division of State lands; amending s.
5 201.15, F.S., relating to the distribution of taxes
6 collected for debt service; extending the deadline for
7 retiring the bonds issued under the Florida Forever Act;
8 amending s. 215.618, F.S.; authorizing the distribution of
9 bonds for the acquisition of conservation lands;
10 increasing the bonding authority for issuance of Florida
11 Forever bonds; directing the Legislature to complete a
12 debt analysis prior to the issuance of any such bonds by a
13 date certain; directing the Legislature to complete an
14 analysis on potential revenue sources by a date certain;
15 amending s. 253.002, F.S.; designating primary and
16 specialty land managers; providing for managerial duties;
17 providing for investigation of public-private
18 partnerships; providing for a report to the Governor,
19 President of the Senate, and Speaker of the House of
20 Representatives; amending s. 253.025, F.S.; requiring
21 appraisals of land under certain circumstances; deleting
22 provisions that allow appraisers to reject an appraisal
23 report under certain conditions; providing authority to
24 the Board of Trustees of the Internal Improvement Trust
25 Fund to waive sales history requirements under certain
26 conditions; repealing s. 253.03(17), F.S.; amending s.
27 253.0325, F.S.; requiring the Department of Environmental
28 Protection to modernize its information systems; requiring

29 a annual report of state lands acquired by each recipient
 30 of funds; amending s. 253.034, F.S.; defining the term
 31 "imperiled species" for purposes of chapters 253 and 259,
 32 F.S.; defining the term "public access" for purposes of
 33 chapters 253 and 259, F.S.; requiring that land management
 34 plans provide short-term and long-term management goals;
 35 specifying measurable objectives; requiring that a land
 36 management plan contain certain elements; revising
 37 requirements for determining which state-owned lands may
 38 be surplus lands; requiring additional appraisals under
 39 certain conditions; requiring the Division of State Lands
 40 to contract with an organization for the purpose of
 41 determining the value of carbon capture and carbon
 42 sequestration with respect to state lands and provide an
 43 inventory to the board of trustees; authorizing to the
 44 Fish and Wildlife Conservation Commission to manage lands
 45 for imperiled species under certain conditions; requiring
 46 a report to the Legislature; providing for future
 47 expiration of such authority; amending s. 253.111, F.S.;
 48 extending the period within which a board of county
 49 commissioners must provide a resolution to the Board of
 50 Trustees of the Internal Improvement Trust Fund before
 51 state-owned lands are otherwise sold; amending s. 253.82,
 52 F.S.; revising requirements of the sale of nonsovereign
 53 lands owned by the board of trustees; deleting appraisal
 54 limitations; amending s. 259.032, F.S.; requiring priority
 55 purchase of conservation and recreational lands that have
 56 high concentrations of imperiled species and certain

57 agricultural lands; revising requirements for land
 58 management plans; establishing a minimum for funds
 59 expended for the management of state-owned land; requiring
 60 the Land Management Uniform Accounting Council to report
 61 on the formula for allocating land management funds;
 62 providing requirements for the report; deleting obsolete
 63 provisions; amending s. 259.035, F.S.; revising provisions
 64 establishing the Acquisition and Restoration Council;
 65 revising membership criteria; directing the council to
 66 establish specific criteria and numeric performance
 67 measures for the acquisition of land; amending s. 259.036,
 68 F.S.; revising provisions establishing land management
 69 review teams; revising membership criteria; amending s.
 70 259.037, F.S.; revising the categories used by the Land
 71 Management Uniform Accounting Council to collect and
 72 report the costs of land management activities; requiring
 73 agencies to report additional information to the council;
 74 amending s. 259.04, F.S.; providing consistency; amending
 75 s. 259.041, F.S., relating to the acquisition of state-
 76 owned lands for preservation, conservation, and recreation
 77 purposes; requiring Legislative approval for acquisitions
 78 by the state exceeding a certain amount; increasing
 79 appraisal thresholds; requiring that specific language be
 80 included on option contracts; amending s. 259.07, F.S.;
 81 providing for public meetings; amending s. 259.105, F.S.;
 82 relating to the Florida Forever Act; revising Legislative
 83 intent; providing for funds to be deposited in the Florida
 84 Forever Trust Fund; requiring bonded moneys be spent for

85 capital improvements under certain conditions; providing
 86 for the expenditure of funds for conservation and
 87 agricultural easements under certain conditions; providing
 88 for the inclusion of carbon sequestration as a multiple
 89 use; providing rulemaking authority for the board of
 90 trustees; providing for the reversion of lands to the
 91 board of trustees under certain conditions; requiring an
 92 annual work plan be developed by the Acquisition and
 93 Restoration Council; authorizing alternatives to fee-
 94 simple purchases; deleting obsolete provisions; amending
 95 s. 259.1051, F.S., relating to the Florida Forever Trust
 96 Fund; increasing bonding authority; amending s. 373.089,
 97 F.S.; clarifying the process for disposing of surplus
 98 lands; amending s. 373.1391, F.S.; providing additional
 99 oversight authority to the department; amending s.
 100 373.199, F.S.; clarifying work plan requirements;
 101 providing for the transfer of the Florida Communities
 102 Trust program from the department of Community Affairs to
 103 the Department of Environmental Protection; providing an
 104 effective date.

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

108 Section 1. Paragraph (h) of subsection (3) of section
 109 20.255, Florida Statutes, is amended to read:

110 20.255 Department of Environmental Protection.--There is
 111 created a Department of Environmental Protection.

112 (3) The following divisions of the Department of
 113 Environmental Protection are established:

114 (h) Division of State Lands, the director of which is to
 115 be appointed by the Governor and Cabinet sitting as the Board of
 116 Trustees of the Internal Improvement Trust Fund from a
 117 recommendation by the secretary of the department, subject to
 118 confirmation by the ~~Senate Governor and Cabinet sitting as the~~
 119 ~~Board of Trustees of the Internal Improvement Trust Fund.~~ The
 120 Florida Communities Trust program created pursuant to ss.
 121 380.501 through 380.515 shall be located organizationally within
 122 the Division of State Lands.

123
 124 In order to ensure statewide and intradepartmental consistency,
 125 the department's divisions shall direct the district offices and
 126 bureaus on matters of interpretation and applicability of the
 127 department's rules and programs.

128 Section 2. Paragraph (a) of subsection (1) of section
 129 201.15, Florida Statutes, is amended to read:

130 201.15 Distribution of taxes collected.--All taxes
 131 collected under this chapter shall be distributed as follows and
 132 shall be subject to the service charge imposed in s. 215.20(1),
 133 except that such service charge shall not be levied against any
 134 portion of taxes pledged to debt service on bonds to the extent
 135 that the amount of the service charge is required to pay any
 136 amounts relating to the bonds:

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

140 (a) Amounts as shall be necessary to pay the debt service
 141 on, or fund debt service reserve funds, rebate obligations, or
 142 other amounts payable with respect to Preservation 2000 bonds
 143 issued pursuant to s. 375.051 and Florida Forever bonds issued
 144 pursuant to s. 215.618, shall be paid into the State Treasury to
 145 the credit of the Land Acquisition Trust Fund to be used for
 146 such purposes. The amount transferred to the Land Acquisition
 147 Trust Fund shall not exceed \$300 million in fiscal year 1999-
 148 2000 and thereafter for Preservation 2000 bonds and bonds issued
 149 to refund Preservation 2000 bonds, and \$300 million in fiscal
 150 year 2000-2001 and thereafter for Florida Forever bonds. The
 151 annual amount transferred to the Land Acquisition Trust Fund for
 152 Florida Forever bonds shall not exceed \$30 million in the first
 153 fiscal year in which bonds are issued. The limitation on the
 154 amount transferred shall be increased by an additional \$30
 155 million in each subsequent fiscal year, but shall not exceed a
 156 total of \$300 million in any fiscal year for all bonds issued.
 157 It is the intent of the Legislature that all bonds issued to
 158 fund the Florida Forever Act be retired by December 31, 2040
 159 ~~2030~~. Except for bonds issued to refund previously issued bonds,
 160 no series of bonds may be issued pursuant to this paragraph
 161 unless such bonds are approved and the debt service for the
 162 remainder of the fiscal year in which the bonds are issued is
 163 specifically appropriated in the General Appropriations Act. For
 164 purposes of refunding Preservation 2000 bonds, amounts
 165 designated within this section for Preservation 2000 and Florida
 166 Forever bonds may be transferred between the two programs to the
 167 extent provided for in the documents authorizing the issuance of

168 the bonds. The Preservation 2000 bonds and Florida Forever bonds
 169 shall be equally and ratably secured by moneys distributable to
 170 the Land Acquisition Trust Fund pursuant to this section, except
 171 to the extent specifically provided otherwise by the documents
 172 authorizing the issuance of the bonds. No moneys transferred to
 173 the Land Acquisition Trust Fund pursuant to this paragraph, or
 174 earnings thereon, shall be used or made available to pay debt
 175 service on the Save Our Coast revenue bonds.

176 Section 3. Subsection (1) of section 215.618, Florida
 177 Statutes, is amended to read:

178 215.618 Bonds for acquisition and improvement of land,
 179 water areas, and related property interests and resources.--

180 (1)

181 (a) ~~(1)~~ The issuance of Florida Forever bonds, not to
 182 exceed \$5.3 ~~\$3~~ billion, to finance or refinance the cost of
 183 acquisition and improvement of land, water areas, and related
 184 property interests and resources, in urban and rural settings,
 185 for the purposes of restoration, conservation, recreation, water
 186 resource development, or historical preservation, and for
 187 capital improvements to lands and water areas that accomplish
 188 environmental restoration, enhance public access and
 189 recreational enjoyment, promote long-term management goals, and
 190 facilitate water resource development is hereby authorized,
 191 subject to the provisions of s. 259.105 and pursuant to s.
 192 11(e), Art. VII of the State Constitution. Florida Forever bonds
 193 may also be issued to refund Preservation 2000 bonds issued
 194 pursuant to s. 375.051. The \$5.3 ~~\$3~~ billion limitation on the
 195 issuance of Florida Forever bonds does not apply to refunding

196 bonds. The duration of each series of Florida Forever bonds
 197 issued may not exceed 20 annual maturities. Preservation 2000
 198 bonds and Florida Forever bonds shall be equally and ratably
 199 secured by moneys distributable to the Land Acquisition Trust
 200 Fund pursuant to s. 201.15(1)(a), except to the extent
 201 specifically provided otherwise by the documents authorizing the
 202 issuance of the bonds.

203 (b) Beginning July 1, 2010, the Legislature shall analyze
 204 the state's debt ratio in relation to projected revenues prior
 205 to the authorization to issue any bonds for Florida Forever land
 206 acquisition.

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

209 Section 4. Section 253.002, Florida Statutes, is amended
 210 to read

211 253.002 Department of Environmental Protection, water
 212 management districts, Department of State, Fish and Wildlife
 213 Conservation Commission, and Department of Agriculture and
 214 Consumer Services; duties with respect to state lands.--

215 (1) The Department of Environmental Protection shall
 216 perform all staff duties and functions related to the
 217 acquisition, administration, and disposition of state lands,
 218 title to which is or will be vested in the Board of Trustees of
 219 the Internal Improvement Trust Fund. The Fish and Wildlife
 220 Conservation Commission and the Department of Agriculture and
 221 Consumer Services are designated the state's primary land
 222 managers. The duties and responsibilities of the state's primary
 223 land managers include, but are not limited to, developing the

224 land management plans required pursuant to s. 253.034
 225 implementing the approved land management plans, and monitoring
 226 the results of land management activities conducted pursuant s.
 227 253.034. The Department of State and the Department of
 228 Environmental Protection are designated as specialty land
 229 managers. Specialty land managers manage sites that focus on
 230 providing education, public access and recreation at sites that
 231 include but are not limited to, parks, gardens, aquatic
 232 preserves, museums, historical and culture sites. The duties and
 233 responsibilities of the state's specialty land managers include,
 234 but are not limited to, developing the land management plans
 235 required pursuant to s. 253.034, implementing the approved land
 236 management plans, and monitoring the results of land management
 237 activities conducted pursuant s. 253.034. related to public
 238 access and recreation, and public use administration. It is the
 239 intent of the Legislature that the agencies carry out these
 240 duties in a cost effective manner by exploring private sector
 241 innovation, best land management practices and, wherever cost
 242 effective, partnering with private entities to best accomplish
 243 these duties and responsibilities at a cost savings to the
 244 taxpayers of Florida. Therefore, each agency, in consultation
 245 with the Acquisition and Restoration Council shall, no later
 246 than October 1, 2008 and biennially thereafter, request
 247 information from private land managers, land management
 248 consultation firms and other interested parties experienced in
 249 land management to evaluate whether private contractors can
 250 accomplish these duties and responsibilities at a lesser cost
 251 than those costs incurred by the agencies. Within 2 months

252 after issuing this request, the agencies shall compile, review
 253 and evaluate this information and may, either individually or
 254 collectively, begin procurements consistent with Chapter 287,
 255 F.S., to contract with private land managers, land management
 256 consulting firms and other interested parties experienced in
 257 land management to accomplish some or all of these duties and
 258 responsibilities when cost effective. When the agencies choose
 259 not to procure or contract with a private entity, the agencies
 260 shall provide an evaluation demonstrating the savings to be
 261 attained by performing such services with existing resources.
 262 The evaluation shall be provided to the Acquisition and
 263 Restoration Council, the Executive Office of the Governor, the
 264 Speaker of the House Representatives and the President of the
 265 Senate. The agencies' evaluation shall include an
 266 identification of personnel assigned, all administrative
 267 overhead, and all costs to carry out the duties and
 268 responsibilities listed in this section related to land
 269 management. However, upon the effective date of rules adopted
 270 pursuant to s. 373.427, a water management district created
 271 under s. 373.069 shall perform the staff duties and functions
 272 related to the review of any application for authorization to
 273 use board of trustees-owned submerged lands necessary for an
 274 activity regulated under part IV of chapter 373 for which the
 275 water management district has permitting responsibility as set
 276 forth in an operating agreement adopted pursuant to s.
 277 373.046(4); and the Department of Agriculture and Consumer
 278 Services shall perform the staff duties and functions related to
 279 the review of applications and compliance with conditions for

280 use of board of trustees-owned submerged lands under
 281 authorizations or leases issued pursuant to ss. 253.67-253.75
 282 and 597.010. Unless expressly prohibited by law, the board of
 283 trustees may delegate to the department any statutory duty or
 284 obligation relating to the acquisition, administration, or
 285 disposition of lands, title to which is or will be vested in the
 286 board of trustees. The board of trustees may also delegate to
 287 any water management district created under s. 373.069 the
 288 authority to take final agency action, without any action on
 289 behalf of the board, on applications for authorization to use
 290 board of trustees-owned submerged lands for any activity
 291 regulated under part IV of chapter 373 for which the water
 292 management district has permitting responsibility as set forth
 293 in an operating agreement adopted pursuant to s. 373.046(4).
 294 This water management district responsibility under this
 295 subsection shall be subject to the department's general
 296 supervisory authority pursuant to s. 373.026(7). The board of
 297 trustees may also delegate to the Department of Agriculture and
 298 Consumer Services the authority to take final agency action on
 299 behalf of the board on applications to use board of trustees-
 300 owned submerged lands for any activity for which that department
 301 has responsibility pursuant to ss. 253.67-253.75 and 597.010.
 302 However, the board of trustees shall retain the authority to
 303 take final agency action on establishing any areas for leasing,
 304 new leases, expanding existing lease areas, or changing the type
 305 of lease activity in existing leases. Upon issuance of an
 306 aquaculture lease or other real property transaction relating to
 307 aquaculture, the Department of Agriculture and Consumer Services

308 must send a copy of the document and the accompanying survey to
 309 the Department of Environmental Protection.

310 Section 5. Subsection (6) and (7) of section 253.025,
 311 Florida Statutes, is amended to read:

312 253.025 Acquisition of state lands for purposes other than
 313 preservation, conservation, and recreation.--

314 (6) Prior to negotiations with the parcel owner to
 315 purchase land pursuant to this section, title to which will vest
 316 in the board of trustees, an appraisal of the parcel shall be
 317 required as follows:

318 (a) Each parcel to be acquired shall have at least one
 319 appraisal. Two appraisals are required when the estimated value
 320 of the parcel exceeds \$1 million. When two appraisals are
 321 required, one appraiser shall be selected by the Department of
 322 Agriculture and Consumer Services. When both appraisals exceed
 323 \$1 million and differ significantly, a third appraisal shall be
 324 obtained, with the Department of Financial Services selecting
 325 the third appraiser. Two appraisals shall be considered to
 326 differ significantly if the higher of the two values exceeds
 327 120% of the lower value. When the estimated value of a parcel
 328 exceeds \$1 million, the review appraiser shall be selected by
 329 the Department of Financial Services. An agency shall select
 330 appraisers from the list of approved appraisers maintained by
 331 the Division of State Lands in accordance with s. 253.025(6)(b).
 332 To provide for payment by the agency selecting the second and
 333 third appraiser and review appraiser, as required by this
 334 section, the Department of Environmental Protection shall enter
 335 into interagency agreements with the Department of Agriculture

336 and Consumer Services and the Department of Financial Services,
 337 whereby funds will be transferred to those agencies for that
 338 purpose upon direction of the selecting agency. When a parcel is
 339 estimated to be worth \$100,000 or less and the director of the
 340 Division of State Lands finds that the cost of an outside
 341 appraisal is not justified, an appraisal prepared by the
 342 division may be used ~~a comparable sales analysis or other~~
 343 ~~reasonably prudent procedures may be used by the division to~~
 344 ~~estimate the value of the parcel, provided the public's interest~~
 345 ~~is reasonably protected.~~ The state is not required to appraise
 346 the value of lands and appurtenances that are being donated to
 347 the state.

348 (b) Appraisal fees shall be paid by the agency proposing
 349 the acquisition. The board of trustees shall approve qualified
 350 fee appraisal organizations. All appraisals used for the
 351 acquisition of lands pursuant to this section shall be prepared
 352 by a member of an approved appraisal organization or by a state-
 353 certified appraiser. The board of trustees ~~Division of State~~
 354 ~~Lands~~ shall adopt rules for selecting individuals to perform
 355 appraisals pursuant to this section. Each fee appraiser selected
 356 to appraise a particular parcel shall, prior to contracting with
 357 the agency, submit to that agency an affidavit substantiating
 358 that he or she has no vested or fiduciary interest in such
 359 parcel.

360 (c) The board of trustees shall adopt by rule the minimum
 361 criteria, techniques, and methods to be used in the preparation
 362 of appraisal reports. Such rules shall incorporate, to the
 363 extent practicable, generally accepted appraisal standards. Any

364 appraisal issued for acquisition of lands pursuant to this
 365 section must comply with the rules adopted by the board of
 366 trustees. A certified survey must be made which meets the
 367 minimum requirements for upland parcels established in the
 368 Minimum Technical Standards for Land Surveying in Florida
 369 published by the Department of Business and Professional
 370 Regulation and which accurately portrays, to the greatest extent
 371 practicable, the condition of the parcel as it currently exists.
 372 The requirement for a certified survey may, in part or in whole,
 373 be waived by the board of trustees any time prior to submitting
 374 the agreement for purchase to the Division of State Lands. When
 375 an existing boundary map and description of a parcel are
 376 determined by the division to be sufficient for appraisal
 377 purposes, the division director may temporarily waive the
 378 requirement for a survey until any time prior to conveyance of
 379 title to the parcel. The fee appraiser and the review appraiser
 380 ~~for the agency~~ shall not act in any way that may be construed as
 381 negotiating with the property owner.

382 (d) Appraisal reports are confidential and exempt from the
 383 provisions of s. 119.07(1), for use by the agency and the board
 384 of trustees, until an option contract is executed or, if no
 385 option contract is executed, until 2 weeks before a contract or
 386 agreement for purchase is considered for approval by the board
 387 of trustees. However, the Division of State Lands may disclose
 388 appraisal information to public agencies or nonprofit
 389 organizations that agree to maintain the confidentiality of the
 390 reports or information when joint acquisition of property is
 391 contemplated, or when a public agency or nonprofit organization

392 enters into a written agreement with the division to purchase
 393 and hold property for subsequent resale to the division. In
 394 addition, the division may use, as its own, appraisals obtained
 395 by a public agency or nonprofit organization, provided the
 396 appraiser is selected from the division's list of appraisers and
 397 the appraisal is reviewed and approved by the division. For the
 398 purposes of this paragraph, "nonprofit organization" means an
 399 organization whose purpose is the preservation of natural
 400 resources, and which is exempt from federal income tax under s.
 401 501(c)(3) of the Internal Revenue Code. The agency may release
 402 an appraisal report when the passage of time has rendered the
 403 conclusions of value in the report invalid.

404 (e) Prior to acceptance of an appraisal, the agency shall
 405 submit a copy of such report to the Division of State Lands. The
 406 division shall review such report for compliance with the rules
 407 of the board of trustees. ~~With respect to proposed purchases in~~
 408 ~~excess of \$250,000, this review shall include a general field~~
 409 ~~inspection of the subject property by the review appraiser. The~~
 410 ~~review appraiser may reject an appraisal report following a desk~~
 411 ~~review, but is prohibited from approving an appraisal report in~~
 412 ~~excess of \$250,000 without a field review.~~ Any questions of
 413 applicability of laws affecting an appraisal shall be addressed
 414 by the legal office of the agency.

415 (f) The appraisal report shall be accompanied by the sales
 416 history of the parcel for at least the prior 5 years. Such sales
 417 history shall include all parties and considerations with the
 418 amount of consideration verified, if possible. If a sales
 419 history would not be useful, or its cost prohibitive compared to

420 the value of a parcel, the sales history may be waived by the
421 board of trustees ~~Secretary of Environmental Protection or the~~
422 ~~director of the Division of State Lands~~. The board of trustees
423 shall adopt a rule specifying guidelines for waiver of a sales
424 history.

425 (g) The board of trustees may consider an appraisal
426 acquired by a seller, or any part thereof, in negotiating to
427 purchase a parcel, but such appraisal may not be used in lieu of
428 an appraisal required by this subsection or to determine the
429 maximum offer allowed by law.

430 (7)(a) When the owner is represented by an agent or
431 broker, negotiations may not be initiated or continued until a
432 written statement verifying such agent's or broker's legal or
433 fiduciary relationship with the owner is on file with the
434 agency.

435 (b) The board of trustees or any state agency may contract
436 for real estate acquisition services, including, but not limited
437 to, contracts for real estate commission fees.

438 (c) Upon the initiation of negotiations, the state agency
439 shall inform the owner in writing that all agreements for
440 purchase are subject to approval by the board of trustees.

441 (d) All offers or counteroffers shall be documented in
442 writing and shall be confidential and exempt from the provisions
443 of s. 119.07(1) until an option contract is executed, or if no
444 option contract is executed, until 2 weeks before a contract or
445 agreement for purchase is considered for approval by the board
446 of trustees. The agency shall maintain complete and accurate
447 records of all offers and counteroffers for all projects.

448 (e)1. The board of trustees shall adopt by rule the method
 449 for determining the value of parcels sought to be acquired by
 450 state agencies pursuant to this section. No offer by a state
 451 agency, except an offer by an agency acquiring lands pursuant to
 452 s. 259.041, may exceed the value for that parcel as determined
 453 pursuant to the highest approved appraisal or the value
 454 determined pursuant to the rules of the board of trustees,
 455 whichever value is less.

456 2. In the case of a joint acquisition by a state agency
 457 and a local government or other entity apart from the state, the
 458 joint purchase price may not exceed ~~150 percent of~~ the value for
 459 a parcel as determined in accordance with the limits prescribed
 460 in subparagraph 1. The state agency share of a joint purchase
 461 offer shall ~~may~~ not exceed the difference between the appraised
 462 value, as determined by the state, and the sum of the
 463 contributions of the other parties ~~what the agency may offer~~
 464 ~~singly as prescribed by subparagraph 1.~~

465 3. The provisions of this paragraph do not apply to the
 466 acquisition of historically unique or significant property as
 467 determined by the Division of Historical Resources of the
 468 Department of State.

469 (f) When making an offer to a landowner, a state agency
 470 shall consider the desirability of a single cash payment in
 471 relation to the maximum offer allowed by law.

472 (g) The state shall have the authority to reimburse the
 473 owner for the cost of the survey when deemed appropriate. The
 474 reimbursement shall not be considered a part of the purchase
 475 price.

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476 (h) A final offer shall be in the form of an option
477 contract or agreement for purchase and shall be signed and
478 attested to by the owner and the representative of the agency.
479 Before the agency executes the option contract or agreement for
480 purchase, the contract or agreement shall be reviewed for form
481 and legality by legal staff of the agency. Before the agency
482 signs the agreement for purchase or exercises the option
483 contract, the provisions of s. 286.23 shall be complied with.
484 Within 10 days after the signing of the agreement for purchase,
485 the state agency shall furnish the Division of State Lands with
486 the original of the agreement for purchase along with copies of
487 the disclosure notice, evidence of marketability, the accepted
488 appraisal report, the fee appraiser's affidavit, a statement
489 that the inventory of existing state-owned lands was examined
490 and contained no available suitable land in the area, and a
491 statement outlining the public purpose for which the acquisition
492 is being made and the statutory authority therefor.

493 (i) Within 45 days of receipt by the Division of State
494 Lands of the agreement for purchase and the required
495 documentation, the board of trustees or, when the purchase price
496 does not exceed \$100,000, its designee shall either reject or
497 approve the agreement. An approved agreement for purchase is
498 binding on both parties. Any agreement which has been
499 disapproved shall be returned to the agency, along with a
500 statement as to the deficiencies of the agreement or the
501 supporting documentation. An agreement for purchase which has
502 been disapproved by the board of trustees may be resubmitted
503 when such deficiencies have been corrected.

504 Section 6. Subsection (17) of section 253.03, Florida
 505 Statutes, is repealed.

506 253.03 Board of trustees to administer state lands; lands
 507 enumerated.--

508 ~~(17) Notwithstanding subsections (1) (16), for the 2007-~~
 509 ~~2008 fiscal year only, and upon approval of the Board of~~
 510 ~~Trustees of the Internal Improvement Trust Fund if necessary,~~
 511 ~~the Division of State Lands of the Department of Environmental~~
 512 ~~Protection shall lease the existing South Florida Evaluation and~~
 513 ~~Treatment Center complex in Miami Dade County, currently under~~
 514 ~~lease to the Department of Children and Family Services, to~~
 515 ~~Miami Dade County for the amount of \$1 per year for 99 years to~~
 516 ~~be used by the county for its expanded jail diversion program.~~
 517 ~~The lease of the property shall take place in the 2007-2008~~
 518 ~~fiscal year, and Miami Dade County shall sublease the facility~~
 519 ~~to the existing lessee for \$1 per year until the new South~~
 520 ~~Florida Evaluation and Treatment Center is completed on or about~~
 521 ~~April 2008. This subsection expires July 1, 2008.~~

522 Section 7. Section 253.0325, Florida Statutes, is amended
 523 to read:

524 (1) The Division of State Lands ~~Department of~~
 525 ~~Environmental Protection~~ shall initiate an ongoing computerized
 526 information systems program to modernize its state lands records
 527 and documents that relate to all lands that have been acquired
 528 under the Florida Preservation 2000 act pursuant to s. 259.101
 529 or the Florida Forever Act pursuant to s. 259.105, and all lands
 530 to which title is vested in the Board of Trustees of the
 531 Internal Improvement Trust Fund. All recipients of funds

532 pursuant to s. 259.101 or s. 259.105 shall annually submit their
 533 records for land acquired to facilitate the compilation of state
 534 lands inventory. The program shall include, at a minimum:

535 (a) A document management component to automate the
 536 storage and retrieval of information contained in state lands
 537 records.

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

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

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

545 (e) The bond covenants related to each tract purchased
 546 pursuant to s. 259.101 or s. 259.105 and the expiration of such
 547 bond covenants.

548 (2) The Division of State Lands shall initiate and
 549 maintain an information system that is the basis for land
 550 acquisition and land management decision making and modeling.
 551 The information system shall be based on a uniform set of data.
 552 The Department of Agriculture and Consumer Services and the Fish
 553 and Wildlife Conservation Commission shall assist in the
 554 development and standardization of the information system. The
 555 information system shall be capable of mapping capital
 556 improvements, ecosystem, and current and planned land uses. The
 557 information system shall be utilized to map all current lands
 558 managed for conservation purposes, infrastructure and future
 559 land acquisitions, both fee and less-than-fee. Additionally, the

560 information system shall be utilized to demonstrate a
 561 comprehensive plan that protects, restores and manages the
 562 integrity and function of ecological systems, including
 563 waterways, springs and aquifers while maintaining working
 564 landscapes, including agriculture, and providing recreation
 565 space for urban and rural areas, including water access for the
 566 public. The existence and use of such an information system
 567 does not preclude the use of empirical data and other
 568 observational records including but not limited to cultural and
 569 historical records. The information system shall, at a minimum,
 570 map in an electronic format the natural communities on each
 571 tract of state land and each proposed land acquisition. Natural
 572 community is defined as a distinct and recurring assemblage of
 573 populations of plants, animals, fungi and microorganisms
 574 naturally associated with each other and their physical
 575 environment. Each natural community will be partitioned into
 576 natural community categories. Each natural community category
 577 will be partitioned into natural community groups, and each
 578 natural community group will be partitioned into natural
 579 community types. The Division of State Lands may utilize a third
 580 party to develop, assist in developing, manage or maintain the
 581 information system and its data. The information system and its
 582 data are to be proprietary to the state. The Division of State
 583 Lands shall review the form and content of the data utilized by
 584 the information system.

585 (3) ~~(2)~~ At all stages of its records modernization
 586 program, the department shall ~~seek to~~ ensure information systems
 587 compatibility within the department and with other state, local,

588 and regional governmental agencies. The department also shall
 589 seek to promote standardization in the collection of information
 590 regarding state-owned lands by federal, state, regional, and
 591 local agencies.

592 (4) ~~(3)~~ The information collected and stored as a result
 593 of the department's modernization of state lands records shall
 594 not be considered a final or complete accounting of lands which
 595 the state owns or to which the state may claim ownership.

596 Section 8. Section 253.034, Florida Statutes, is amended
 597 to read:

598 253.034 State-owned lands; uses.--

599 (1) All lands acquired pursuant to chapter 259 shall be
 600 managed to serve the public interest by protecting and
 601 conserving land, air, water, and the state's natural resources,
 602 which contribute to the public health, welfare, and economy of
 603 the state. These lands shall be managed to provide for areas of
 604 ~~natural resource-based~~ recreation, and to ensure the survival of
 605 plant and animal species and the conservation of finite and
 606 renewable natural resources. The state's lands and natural
 607 resources shall be managed using a stewardship ethic that
 608 assures these resources will be available for the benefit and
 609 enjoyment of all people of the state, both present and future.
 610 It is the intent of the Legislature that, where feasible and
 611 consistent with the goals of protection and conservation of
 612 natural resources associated with lands held in the public trust
 613 by the Board of Trustees of the Internal Improvement Trust Fund,
 614 public land not designated for single-use purposes pursuant to
 615 paragraph (2) (b) be managed for multiple-use purposes. All

616 multiple-use land management strategies shall address public
 617 access and enjoyment, resource conservation and protection,
 618 ecosystem maintenance and protection, and protection of
 619 threatened and endangered species, and the degree to which
 620 public-private partnerships or endowments may allow the entity
 621 with management responsibility to enhance its ability to manage
 622 these lands. The council created in s. 259.035 shall recommend
 623 rules to the board of trustees, and the board shall adopt rules
 624 necessary to carry out the purposes of this section.

625 (2) As used in this section, the following phrases have
 626 the following meanings:

627 (a) "Multiple use" means the harmonious and coordinated
 628 management of public access, timber, recreation, conservation of
 629 fish and wildlife, forage, archaeological and historic sites,
 630 habitat and other biological resources, or water resources,
 631 including alternative water supplies and water resource
 632 development as defined in s. 373.019, so that they are utilized
 633 in the combination that will best serve the people of the state,
 634 making the most judicious use of the land for ~~some or~~ all of
 635 these resources and giving consideration to the relative values
 636 of the various resources. Where necessary and appropriate for
 637 all state-owned lands that are ~~larger than 1,000 acres in~~
 638 ~~project size and are managed~~ for multiple uses, buffers may be
 639 formed around any areas that require special protection or have
 640 special management needs. Such buffers shall not exceed more
 641 than one-half of the total acreage. Multiple uses within a
 642 buffer area may be restricted to provide the necessary buffering
 643 effect desired. Multiple use in this context includes both uses

644 of land or resources by more than one management entity, which
 645 may include private sector land managers. In any case, lands
 646 identified as multiple-use lands in the land management plan
 647 shall be managed to enhance public access and conserve the lands
 648 and resources for the enjoyment of the people of the state.

649 (b) "Single use" means management for one particular
 650 purpose to the exclusion of all other purposes, except that the
 651 using entity shall have the option of including in its
 652 management program compatible secondary purposes which will not
 653 detract from or interfere with the primary management purpose.
 654 Such single uses may include, but are not necessarily restricted
 655 to, the use of agricultural lands for production of food and
 656 livestock, the use of improved sites and grounds for
 657 institutional purposes, and the use of lands for parks,
 658 preserves, wildlife management, archaeological or historic
 659 sites, or wilderness areas where the maintenance of essentially
 660 natural conditions is important. All submerged lands shall be
 661 considered single-use lands and shall be managed primarily for
 662 the maintenance of essentially natural conditions, the
 663 propagation of fish and wildlife, and public recreation,
 664 including hunting and fishing where deemed appropriate by the
 665 managing entity, except where the public's access to state
 666 waters is enhanced.

667 (c) "Conservation lands" means lands that are currently
 668 managed for conservation, ~~outdoor resource-based recreation, or~~
 669 ~~archaeological or historic preservation, except those lands that~~
 670 ~~were acquired solely to facilitate the acquisition of other~~
 671 ~~conservation lands.~~ Lands acquired for uses other than

672 conservation, ~~outdoor resource-based~~ recreation, or
 673 archaeological or historic preservation and shall not be
 674 designated conservation lands except as otherwise authorized
 675 under this section. These lands shall include, but not be
 676 limited to, the following: correction and detention facilities,
 677 military installations and facilities, state office buildings,
 678 maintenance yards, state university or state community college
 679 campuses, agricultural field stations or offices, tower sites,
 680 law enforcement and license facilities, laboratories, hospitals,
 681 clinics, and other sites that possess no significant natural or
 682 historical resources. However, lands acquired solely to
 683 facilitate the acquisition of other conservation lands, ~~and for~~
 684 ~~which the land management plan has not yet been completed or~~
 685 ~~updated,~~ may shall be evaluated by the Board of Trustees of the
 686 Internal Improvement Trust Fund on a case-by-case basis to
 687 determine if they will be designated conservation lands.
 688 However, lands acquired solely to facilitate the acquisition of
 689 other conservation lands shall be deemed conservation lands and
 690 included in land management plans, if in doing so provides an
 691 increase in public access and recreation opportunities or
 692 creates a more efficient land management plan.

693
 694 Lands acquired by the state as a gift, through donation, or by
 695 any other conveyance for which no consideration was paid, and
 696 which are not managed for conservation, outdoor resource-based
 697 recreation, or archaeological or historic preservation under a
 698 land management plan approved by the board of trustees are not
 699 conservation lands.

700 (d) "Imperiled Species," as used in chapters 253 and 259,
 701 shall mean plants and animals that are federally listed under
 702 the Endangered Species Act or state listed by either the Fish
 703 and Wildlife Conservation Commission or Department of
 704 Agriculture and Consumer Services.

705 (e) "Public Access," as used in chapters 253 and 259,
 706 shall mean access by the general public to state lands and
 707 water, including vessel access made possible by boat ramps,
 708 docks, associated parking and appropriate amenities.

709 (3) In recognition that recreational trails purchased with
 710 rails-to-trails funds pursuant to s. 259.101(3)(g) or s.
 711 259.105(3)(h) have had historic transportation uses and that
 712 their linear character may extend many miles, the Legislature
 713 intends that when the necessity arises to serve public needs,
 714 after balancing the need to protect trail users from collisions
 715 with automobiles and a preference for the use of overpasses and
 716 underpasses to the greatest extent feasible and practical,
 717 transportation uses shall be allowed to cross recreational
 718 trails purchased pursuant to s. 259.101(3)(g) or s.
 719 259.105(3)(h). When these crossings are needed, the location and
 720 design should consider and mitigate the impact on humans and
 721 environmental resources, and the value of the land shall be paid
 722 based on fair market value.

723 (4) No management agreement, lease, or other instrument
 724 authorizing the use of lands owned by the Board of Trustees of
 725 the Internal Improvement Trust Fund shall be executed for a
 726 period greater than is necessary to provide for the reasonable
 727 use of the land for the existing or planned life cycle or

728 amortization of the improvements, except that an easement in
 729 perpetuity may be granted by the Board of Trustees of the
 730 Internal Improvement Trust Fund if the improvement is a
 731 transportation facility. An entity managing or leasing state-
 732 owned lands from the board may not sublease such lands without
 733 prior review by the division and, for conservation lands, by the
 734 Acquisition and Restoration Council created in s. 259.035. All
 735 management agreements, leases, or other instruments authorizing
 736 the use of lands owned by the board shall be reviewed for
 737 approval by the board or its designee. The council is not
 738 required to review subleases of parcels which are less than 160
 739 acres in size.

740 (5) Each manager of conservation lands shall submit to the
 741 Division of State Lands a land management plan at least every 10
 742 years in a form and manner prescribed by rule by the board and
 743 in accordance with the provisions of s. 259.032. Each manager of
 744 conservation lands shall also update a land management plan
 745 ~~whenever the manager proposes to add new facilities or make~~
 746 ~~substantive land use or management changes that were not~~
 747 ~~addressed in the approved plan, or~~ within 1 year of the addition
 748 of significant new lands. Each manager of nonconservation lands
 749 shall submit to the Division of State Lands a land use plan at
 750 least every 10 years in a form and manner prescribed by rule by
 751 the board. The division shall review each plan for compliance
 752 with the requirements of this subsection and the requirements of
 753 the rules established by the board pursuant to this section. All
 754 land use plans, whether for single-use or multiple-use
 755 properties, shall include an analysis of the property to

756 determine if any significant natural or cultural resources are
 757 located on the property. Such resources include archaeological
 758 and historic sites, state and federally listed plant and animal
 759 species, and imperiled natural communities and unique natural
 760 features. If such resources occur on the property, the manager
 761 shall consult with the ~~Division of State Lands and other~~
 762 appropriate agencies to develop management strategies to protect
 763 such resources. Land use plans shall also provide for the
 764 control of invasive nonnative plants and conservation of soil
 765 and water resources, including a description of how the manager
 766 plans to control and prevent soil erosion and soil or water
 767 contamination. Land use plans submitted by a manager shall
 768 include reference to appropriate statutory authority for such
 769 use or uses and shall conform to the appropriate policies and
 770 guidelines of the state land management plan. Plans ~~for managed~~
 771 ~~areas larger than 1,000 acres~~ shall contain an analysis of the
 772 multiple-use potential of the property, which analysis shall
 773 include the potential of the property to generate revenues to
 774 enhance the management of the property. Additionally, the plan
 775 shall contain an analysis of the potential use of private land
 776 managers to facilitate the restoration or management of these
 777 lands. In those cases where a newly acquired property has a
 778 valid conservation plan that was developed by a soil and
 779 conservation district, such plan shall be used to guide
 780 management of the property until a formal land use plan is
 781 completed.

782 (a) All State lands shall be managed to ensure the
 783 conservation of the state's plant and animal species and to

784 ensure the accessibility of state lands for the benefit and
 785 enjoyment of all people of the state, both present and future.
 786 Each land management plan shall provide a desired future
 787 condition of the property, and shall describe both short-term
 788 and long-term management goals and include measurable objectives
 789 to achieve each goal. Short-term goals shall be achievable
 790 within a two year planning period and long-term goals shall be
 791 achievable within a ten year planning period. These short-term
 792 and long-term management goals shall be the basis for all
 793 subsequent land management activities and are intended to be
 794 financially sustainable in achieving the desired future
 795 condition.

796 (b) Short-term and long-term management goals shall
 797 include measureable objectives for the following:

798 1. Natural communities habitat maintenance, restoration
 799 and improvement.

800 2. Wildlife habitat maintenance, restoration and
 801 improvement.

802 3. Advancement of imperiled species, both plants and
 803 animals.

804 4. Public access and recreational opportunities.

805 5. Hydrological preservation and restoration.

806 6. Sustainable forest management.

807 7. Exotic and invasive species maintenance and control.

808 8. Capital facilities and infrastructure.

809 9. Financial sustainability of land management activities.

810 (c) The land management plan shall at a minimum contain
 811 the following elements:

812 1. Physical description of the land.

813 2. A quantitative data description of the land that
 814 includes an inventory of forest resources; imperiled species and
 815 their habitats; exotic and invasive plants; hydrological
 816 features; infrastructure and capital improvements, including
 817 recreational facilities; and other significant land features.
 818 The inventory shall reflect the number of acres for each
 819 resource and feature, when appropriate. The inventory shall be
 820 included in the information system established pursuant to s.
 821 253.0325(2). The inventory shall be of such detail that
 822 objective measures and benchmarks can be established for each
 823 tract of land and monitored during the lifetime of the plan.
 824 All quantitative data collected shall be aggregated,
 825 standardized, collected and presented in an electronic format to
 826 allow for uniform management reporting and analysis. The
 827 information collected by the Department of Environmental
 828 Protection pursuant to s. 253.0325(2) shall be available to the
 829 land manager and their assignee.

830 3. A detailed description of each short-term and long-term
 831 land management goal, the associated measureable objectives and
 832 the related activities that are to be performed to meet the land
 833 management objectives. Where habitat or potential habitat for
 834 imperiled species is located on state lands, the short-term and
 835 long-term management goals shall advance the goals and
 836 objectives of the Fish and Wildlife Conservation Commission
 837 management plan approved under commission rule. Each land
 838 management objective must be addressed by the land management
 839 plan. No land management objective shall be performed to the

840 detriment of the other land management objectives or contrary to
841 the goals and objectives of the Fish and Wildlife Conservation
842 Commission management plan approved under commission rule. Every
843 land management objective must lead to the desired future
844 condition of the property.

845 4. A schedule of land management activities shall be
846 prepared that contains short-term and long-term land management
847 goals and the related measureable objectives and activities. The
848 schedule shall include for each activity a timeline for
849 completion and detailed cost estimates, including expense and
850 personnel budgets. The schedule is to provide a management tool
851 that facilitates development of performance measures.

852 5. A summary budget for the scheduled land management
853 activities of the land management plan. For state lands
854 containing or anticipated to contain imperiled species habitat
855 the summary budget shall include the expected revenues from fees
856 collected for adverse impact to imperiled species from public or
857 private projects. The summary budget shall be prepared in such a
858 manner that it facilitates computing an aggregate accounting of
859 land management costs for all state managed lands utilizing the
860 categories described in s. 259.037(3).

861 (d) Upon completion, the land management plan will be
862 transmitted to the Acquisition and Restoration Council for
863 review. The Acquisition and Restoration Council shall have 60
864 days to review the plan and submit its recommendations to the
865 board of trustees. During the review period, the land management
866 plan may be revised if agreed to by the primary land manager and
867 the Acquisition and Restoration Council taking into

868 consideration public input. If the Acquisition and Restoration
 869 Council fails to make a recommendation for a land management
 870 plan, the Secretary of the Department of Environmental
 871 Protection, Commissioner of Agriculture, or Executive Director
 872 of the Fish and Wildlife Conservation Commission or their
 873 designees shall submit the land management plan to the board of
 874 trustees. The land management plan becomes operational upon
 875 approval by the board of trustees.

876 (e) Beginning July 1, 2010 and biennially thereafter, state
 877 lands with an approved land management plan must be monitored
 878 for land management activities by a monitoring team and reviewed
 879 by a third party selected by Acquisition and Restoration
 880 Council. The division of state lands shall coordinate the
 881 activities of the review teams and third party. The land
 882 monitoring team shall consist of three members. One member shall
 883 be selected by the Secretary of Department of Environmental
 884 Protection, or their designee, and shall have experience with
 885 public recreation or public use administration. One member
 886 shall be selected by the Commissioner of Agriculture, or their
 887 designee, and shall have experience with applied land
 888 management. One member shall be selected by the Executive
 889 Director of Fish and Wildlife Conservation Commission, or their
 890 designee, and shall have experience with applied habitat
 891 management. The monitoring team shall prepare a monitoring
 892 report that assesses the progress towards achieving short-term
 893 and long-term land management goals and shall propose corrective
 894 actions for identified deficiencies in management activities.
 895 The monitoring report shall be submitted to the Acquisition and

896 Restoration Council and the managing agency. The third party
 897 reviewer selected by the Acquisition and Restoration Council
 898 shall perform an audit of selected land management activities
 899 based on a risk based approach and shall identify the progress
 900 toward achieving short-term and long-term land management goals.
 901 The third party audit is to be submitted to the Acquisition and
 902 Restoration Council and the managing agency. The Acquisition and
 903 Restoration Council shall review the monitoring report and the
 904 third party audit, and determine whether the deficiencies
 905 warrant a corrective action plan or revisions to the land
 906 management plan. Significant and recurring deficiencies shall
 907 be brought before the board of trustees, which shall determine
 908 whether the corrective actions being proposed by the land
 909 manager and the Acquisition and Restoration Council sufficiently
 910 address the identified deficiencies. Corrective action plans
 911 shall be prepared and submitted in the same manner as land
 912 management plans.

913 (f) Land management plans are to be updated every 10 years
 914 on a rotating basis.

915 (g) In developing land management plans, at least two
 916 public hearings will be held within the county most affected by
 917 the parcel or project.

918 (h) ~~(a)~~ The Division of State Lands shall make available
 919 to the public an electronic a copy of each land management plan
 920 for ~~parcels that exceed 160 acres in size.~~ The Division of State
 921 Lands council shall review each plan for compliance with the
 922 requirements of this subsection, the requirements of chapter
 923 259, and the requirements of the rules established by the board

924 pursuant to this section. The council shall also consider the
 925 propriety of the recommendations of the managing entity with
 926 regard to the future use of the property, the protection of
 927 fragile or nonrenewable resources, the potential for alternative
 928 or multiple uses not recognized by the managing entity, and the
 929 possibility of disposal of the property by the board. After its
 930 review, the council shall submit the plan, along with its
 931 recommendations and comments, to the board. The council shall
 932 specifically recommend to the board whether to approve the plan
 933 as submitted, ~~approve the plan with modifications,~~ or reject the
 934 plan. If the Acquisition and Restoration Council fails to make a
 935 recommendation for a land management plan, the Secretary of the
 936 Department of Environmental Protection, Commissioner of
 937 Agriculture, or Executive Director of the Fish and Wildlife
 938 Conservation Commission or their designees shall submit the land
 939 management plan to the board of trustees.

940 (i) ~~(b)~~ The Board of Trustees of the Internal Improvement
 941 Trust Fund shall consider the land management plan submitted by
 942 each entity and the recommendations of the council ~~and the~~
 943 ~~Division of State Lands~~ and shall approve the plan ~~with or~~
 944 ~~without modification~~ or reject such plan. The use or possession
 945 of any such lands that is not in accordance with an approved
 946 land management plan is subject to termination by the board.

947 (6) The Board of Trustees of the Internal Improvement
 948 Trust Fund shall determine which lands, the title to which is
 949 vested in the board, may be surplused. For conservation lands,
 950 the board shall make a determination that the lands are no
 951 longer needed for conservation purposes and may dispose of them

952 by an affirmative vote of at least three members. In the case of
 953 a land exchange involving the disposition of conservation lands,
 954 the board must determine by an affirmative vote of at least
 955 three members that the exchange will result in a net positive
 956 conservation benefit. For all other lands, the board shall make
 957 a determination that the lands are no longer needed and may
 958 dispose of them by an affirmative vote of at least three
 959 members.

960 (a) For the purposes of this subsection, all lands
 961 acquired by the state prior to July 1, 1999, using proceeds from
 962 the Preservation 2000 bonds, the Conservation and Recreation
 963 Lands Trust Fund, the Water Management Lands Trust Fund,
 964 Environmentally Endangered Lands Program, and the Save Our Coast
 965 Program and titled to the board, which lands are identified as
 966 core parcels or within original project boundaries, shall be
 967 deemed to have been acquired for conservation purposes.

968 ~~(b) For any lands purchased by the state on or after July~~
 969 ~~1, 1999, a determination shall be made by the board prior to~~
 970 ~~acquisition as to those parcels that shall be designated as~~
 971 ~~having been acquired for conservation purposes. No lands~~
 972 acquired for use by the Department of Corrections, the
 973 Department of Management Services for use as state offices, the
 974 Department of Transportation, except those specifically managed
 975 for conservation or recreation purposes, or the State University
 976 System or the Florida Community College System shall be
 977 designated as having been purchased for conservation purposes.

978 (c) At least every 10 years, ~~as a component of each land~~
 979 ~~management plan or land use plan and in a form and manner~~

980 ~~prescribed by rule by the board,~~ each manager shall evaluate and
 981 indicate to the board those lands that are not being used for
 982 the stated purposes ~~purpose for which they were originally~~
 983 ~~leased.~~ For conservation lands, the council shall review and
 984 shall recommend to the board whether such lands should be
 985 retained in public ownership or disposed of by the board. For
 986 nonconservation lands, the division shall review such lands and
 987 shall recommend to the board whether such lands should be
 988 retained in public ownership or disposed of by the board.

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

995 (e) Prior to any decision by the board to surplus lands,
 996 the Acquisition and Restoration Council shall review and make
 997 recommendations to the board concerning the request for
 998 surplusing. The council shall determine whether the request for
 999 surplusing is compatible with the resource values of and
 1000 management objectives for such lands.

1001 (f)~~1-~~ In reviewing lands owned by the board, the council
 1002 shall consider whether such lands would be more appropriately
 1003 owned or managed by the county or other unit of local government
 1004 in which the land is located. The council shall recommend to the
 1005 board whether a sale, lease, or other conveyance to a local
 1006 government would be in the best interests of the state and local
 1007 government. The provisions of this paragraph in no way limit the

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1008 provisions of ss. 253.111 and 253.115. Such lands shall be
 1009 offered to the state, county, or local government for a period
 1010 of 45 ~~30~~ days. Permittable uses for such surplus lands may
 1011 include public schools; public libraries; fire or law
 1012 enforcement substations; governmental, judicial, or recreational
 1013 centers; and affordable housing meeting the criteria of s.
 1014 420.0004(3). County or local government requests for surplus
 1015 lands shall be expedited throughout the surplusing process. If
 1016 the county or local government does not elect to purchase such
 1017 lands in accordance with s. 253.111, then any surplusing
 1018 determination involving other governmental agencies shall be
 1019 made upon the board deciding the best public use of the lands.
 1020 Surplus properties in which governmental agencies have expressed
 1021 no interest shall then be available for sale on the private
 1022 market.

1023 ~~2. Notwithstanding subparagraph 1., any parcel of surplus~~
 1024 ~~lands less than 3 acres in size which was acquired by the state~~
 1025 ~~before 1955 by gift or other conveyance or for \$1 consideration~~
 1026 ~~from a fair association incorporated under chapter 616 for the~~
 1027 ~~purpose of conducting and operating public fairs or expositions,~~
 1028 ~~and concerning which the department has filed by July 1, 2008, a~~
 1029 ~~notice of intent to dispose of as surplus lands, shall be~~
 1030 ~~offered for reconveyance to such fair association for no~~
 1031 ~~consideration; however, the agency that last held the lease from~~
 1032 ~~the board for management of such lands may remove from the lands~~
 1033 ~~any improvements, fixtures, goods, wares, and merchandise within~~
 1034 ~~180 days after the effective date of the reconveyance. This~~
 1035 ~~subparagraph expires July 1, 2008.~~

1036 (g) The sale price of lands determined to be surplus
 1037 pursuant to this subsection and s. 253.82 shall be determined by
 1038 the division and shall take into consideration an appraisal of
 1039 the property, or, when the estimated value of the land is less
 1040 than \$100,000, a comparable sales analysis or a broker's opinion
 1041 of value. In the event that a single appraisal yields a value
 1042 equal to or greater than \$1 million, a second appraisal is
 1043 required. The individual or entity requesting the surplus shall
 1044 select and use appraisers from the list of approved appraisers
 1045 maintained by the Division of State Lands in accordance with s.
 1046 253.025(6)(b). The individual or entity requesting the surplus
 1047 is to incur all costs of the second appraisal, and the price
 1048 paid by the state to originally acquire the lands.

1049 1.a. A written valuation of land determined to be surplus
 1050 pursuant to this subsection and s. 253.82, and related documents
 1051 used to form the valuation or which pertain to the valuation,
 1052 are confidential and exempt from s. 119.07(1) and s. 24(a), Art.
 1053 I of the State Constitution until 2 weeks before the contract or
 1054 agreement regarding the purchase, exchange, or disposal of the
 1055 surplus land is first considered for approval by the board.
 1056 Notwithstanding the exemption provided under this subparagraph,
 1057 the division may disclose appraisals, valuations, or valuation
 1058 information regarding surplus land during negotiations for the
 1059 sale or exchange of the land, during the marketing effort or
 1060 bidding process associated with the sale, disposal, or exchange
 1061 of the land to facilitate closure of such effort or process,
 1062 when the passage of time has made the conclusions of value
 1063 invalid, or when negotiations or marketing efforts concerning

1064 the land are concluded.

1065 b. This subparagraph is subject to the Open Government
 1066 Sunset Review Act of 1995 in accordance with s. 119.15, and
 1067 shall stand repealed on October 2, 2009, unless reviewed and
 1068 saved from repeal through reenactment by the Legislature.

1069 2. A unit of government that acquires title to lands
 1070 hereunder for less than appraised value may not sell or transfer
 1071 title to all or any portion of the lands to any private owner
 1072 for a period of 10 years. Any unit of government seeking to
 1073 transfer or sell lands pursuant to this paragraph shall first
 1074 allow the board of trustees to reacquire such lands for the
 1075 price at which the board sold such lands.

1076 ~~(h) Where a unit of government acquired land by gift,~~
 1077 ~~donation, grant, quitclaim deed, or other such conveyance where~~
 1078 ~~no monetary consideration was exchanged, the price of land sold~~
 1079 ~~as surplus may be based on one appraisal. In the event that a~~
 1080 ~~single appraisal yields a value equal to or greater than \$1~~
 1081 ~~million, a second appraisal is required. The individual or~~
 1082 ~~entity requesting the surplus shall select and use appraisers~~
 1083 ~~from the list of approved appraisers maintained by the Division~~
 1084 ~~of State Lands in accordance with s. 253.025(6)(b). The~~
 1085 ~~individual or entity requesting the surplus is to incur all~~
 1086 ~~costs of the appraisals.~~

1087 (h) ~~(i)~~ After reviewing the recommendations of the
 1088 council, the board shall determine whether lands identified for
 1089 surplus are to be held for other public purposes or whether such
 1090 lands are no longer needed. The board may require an agency to
 1091 release its interest in such lands. For an agency that has

1092 requested the use of a property that was to be declared as
 1093 surplus, said agency must have the property under lease within 6
 1094 months of the date of expiration of the notice provisions
 1095 required under this subsection and s. 253.111.

1096 (i) ~~(j)~~ Requests for surplusizing may be made by any public
 1097 or private entity or person. All requests shall be submitted to
 1098 the lead managing agency for review and recommendation to the
 1099 council or its successor. Lead managing agencies shall have 90
 1100 days to review such requests and make recommendations. Any
 1101 surplusizing requests that have not been acted upon within the 90-
 1102 day time period shall be immediately scheduled for hearing at
 1103 the next regularly scheduled meeting of the council or its
 1104 successor. Requests for surplusizing pursuant to this paragraph
 1105 shall not be required to be offered to local or state
 1106 governments as provided in paragraph (f).

1107 (j) ~~(k)~~ Proceeds from any sale of surplus lands pursuant
 1108 to this subsection shall be deposited into the fund from which
 1109 such lands were acquired. However, if the fund from which the
 1110 lands were originally acquired no longer exists, such proceeds
 1111 shall be deposited into an appropriate account to be used for
 1112 land management by the lead managing agency assigned the lands
 1113 prior to the lands being declared surplus. Funds received from
 1114 the sale of surplus nonconservation lands, or lands that were
 1115 acquired by gift, by donation, or for no consideration, shall be
 1116 deposited into the Internal Improvement Trust Fund.

1117 (k) ~~(l)~~ Notwithstanding the provisions of this subsection,
 1118 no such disposition of land shall be made if such disposition
 1119 would have the effect of causing all or any portion of the

1120 interest on any revenue bonds issued to lose the exclusion from
 1121 gross income for federal income tax purposes.

1122 (l) ~~(m)~~ The sale of filled, formerly submerged land that
 1123 does not exceed 5 acres in area is not subject to review by the
 1124 council or its successor.

1125 (m) ~~(n)~~ The board may adopt rules to implement the
 1126 provisions of this section, which may include procedures for
 1127 administering surplus land requests and criteria for when the
 1128 division may approve requests to surplus nonconservation lands
 1129 on behalf of the board.

1130 (7) This section shall not be construed so as to affect:

1131 (a) Other provisions of this chapter relating to oil, gas,
 1132 or mineral resources.

1133 (b) The exclusive use of state-owned land subject to a
 1134 lease by the Board of Trustees of the Internal Improvement Trust
 1135 Fund of state-owned land for private uses and purposes.

1136 (c) Sovereignty lands not leased for private uses and
 1137 purposes.

1138 (8) (a) Notwithstanding other provisions of this section,
 1139 the Division of State Lands is directed to prepare a state
 1140 inventory of all federal lands and all lands titled in the name
 1141 of the state, a state agency, a water management district, or a
 1142 local government on a county-by-county basis. To facilitate the
 1143 development of the state inventory, each county shall direct the
 1144 appropriate county office with authority over the information to
 1145 provide the division with a county inventory of all lands
 1146 identified as federal lands and lands titled in the name of the
 1147 state, a state agency, a water management district, or a local

1148 government. The Legislature recognizes the value of the state's
 1149 conservation lands as water recharge areas and air filters, and
 1150 in an effort to better understand the scientific underpinnings
 1151 of carbon sequestration, carbon capture and greenhouse gas
 1152 mitigation, to inform policy and decision-makers, and to provide
 1153 the infrastructure for land owners, the Department of
 1154 Agriculture and Consumer Services, Division of Forestry in
 1155 consultation with the Department of Environmental Protection
 1156 shall contract with an organization experienced and specialized
 1157 in carbon sinks and emission budgets, to conduct an inventory of
 1158 all lands acquired pursuant to Preservation 2000 and Florida
 1159 Forever and that were titled in the name of the Board of
 1160 Trustees of the Internal Improvement Trust fund. The inventory
 1161 shall determine the value of carbon capture, and carbon
 1162 sequestration. Such inventory shall consider potential carbon
 1163 offset values of changes in land management practices including,
 1164 but not limited to replanting of trees, routine prescribed burns
 1165 and land use conversion. Such an inventory shall be completed
 1166 and presented to the Board of Trustees by July 1, 2009.

1167 (b) The state inventory must distinguish between lands
 1168 purchased by the state or a water management district as part of
 1169 a core parcel or within original project boundaries, as those
 1170 terms are used to meet the surplus requirements of subsection
 1171 (6), and lands purchased by the state, a state agency, or a
 1172 water management district which are not essential or necessary
 1173 for conservation purposes.

1174 (c) In any county having a population of 75,000 or less,
 1175 or a county having a population of 100,000 or less that is

1176 contiguous to a county having a population of 75,000 or less, in
 1177 which more than 50 percent of the lands within the county
 1178 boundary are federal lands and lands titled in the name of the
 1179 state, a state agency, a water management district, or a local
 1180 government, those lands titled in the name of the state or a
 1181 state agency which are not essential or necessary to meet
 1182 conservation purposes may, upon request of a public or private
 1183 entity, be made available for purchase through the state's
 1184 surplusing process. Rights-of-way for existing, proposed, or
 1185 anticipated transportation facilities are exempt from the
 1186 requirements of this paragraph. Priority consideration shall be
 1187 given to buyers, public or private, willing to return the
 1188 property to productive use so long as the property can be
 1189 reentered onto the county ad valorem tax roll. Property acquired
 1190 with matching funds from a local government shall not be made
 1191 available for purchase without the consent of the local
 1192 government.

1193 (9) Land management plans required to be submitted by the
 1194 Department of Corrections, the Department of Juvenile Justice,
 1195 the Department of Children and Family Services, or the
 1196 Department of Education are not subject to the provisions for
 1197 review by the council or its successor described in subsection
 1198 (5). Management plans filed by these agencies shall be made
 1199 available to the public electronically and for a period of 90
 1200 days at the administrative offices of the parcel or project
 1201 affected by the management plan and at the Tallahassee offices
 1202 of each agency. Any plans not objected to during the public
 1203 comment period shall be deemed approved. Any plans for which an

1204 objection is filed shall be submitted to the Board of Trustees
 1205 of the Internal Improvement Trust Fund for consideration. The
 1206 Board of Trustees of the Internal Improvement Trust Fund shall
 1207 approve the plan with or without modification, or reject the
 1208 plan. The use or possession of any such lands which is not in
 1209 accordance with an approved land management plan is subject to
 1210 termination by the board.

1211 (10) The following additional uses of conservation lands
 1212 acquired pursuant to the Florida Forever program and other
 1213 state-funded conservation land purchase programs shall be
 1214 authorized, upon a finding by the board of trustees, if they
 1215 meet the criteria specified in paragraphs (a)-(e): water
 1216 resource development projects, water supply development
 1217 projects, stormwater management projects, linear facilities, and
 1218 sustainable agriculture and forestry. Such additional uses are
 1219 authorized where:

1220 (a) Not inconsistent with the management plan for such
 1221 lands;

1222 (b) Compatible with the natural ecosystem and resource
 1223 values of such lands;

1224 (c) The proposed use is appropriately located on such
 1225 lands and where due consideration is given to the use of other
 1226 available lands;

1227 (d) The using entity reasonably compensates the
 1228 titleholder for such use based upon an appropriate measure of
 1229 value; and

1230 (e) The use is consistent with the public interest.

1231

1232 A decision by the board of trustees pursuant to this section
 1233 shall be given a presumption of correctness. Moneys received
 1234 from the use of state lands pursuant to this section shall be
 1235 returned to the lead managing entity in accordance with the
 1236 provisions of s. 259.032(11)(d).

1237 (11) Lands listed as projects for acquisition may be
 1238 managed for conservation pursuant to s. 259.032, on an interim
 1239 basis by a private party in anticipation of a state purchase in
 1240 accordance with a contractual arrangement between the acquiring
 1241 agency and the private party that may include management service
 1242 contracts, leases, cost-share arrangements or resource
 1243 conservation agreements. Lands designated as eligible under this
 1244 subsection shall be managed to maintain or enhance the resources
 1245 the state is seeking to protect by acquiring the land. Funding
 1246 for these contractual arrangements may originate from the
 1247 documentary stamp tax revenue deposited into the Conservation
 1248 and Recreation Lands Trust Fund and Water Management Lands Trust
 1249 Fund. No more than 5 percent of funds allocated under the trust
 1250 funds shall be expended for this purpose.

1251 (12) Any lands available to governmental employees,
 1252 including water management district employees, for hunting or
 1253 other recreational purposes shall also be made available to the
 1254 general public for such purposes.

1255 (13) (a) ~~Notwithstanding the provisions of this section,~~
 1256 ~~funds from the sale of property by the Department of Highway~~
 1257 ~~Safety and Motor Vehicles located in Palm Beach County are~~
 1258 ~~authorized to be deposited into the Highway Safety Operating~~
 1259 ~~Trust Fund to facilitate the exchange as provided in the General~~

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1260 ~~Appropriations Act, provided that at the conclusion of both~~
 1261 ~~exchanges the values are equalized. This subsection expires July~~
 1262 ~~1, 2008.~~ All state lands may be used to protect, manage, or
 1263 restore habitat for native or imperiled species. The commission
 1264 shall submit an annual workplan for such uses to the Acquisition
 1265 and Restoration Council and the council may, at its discretion,
 1266 modify the workplan prior to approval. Following approval of the
 1267 workplan by the council, the commission shall submit the
 1268 approved workplan to the Board of Trustees of the Internal
 1269 Improvement Trust Fund for adoption.

1270 (b) By February 1, 2010, the commission shall submit a
 1271 report to the Acquisition and Restoration Council and board of
 1272 trustees on the efficacy of utilizing state-owned lands to
 1273 protect, manage, or restore habitat for native or imperiled
 1274 species. This subsection expires July 1, 2014.

1275 Section 9. Section 253.036, Florida Statutes, is amended
 1276 to read:

1277 253.036 Forest management.--All land management plans
 1278 described in s. 253.034 ~~which are prepared for parcels larger~~
 1279 ~~than 1,000 acres~~ shall contain an analysis of the multiple-use
 1280 potential of the parcel, ~~which~~ The analysis shall include the
 1281 potential of the parcel to generate revenues to enhance the
 1282 management of the parcel. The Division of Forestry of the
 1283 Department of Agriculture and Consumer Services or other
 1284 qualified professional forester approved by the Division of
 1285 Forestry of the Department of Agriculture and Consumer Services
 1286 ~~lead agency~~ shall prepare the analysis, which shall contain a
 1287 component or section prepared by a qualified professional

1288 forester which assesses the feasibility of managing timber
 1289 resources on the parcel for resource conservation and revenue
 1290 generation purposes through a stewardship ethic that embraces
 1291 sustainable forest management practices if the lead management
 1292 agency determines that the timber resource management is not in
 1293 conflict with the primary management objectives of the parcel.
 1294 For purposes of this section, practicing sustainable forest
 1295 management means meeting the needs of the present without
 1296 compromising the ability of future generations to meet their own
 1297 needs by practicing a land stewardship ethic which integrates
 1298 the reforestation, managing, growing, nurturing, and harvesting
 1299 of trees for useful products with the conservation of soil, air
 1300 and water quality, wildlife and fish habitat, and aesthetics.
 1301 The Legislature intends that each lead management agency,
 1302 whenever practicable and cost effective, use the services of the
 1303 Division of Forestry of the Florida Department of Agriculture
 1304 and Consumer Services or other qualified ~~private sector~~
 1305 professional forester approved by Division of Forestry of the
 1306 Department of Agriculture and Consumer Services in completing
 1307 such feasibility assessments and implementing timber resource
 1308 management. The Legislature further intends that the lead
 1309 management agency develop a memorandum of agreement with the
 1310 Division of Forestry to provide for full reimbursement for any
 1311 services provided for the feasibility assessments or timber
 1312 resource management. All additional revenues generated through
 1313 multiple-use management or compatible secondary use management
 1314 shall be returned to the lead agency responsible for such
 1315 management and shall be used to pay for management activities on

1316 all conservation, preservation, and recreation lands under the
 1317 agency's jurisdiction. In addition, such revenue shall be
 1318 segregated in an agency trust fund and shall remain available to
 1319 the agency in subsequent fiscal years to support land management
 1320 appropriations.

1321 Section 10. Subsection (3) of section 253.111, Florida
 1322 Statutes, is amended to read:

1323 253.111 Notice to board of county commissioners before
 1324 sale.--The Board of Trustees of the Internal Improvement Trust
 1325 Fund of the state may not sell any land to which they hold title
 1326 unless and until they afford an opportunity to the county in
 1327 which such land is situated to receive such land on the
 1328 following terms and conditions:

1329 (3) If the board receives, within 45 ~~30~~ days after notice
 1330 is given to the board of county commissioners pursuant to
 1331 subsection (1), the certified copy of the resolution provided
 1332 for in subsection (2), the board shall forthwith convey to the
 1333 county such land at a price that is equal to its appraised
 1334 market value established by generally accepted professional
 1335 standards for real estate appraisal and subject to such other
 1336 terms and conditions as the board determines.

1337 Section 11. Paragraph (b) of subsection (2) of section
 1338 253.82, Florida Statutes, is amended to read:

1339 253.82 Title of state or private owners to Murphy Act
 1340 lands.--

1341 (2)

1342 (b) Land to which title is vested in the board of trustees
 1343 by paragraph (a) shall be treated in the same manner as other

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1344 nonsovereignty lands owned by the board. However, any parcel of
 1345 land the title to which is vested in the Board of Trustees of
 1346 the Internal Improvement Trust Fund pursuant to this section
 1347 which is 10 acres or less in size and has a ~~an appraised~~ market
 1348 value of \$250,000 or less is hereby declared surplus, except for
 1349 lands determined to be needed for state use, and may be sold in
 1350 any manner provided by law. ~~Only one appraisal shall be required~~
 1351 ~~for a sale of such land.~~ All proceeds from the sale of such land
 1352 shall be deposited into the Internal Improvement Trust Fund. The
 1353 Board of Trustees of the Internal Improvement Trust Fund is
 1354 authorized to adopt rules to implement the provisions of this
 1355 subsection.

1356 Section 12. Section 259.032, Florida Statutes, is amended
 1357 to read:

1358 259.032 Conservation and Recreation Lands Trust Fund;
 1359 purpose.--

1360 (1) It is the policy of the state that the citizens of
 1361 this state shall be assured public ownership of natural areas
 1362 for purposes of maintaining this state's unique natural
 1363 resources; protecting air, land, and water quality; promoting
 1364 water resource development to meet the needs of natural systems
 1365 and citizens of this state; promoting restoration activities on
 1366 public lands; and providing lands for ~~natural resource based~~
 1367 recreation. In recognition of this policy, it is the intent of
 1368 the Legislature to provide such public lands for the people
 1369 residing in urban and metropolitan areas of the state, as well
 1370 as those residing in less populated, rural areas. It is the
 1371 further intent of the Legislature, with regard to the lands

1372 described in paragraph (3)(c), that a high priority be given to
 1373 the acquisition, restoration and management of such lands in or
 1374 near counties exhibiting the greatest concentration of
 1375 population and, with regard to the lands described in subsection
 1376 (3), that a high priority be given to acquiring lands or rights
 1377 or interests in lands proposed for acquisition pursuant to s.
 1378 570.71, or lands within any area designated as an area of
 1379 critical state concern under s. 380.05 which, in the judgment of
 1380 the advisory council established pursuant to s. 259.035, or its
 1381 successor, cannot be adequately protected by application of land
 1382 development regulations adopted pursuant to s. 380.05. Finally,
 1383 it is the Legislature's intent that lands acquired through this
 1384 program and any successor programs be managed in such a way as
 1385 to protect or restore their natural resource values, and provide
 1386 the greatest benefit, including public access, to the citizens
 1387 of this state.

1388 (2)(a) The Conservation and Recreation Lands Trust Fund is
 1389 established within the Department of Environmental Protection.
 1390 The fund shall be used as a nonlapsing, revolving fund
 1391 exclusively for the purposes of this section. The fund shall be
 1392 credited with proceeds from the following excise taxes:

1393 1. The excise taxes on documents as provided in s. 201.15;
 1394 and

1395 2. The excise tax on the severance of phosphate rock as
 1396 provided in s. 211.3103.

1397
 1398 The Department of Revenue shall credit to the fund each month
 1399 the proceeds from such taxes as provided in this paragraph.

1400 (b) There shall annually be transferred from the
 1401 Conservation and Recreation Lands Trust Fund to the Land
 1402 Acquisition Trust Fund that amount, not to exceed \$20 million
 1403 annually, as shall be necessary to pay the debt service on, or
 1404 fund debt service reserve funds, rebate obligations, or other
 1405 amounts with respect to bonds issued pursuant to s. 375.051 to
 1406 acquire lands on the established priority list developed
 1407 pursuant to ss. 259.101(4) and 259.105; however, no moneys
 1408 transferred to the Land Acquisition Trust Fund pursuant to this
 1409 paragraph, or earnings thereon, shall be used or made available
 1410 to pay debt service on the Save Our Coast revenue bonds. Amounts
 1411 transferred annually from the Conservation and Recreation Lands
 1412 Trust Fund to the Land Acquisition Trust Fund pursuant to this
 1413 paragraph shall have the highest priority over other payments or
 1414 transfers from the Conservation and Recreation Lands Trust Fund,
 1415 and no other payments or transfers shall be made from the
 1416 Conservation and Recreation Lands Trust Fund until such
 1417 transfers to the Land Acquisition Trust Fund have been made.
 1418 Moneys in the Conservation and Recreation Lands Trust Fund also
 1419 shall be used to manage lands and to pay for related costs,
 1420 activities, and functions pursuant to the provisions of this
 1421 section.

1422 (3) The Governor and Cabinet, sitting as the Board of
 1423 Trustees of the Internal Improvement Trust Fund, may allocate
 1424 moneys from the fund in any one year to acquire the fee or any
 1425 lesser interest in lands for the following public purposes:

1426 (a) To conserve and protect environmentally unique and
 1427 irreplaceable lands that contain native, relatively unaltered

1428 flora and fauna representing a natural area unique to, or scarce
 1429 within, a region of this state or a larger geographic area;

1430 (b) To conserve and protect lands within designated areas
 1431 of critical state concern, if the proposed acquisition relates
 1432 to the natural resource protection purposes of the designation;

1433 (c) To conserve and protect native species habitat or
 1434 imperiled ~~endangered or threatened~~ species, emphasizing long-
 1435 term protection for imperiled ~~endangered or threatened~~ species
 1436 ~~designated G 1 or G 2 by the Florida Natural Areas Inventory,~~
 1437 and especially those areas that are special locations for
 1438 breeding and reproduction;

1439 (d) To conserve, protect, manage, or restore important
 1440 ecosystems, landscapes, and forests, if the protection and
 1441 conservation of such lands is necessary to enhance or protect
 1442 significant surface water, groundwater, coastal, recreational,
 1443 timber, or fish or wildlife resources which cannot otherwise be
 1444 accomplished through local and state regulatory programs;

1445 (e) To promote water resource development that benefits
 1446 natural systems and citizens of the state;

1447 (f) To facilitate the restoration and subsequent health
 1448 and vitality of the Florida Everglades;

1449 (g) To provide areas, including recreational trails, for
 1450 natural resource based recreation and other outdoor recreation
 1451 on any part of any site compatible with conservation purposes;

1452 (h) To preserve significant archaeological or historic
 1453 sites; or

1454 (i) To conserve urban open spaces suitable for greenways
 1455 or outdoor recreation which are compatible with conservation

1456 purposes.

1457 (j) To preserve agricultural lands under threat of
 1458 conversion to development through less-than-fee acquisitions,
 1459 including acquisition pursuant to s.570.71.

1460 (4)(a) Lands acquired under this section shall be for use
 1461 as state-designated parks, recreation areas, preserves,
 1462 reserves, historic or archaeological sites, geologic or
 1463 botanical sites, recreational trails, forests, wilderness areas,
 1464 wildlife management areas, urban open space, or other state-
 1465 designated recreation or conservation lands; or they shall
 1466 qualify for such state designation and use if they are to be
 1467 managed by other governmental agencies or nonstate entities as
 1468 provided for in this section.

1469 ~~(b) In addition to the uses allowed in paragraph (a),~~
 1470 ~~moneys may be transferred from the Conservation and Recreation~~
 1471 ~~Lands Trust Fund to the Florida Forever Trust Fund or the Land~~
 1472 ~~Acquisition Trust Fund. This paragraph expires July 1, 2007.~~

1473 (5) The board of trustees may allocate, in any year, an
 1474 amount not to exceed 5 percent of the money credited to the fund
 1475 in that year, such allocation to be used for the purposes of
 1476 253.0325(2) initiation and maintenance of a natural areas
 1477 inventory to aid in the identification of areas to be acquired
 1478 pursuant to this section.

1479 (6) Moneys in the fund not needed to meet obligations
 1480 incurred under this section shall be deposited with the Chief
 1481 Financial Officer to the credit of the fund and may be invested
 1482 in the manner provided by law. Interest received on such
 1483 investments shall be credited to the Conservation and Recreation

1484 Lands Trust Fund.

1485 (7) The board of trustees may enter into any contract

1486 necessary to accomplish the purposes of this section. The lead

1487 land managing agencies designated by the board of trustees also

1488 are directed by the Legislature to enter into contracts or

1489 interagency agreements with other governmental entities,

1490 including local soil and water conservation districts, or

1491 private land managers who have the expertise to perform specific

1492 management activities ~~which a lead agency lacks, or~~ which would

1493 cost more to provide in-house. Such activities shall include,

1494 but not be limited to, controlled burning, road and ditch

1495 maintenance, mowing, and wildlife assessments. The lead land

1496 managing agency may contract with the Fish and Wildlife

1497 Conservation Commission for those lands which contain imperiled

1498 species habitat.

1499 (8) Lands to be considered for purchase under this section

1500 are subject to the selection procedures of s. 259.035 and

1501 related rules and shall be acquired in accordance with

1502 acquisition procedures for state lands provided for in s.

1503 259.041, except for acquisition pursuant to s.570.71 or as

1504 otherwise provided by the Legislature. An inholding or an

1505 addition to a project selected for purchase pursuant to this

1506 chapter is not subject to the selection procedures of s. 259.035

1507 if the estimated value of such inholding or addition does not

1508 exceed \$500,000. When at least 90 percent of the acreage of a

1509 project has been purchased pursuant to this chapter, the project

1510 may be removed from the list and the remaining acreage may

1511 continue to be purchased. Moneys from the fund may be used for

1512 title work, appraisal fees, environmental audits, and survey
 1513 costs related to acquisition expenses for lands to be acquired,
 1514 donated, or exchanged which qualify under the categories of this
 1515 section, at the discretion of the board. When the Legislature
 1516 has authorized the Department of Environmental Protection to
 1517 condemn a specific parcel of land and such parcel has already
 1518 been approved for acquisition under this section, the land may
 1519 be acquired in accordance with the provisions of chapter 73 or
 1520 chapter 74, and the fund may be used to pay the condemnation
 1521 award and all costs, including a reasonable attorney's fee,
 1522 associated with condemnation.

1523 (9) All lands managed under this chapter and s. 253.034
 1524 shall be:

1525 (a) Managed in a manner that will provide the greatest
 1526 combination of benefits to the public and to the resources.

1527 (b) Managed for public ~~outdoor~~ recreation which is
 1528 compatible with the conservation and protection of public lands.
 1529 Such management may include, but not be limited to, the
 1530 following public recreational uses: fishing, hunting, camping,
 1531 bicycling, hiking, nature study, swimming, boating, canoeing,
 1532 horseback riding, diving, model hobbyist activities, birding,
 1533 sailing, jogging, and other related ~~outdoor~~ activities
 1534 compatible with the purposes for which the lands were acquired.

1535 (c) Managed for the purposes for which the lands were
 1536 acquired, consistent with paragraph (11) (a).

1537 (d) Concurrent with its adoption of the annual
 1538 Conservation and Recreation Lands list of acquisition projects
 1539 pursuant to s. 259.035, the board of trustees shall adopt a

1540 management prospectus for each project. The management
 1541 prospectus shall delineate:

- 1542 1. The management goals for the property;
- 1543 2. The conditions that will affect the intensity of
 1544 management;
- 1545 3. An estimate of the revenue-generating potential of the
 1546 property, if appropriate;
- 1547 4. A timetable for implementing the various stages of
 1548 management and for providing access to the public, if
 1549 applicable;
- 1550 5. A description of potential multiple-use activities as
 1551 described in this section and s. 253.034;
- 1552 6. Provisions for protecting existing infrastructure and
 1553 for ensuring the security of the project upon acquisition;
- 1554 7. The anticipated costs of restoration and management and
 1555 projected sources of revenue, including legislative
 1556 appropriations, to fund management needs; and
- 1557 8. Recommendations as to how many employees will be needed
 1558 to manage the property, and recommendations as to whether local
 1559 governments, volunteer groups, the former landowner, or other
 1560 interested parties can be involved in the restoration and
 1561 management.

1562 (e) Concurrent with the approval of the acquisition
 1563 contract pursuant to s. 259.041(3)(c) for any interest in lands
 1564 except those lands being acquired under the provisions of s.
 1565 259.1052, the board of trustees shall designate a primary land
 1566 manager ~~an agency or agencies~~ to restore and manage such lands
 1567 as provided for in s. 253.002(1). The board shall evaluate and

1568 amend, as appropriate, the management policy statement for the
 1569 project as provided by s. 259.035, consistent with the purposes
 1570 for which the lands are acquired. For any fee simple acquisition
 1571 of a parcel which is or will be leased back for agricultural
 1572 purposes, or any acquisition of a less-than-fee interest in land
 1573 that is or will be used for agricultural purposes, the Board of
 1574 Trustees of the Internal Improvement Trust Fund shall first
 1575 consider having a soil and water conservation district, created
 1576 pursuant to chapter 582, manage and monitor such interests.

1577 (f) State agencies designated to manage lands acquired
 1578 under this chapter except those lands acquired under s. 259.1052
 1579 may contract with the Department of Agriculture and Consumer
 1580 Services, the Department of Environmental Protection, the Fish
 1581 and Wildlife Conservation Commission, local governments, private
 1582 entities and soil and water conservation districts to assist in
 1583 restoration and management activities, including the
 1584 responsibility of being the lead land manager. Such land
 1585 restoration and management contracts may include a provision for
 1586 the transfer of management funding to the local government or
 1587 soil and water conservation district from the Conservation and
 1588 Recreation Lands Trust Fund in an amount adequate for the local
 1589 government or soil and water conservation district to perform
 1590 its contractual land management responsibilities and
 1591 proportionate to its responsibilities, and which otherwise would
 1592 have been expended by the state agency to manage the property.

1593 (g) Immediately following the acquisition of any interest
 1594 in lands under this chapter, the Division of State Lands
 1595 ~~Department of Environmental Protection~~, acting on behalf of the

1596 board of trustees, may issue to the lead managing entity an
 1597 interim assignment letter to be effective until the execution of
 1598 a formal lease.

1599 (10)(a) State, regional, or local governmental agencies or
 1600 private entities designated to manage lands under this section
 1601 shall develop and adopt, with the approval of the board of
 1602 trustees, an individual management plan for each project
 1603 designed to conserve and protect such lands and their associated
 1604 natural resources. Private sector involvement in management plan
 1605 development may be used to expedite the planning process.

1606 (b) Individual management plans required by s. 253.034~~7~~
 1607 ~~for parcels over 160 acres,~~ shall be developed with input from
 1608 an advisory group and the general public. Members of this
 1609 advisory group shall include, at a minimum, representatives of
 1610 the lead land managing agency, comanaging entities, local
 1611 private property owners, the appropriate soil and water
 1612 conservation district, a local conservation organization, and a
 1613 local elected official. The lead land manager and the advisory
 1614 group shall conduct at least two public hearings ~~one public~~
 1615 ~~hearing~~ within the county in which the parcel or project is
 1616 located. For those parcels or projects that are within more than
 1617 one county, at least one additional areawide public hearing
 1618 shall be acceptable and the lead managing agency shall invite a
 1619 local elected official from each county. The additional areawide
 1620 public hearing shall not be held in the county in which the core
 1621 parcels are located. Notice of such public hearing shall be
 1622 posted on the parcel or project designated for management,
 1623 advertised in a paper of general circulation, and announced at a

1624 | scheduled meeting of the local governing body before the actual
 1625 | public hearing. The management prospectus required pursuant to
 1626 | paragraph (9) (d) and any draft land management plans shall be
 1627 | available to the public for a period of 30 days prior to each
 1628 | the public hearing.

1629 | (c) Once a plan is adopted, the managing agency or entity
 1630 | shall update the plan at least every 10 years in a form and
 1631 | manner prescribed by rule of the board of trustees. Such
 1632 | updates, ~~for parcels over 160 acres,~~ shall be developed with
 1633 | input from an advisory group in the same manner as described in
 1634 | paragraph (b). Such plans may include transfers of leasehold
 1635 | interests to appropriate conservation organizations or
 1636 | governmental entities designated by the Acquisition and
 1637 | Restoration Council ~~Land Acquisition and Management Advisory~~
 1638 | ~~Council or its successor,~~ for uses consistent with the purposes
 1639 | of the organizations and the protection, preservation,
 1640 | conservation, restoration, and proper management of the lands
 1641 | and their resources. Volunteer management assistance is
 1642 | encouraged, including, but not limited to, assistance by youths
 1643 | participating in programs sponsored by state or local agencies,
 1644 | by volunteers sponsored by environmental or civic organizations,
 1645 | and by individuals participating in programs for committed
 1646 | delinquents and adults.

1647 | (d)1. For each project for which lands are acquired after
 1648 | July 1, 1995, an individual management plan shall be adopted and
 1649 | in place no later than 1 year after the essential parcel or
 1650 | parcels identified in the priority list developed pursuant to
 1651 | ss. 259.101(4) and 259.105 have been acquired. ~~The Department of~~

1652 ~~Environmental Protection shall distribute only 75 percent of the~~
 1653 ~~acquisition funds to which a budget entity or water management~~
 1654 ~~district would otherwise be entitled from the Preservation 2000~~
 1655 ~~Trust Fund to any budget entity or any water management district~~
 1656 ~~that has more than one-third of its management plans overdue.~~

1657 2. The requirements of subparagraph 1. do not apply to the
 1658 individual management plan for the Babcock Crescent B Ranch
 1659 being acquired pursuant to s. 259.1052. The management plan for
 1660 the ranch shall be adopted and in place no later than 2 years
 1661 following the date of acquisition by the state.

1662 (e) Individual land management plans shall conform to the
 1663 appropriate policies and guidelines of the state land management
 1664 plan and shall include, but not be limited to:

1665 1. A statement of the purpose for which the lands were
 1666 acquired, the projected use or uses as defined in s. 253.034,
 1667 and the statutory authority for such use or uses.

1668 2. Key management activities necessary to achieve the
 1669 desired future conditions, including but not limited to
 1670 providing public access, preserving and protecting natural
 1671 resources, protecting cultural and historical resources,
 1672 restoring and repopulating habitat, protecting imperiled
 1673 species, controlling the spread of nonnative plants and animals,
 1674 performing prescribed fire activities and other appropriate
 1675 resource management ~~preserve and protect natural resources and~~
 1676 ~~restore habitat, and for controlling the spread of nonnative~~
 1677 ~~plants and animals, and for prescribed fire and other~~
 1678 ~~appropriate resource management activities.~~

1679 3. A specific description of how the managing agency plans

1680 to identify, locate, protect, and preserve, or otherwise use
 1681 fragile, nonrenewable natural and cultural resources.

1682 4. A ~~priority~~ schedule for conducting restoration and
 1683 management activities, based on the short-term, long-term, and
 1684 desired future condition provided in the land management plan
 1685 ~~purposes for which the lands were acquired.~~

1686 5. A cost estimate for conducting ~~priority~~ management
 1687 activities, ~~to include recommendations for cost-effective~~
 1688 ~~methods of accomplishing those activities,~~ including utilizing
 1689 the private sector.

1690 6. A cost estimate for conducting other management
 1691 activities which would enhance the natural resource value or
 1692 public recreation value for which the lands were acquired. The
 1693 cost estimate shall include recommendations for cost-effective
 1694 methods of accomplishing those activities.

1695 7. A determination of the public uses and public access
 1696 that are to be provided ~~would be consistent with the purposes~~
 1697 ~~for which the lands were acquired.~~

1698 (f) The Division of State Lands shall submit a copy of
 1699 each individual management plan ~~for parcels which exceed 160~~
 1700 ~~acres in size~~ to each member of the Acquisition and Restoration
 1701 Council ~~Land Acquisition and Management Advisory Council or its~~
 1702 ~~successor,~~ which shall:

1703 1. Within 60 days after receiving a plan from the
 1704 division, review each plan for compliance with the requirements
 1705 of chapter 253, this subsection and with the requirements of the
 1706 rules established by the board pursuant to this subsection.

1707 2. Consider the propriety of the recommendations of the

1708 managing agency with regard to the future use or protection of
 1709 the property.

1710 3. After its review, submit the plan, along with its
 1711 recommendations and comments, to the board of trustees, with
 1712 recommendations as to whether to approve the plan as submitted,
 1713 ~~approve the plan with modifications,~~ or reject the plan.

1714 (g) The board of trustees shall consider the individual
 1715 management plan submitted by each state agency and the
 1716 recommendations of the Acquisition and Restoration Council ~~and~~
 1717 ~~Acquisition and Management Advisory Council, or its successor,~~
 1718 and the Division of State Lands and shall approve the plan ~~with~~
 1719 ~~or without modification~~ or reject such plan. The use or
 1720 possession of any lands owned by the board of trustees which is
 1721 not in accordance with an approved individual management plan is
 1722 subject to termination by the board of trustees.

1723
 1724 By July 1 of each year, each governmental agency and each
 1725 private entity designated to manage lands shall report to the
 1726 Division of State Lands ~~Secretary of Environmental Protection~~ on
 1727 the progress of funding, staffing, and resource management of
 1728 every project for which the agency or entity is responsible.

1729 (11) (a) The Legislature recognizes that acquiring lands
 1730 pursuant to this chapter serves the public interest by
 1731 protecting land, air, and water resources which contribute to
 1732 the public health and welfare, providing areas for natural
 1733 resource based recreation, and ensuring the survival of unique
 1734 and irreplaceable plant and animal species. The Legislature
 1735 intends for these lands to be managed and maintained for the

1736 purposes for which they were acquired and for the public to have
 1737 access to and use of these lands if it will ~~where it is~~
 1738 ~~consistent with acquisition purposes and would~~ not harm the
 1739 resources the state is seeking to protect, restore and manage on
 1740 the public's behalf.

1741 (b) An amount not less than ~~up to~~ 1.5 percent of the
 1742 cumulative total of funds ever deposited into the Florida
 1743 Preservation 2000 Trust Fund and the Florida Forever Trust Fund
 1744 shall be made available for the purposes of restoration,
 1745 management, maintenance, and capital improvements not eligible
 1746 for funding pursuant to s. 11(e), Art. VII of the State
 1747 Constitution, and for associated contractual services, for lands
 1748 managed acquired pursuant to this section, ~~s. 259.101, s.~~
 1749 ~~259.105, s. 259.1052,~~ or previous programs for the acquisition
 1750 of lands for conservation and recreation, including state
 1751 forests, to which title is vested in the board of trustees and
 1752 other conservation and recreation lands managed by a state
 1753 agency. Of this amount, \$250,000 shall be transferred annually
 1754 to the Plant Industry Trust Fund within the Department of
 1755 Agriculture and Consumer Services for the purpose of
 1756 implementing the Endangered or Threatened Native Flora
 1757 Conservation Grants Program pursuant to s. 581.185(11). Each
 1758 agency with management responsibilities shall annually request
 1759 from the Legislature funds sufficient to fulfill such
 1760 responsibilities to implement individual land management plans
 1761 developed under s. 253.034. For the purposes of this paragraph,
 1762 capital improvements shall include, but need not be limited to,
 1763 habitat restoration, perimeter fencing, signs, firelanes, access

1764 roads and trails, and minimal public accommodations, such as
 1765 primitive campsites, garbage receptacles, and toilets. Any
 1766 equipment purchased with funds provided pursuant to this
 1767 paragraph may be used for appropriate land management activities
 1768 ~~the purposes described in this paragraph on any conservation and~~
 1769 ~~recreation lands managed by a state agency.~~

1770 (c) The Secretary of the Department of Environmental
 1771 Protection, the Executive Director of the Fish and Wildlife
 1772 Conservation Commission, and the Commissioner of Agriculture
 1773 shall prepare and deliver a report to the board of trustees, the
 1774 President of the Senate and the Speaker of the House of
 1775 Representatives no later than December 31, 2008 that provides an
 1776 interim management formula and a long-term management formula,
 1777 and the methodologies used to develop the formulas, which shall
 1778 be used to allocate land management ~~in requesting~~ funds provided
 1779 for in paragraph (b) for interim and long-term management of all
 1780 acquisitions pursuant to this chapter and for associated
 1781 contractual services. The methodology and formula for interim
 1782 management shall be based on the land acquisitions from the
 1783 prior year. The methodology and formula for long-term management
 1784 shall consider, but not be limited to, the following, ~~the~~
 1785 ~~managing agencies shall recognize the following categories of~~
 1786 ~~land management needs:~~

1787 1. The level and complexity of resource management
 1788 activities required for each of the natural community
 1789 categories, groups and types provided in s. 253.0325(2) and the
 1790 related management activities necessary to obtain the land
 1791 management goals provided in s. 253.034, including but not

1792 limited to:

1793 a. The acres of land that require minimal effort for

1794 resource preservation or restoration.

1795 b. The acres of land that require moderate effort for

1796 resource preservation or restoration.

1797 c. The acres of land that require significant effort for

1798 resource preservation or restoration.

1799 2. The level and complexity of management intensity

1800 required to provide public access, including but not limited to:

1801 a. The acres of land which require minimal effort – these

1802 lands generally are open to the public but offer no more than

1803 minimally developed facilities;

1804 b. The acres of land which require moderate effort – these

1805 lands typically have a high degree of public use and offer

1806 highly developed facilities;

1807 c. The acres of land which require significant effort –

1808 these lands generally are sites with historic significance or

1809 unique natural features, and a very high degree of public use.

1810 3. The location, size and nature of the tract.

1811 4. The monitoring activities required pursuant s.253.034.

1812 5. The acres of land with a secondary manager contributing

1813 to the over-all management effort.

1814 6. The anticipated revenues generated from management,

1815 restoration and repopulation of the lands.

1816 7. The acres of land with infestations of non-native or

1817 invasive plants, animals, or fish.

1818 ~~1. Lands which are low-need tracts, requiring basic~~

1819 ~~resource management and protection, such as state reserves,~~

1820 ~~state preserves, state forests, and wildlife management areas.~~
 1821 ~~These lands generally are open to the public but have no more~~
 1822 ~~than minimum facilities development.~~

1823 ~~2. Lands which are moderate need tracts, requiring more~~
 1824 ~~than basic resource management and protection, such as state~~
 1825 ~~parks and state recreation areas. These lands generally have~~
 1826 ~~extra restoration or protection needs, higher concentrations of~~
 1827 ~~public use, or more highly developed facilities.~~

1828 ~~3. Lands which are high need tracts, with identified needs~~
 1829 ~~requiring unique site specific resource management and~~
 1830 ~~protection. These lands generally are sites with historic~~
 1831 ~~significance, unique natural features, or very high intensity~~
 1832 ~~public use, or sites that require extra funds to stabilize or~~
 1833 ~~protect resources, such as lands with heavy infestations of~~
 1834 ~~nonnative, invasive plants.~~

1835
 1836 Any such formula derived shall describe the factors used and not
 1837 used. Beginning July 1, 2010, no funds provided in paragraph (b)
 1838 shall be allocated, distributed or expended until the allocation
 1839 formula for funding land management activities has been adopted
 1840 by the Legislature. Until the adoption of the formula described
 1841 in the paragraph, interim and long-term management dollars will
 1842 continue to be allocated and disbursed under existing methods.
 1843 Upon adoption, the allocation formula will be used in the
 1844 allocation and distribution of funds provided in paragraph (b).
 1845 ~~In evaluating the management funding needs of lands based on the~~
 1846 ~~above categories, the lead land managing agencies shall include~~
 1847 ~~in their considerations the impacts of, and needs created or~~

1848 ~~addressed by, multiple use management strategies.~~

1849 (d) All revenues generated through multiple-use management
 1850 or compatible secondary-use management shall be returned to the
 1851 lead agency responsible for such management and shall be used to
 1852 pay for management activities on all conservation, preservation,
 1853 and recreation lands under the agency's jurisdiction. In
 1854 addition, such revenues shall be segregated in an agency trust
 1855 fund and shall remain available to the agency in subsequent
 1856 fiscal years to support land management appropriations. For the
 1857 purposes of this paragraph, compatible secondary-use management
 1858 shall be those activities described in subsection (9) undertaken
 1859 on parcels designated as single use pursuant to s.
 1860 253.034(2)(b).

1861 (e) Up to one-fifth of the funds provided for in paragraph
 1862 (b) shall be reserved by the board of trustees for initial
 1863 restoration activities and interim management of acquisitions
 1864 and for associated contractual services, to ensure the
 1865 conservation and protection of natural resources on project
 1866 sites and to allow limited public recreational use of lands.
 1867 Interim management activities may include, but not be limited
 1868 to, resource assessments, control of invasive, nonnative
 1869 species, habitat restoration, fencing, law enforcement,
 1870 controlled burning, and public access consistent with
 1871 preliminary determinations made pursuant to paragraph (9)(g).
 1872 The board of trustees shall make these interim funds available
 1873 immediately upon purchase.

1874 (f) The Land Management Uniform Accounting Council
 1875 ~~department~~ shall set long-range and annual goals for the control

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1876 and removal of nonnative, invasive plant species on state public
 1877 lands. Such goals shall differentiate between aquatic plant
 1878 species and upland plant species. In setting such goals, the
 1879 department may rank, in order of adverse impact, species that
 1880 impede or destroy the functioning of natural systems.

1881 Notwithstanding paragraph (a), up to one-fourth of the funds
 1882 provided for in paragraph (b) may be used by the agencies
 1883 receiving those funds for control and removal of nonnative,
 1884 invasive species on public lands.

1885 ~~(g) In addition to the purposes specified in paragraph~~
 1886 ~~(b), funds from the 1.5 percent of the cumulative total of funds~~
 1887 ~~ever deposited into the Florida Preservation 2000 Trust Fund and~~
 1888 ~~the Florida Forever Trust Fund may be appropriated for the 2006-~~
 1889 ~~2007 fiscal year for the construction of replacement museum~~
 1890 ~~facilities. This paragraph expires July 1, 2007.~~

1891 (12) (a) Beginning July 1, 1999, the Legislature shall make
 1892 available sufficient funds annually from the Conservation and
 1893 Recreation Lands Trust Fund to the department for payment in
 1894 lieu of taxes to qualifying counties and local governments as
 1895 defined in paragraph (b) for all actual tax losses incurred as a
 1896 result of board of trustees acquisitions for state agencies
 1897 under the Florida Forever program or the Florida Preservation
 1898 2000 program during any year. Reserved funds not used for
 1899 payments in lieu of taxes in any year shall revert to the fund
 1900 to be used for land management in accordance with the provisions
 1901 of this section.

1902 (b) Payment in lieu of taxes shall be available:

1903 1. To all counties that have a population of 150,000 or

1904 fewer. Population levels shall be determined pursuant to s.
 1905 11.031.

1906 2. To all local governments located in eligible counties.

1907 3. To Glades County, where a privately owned and operated
 1908 prison leased to the state has recently been opened and where
 1909 privately owned and operated juvenile justice facilities leased
 1910 to the state have recently been constructed and opened, a
 1911 payment in lieu of taxes, in an amount that offsets the loss of
 1912 property tax revenue, which funds have already been appropriated
 1913 and allocated from the Department of Correction's budget for the
 1914 purpose of reimbursing amounts equal to lost ad valorem taxes.

1915 (c) If insufficient funds are available in any year to
 1916 make full payments to all qualifying counties and local
 1917 governments, such counties and local governments shall receive a
 1918 pro rata share of the moneys available.

1919 (d) The payment amount shall be based on the average
 1920 amount of actual taxes paid on the property for the 3 years
 1921 preceding acquisition. Applications for payment in lieu of taxes
 1922 shall be made no later than January 31 of the year following
 1923 acquisition. No payment in lieu of taxes shall be made for
 1924 properties which were exempt from ad valorem taxation for the
 1925 year immediately preceding acquisition.

1926 (e) If property which was subject to ad valorem taxation
 1927 was acquired by a tax-exempt entity for ultimate conveyance to
 1928 the state under this chapter, payment in lieu of taxes shall be
 1929 made for such property based upon the average amount of taxes
 1930 paid on the property for the 3 years prior to its being removed
 1931 from the tax rolls. The department shall certify to the

1932 Department of Revenue those properties that may be eligible
 1933 under this provision. Once eligibility has been established, for
 1934 a county, and local governments within that county, whose
 1935 population is less than 150,000 residents, shall continue to
 1936 receive annual payments for each tax loss. Once a county has a
 1937 population of 150,000 or more, payments shall end. However, no
 1938 eligible ~~that~~ county or local government shall receive less than
 1939 10 consecutive annual payments for each tax loss, and no further
 1940 eligibility determination shall be made during that period.

1941 (f) Payment in lieu of taxes pursuant to this subsection
 1942 shall be made annually to qualifying counties and local
 1943 governments after certification by the Department of Revenue
 1944 that the amounts applied for are reasonably appropriate, based
 1945 on the amount of actual taxes paid on the eligible property.
 1946 With the assistance of the local government requesting payment
 1947 in lieu of taxes, the state agency that acquired the land is
 1948 responsible for preparing and submitting application requests
 1949 for payment to the Department of Revenue for certification.

1950 (g) If the board of trustees conveys to a local government
 1951 title to any land owned by the board, any payments in lieu of
 1952 taxes on the land made to the local government shall be
 1953 discontinued as of the date of the conveyance.

1954
 1955 For the purposes of this subsection, "local government" includes
 1956 municipalities, the county school board, mosquito control
 1957 districts, and any other local government entity which levies ad
 1958 valorem taxes, with the exception of a water management
 1959 district.

1960 (13) Moneys credited to the fund each year which are not
 1961 used for restoration, management, maintenance, or capital
 1962 improvements pursuant to subsection (11); for payment in lieu of
 1963 taxes pursuant to subsection (12); or for the purposes of
 1964 subsection (5), shall be available for the acquisition of land
 1965 pursuant to this section.

1966 (14) The board of trustees may adopt rules to further
 1967 define the categories of land for acquisition under this
 1968 chapter.

1969 (15) Within 90 days after receiving a certified letter
 1970 from the owner of a property on the Conservation and Recreation
 1971 Lands list or the priority list established pursuant to s.
 1972 259.105 objecting to the property being included in an
 1973 acquisition project, where such property is a project or part of
 1974 a project which has not been listed for purchase in the current
 1975 year's land acquisition work plan, the board of trustees shall
 1976 delete the property from the list or from the boundary of an
 1977 acquisition project on the list.

1978 Section 13. Section 259.0322, Florida Statutes, is amended
 1979 to read:

1980 259.0322 Reinstitution of payments in lieu of taxes;
 1981 duration.--If the Department of Environmental Protection has
 1982 made a payment in lieu of taxes to a governmental entity and
 1983 subsequently suspended such payment, the department shall
 1984 reinstitute appropriate payments and continue the payments for
 1985 each tax loss as long as the eligible county's population stays
 1986 below 150,000 residents. Once an eligible county has a
 1987 population that reaches or exceed 150,000 residents, payments to

1988 the county or local government for each tax loss will cease.
 1989 However, no eligible county or local government shall receive
 1990 less than 10 consecutive annual payments for each tax loss in
 1991 ~~consecutive years until the governmental entity has received a~~
 1992 ~~total of 10 payments for each tax loss.~~

1993 Section 14. Section 259.035, Florida Statutes, is amended
 1994 to read:

1995 259.035 Acquisition and Restoration Council.--

1996 (1) There is created the Acquisition and Restoration
 1997 Council.

1998 (a) The council shall be composed of nine voting members,
 1999 two ~~four~~ of whom shall be appointed by the Governor. These two
 2000 ~~four~~ appointees shall be from ~~scientific~~ disciplines related to
 2001 public recreation, public land use administration ~~land, water,~~
 2002 or environmental sciences. One member shall be appointed by
 2003 Commissioner of Agriculture. The appointee shall be from a
 2004 discipline related to agriculture, including silviculture. One
 2005 member shall be appointed by the Fish and Wildlife Conservation
 2006 Commission. The appointee shall be from a discipline related to
 2007 wildlife management or wildlife ecology. The appointed members
 2008 ~~They~~ shall serve 4-year terms, except that, initially, to
 2009 provide for staggered terms, two of the appointees shall serve
 2010 2-year terms. All subsequent appointments shall be for 4-year
 2011 terms. No appointee shall serve more than 6 years. The Governor
 2012 and the Commissioner of Agriculture shall fill the first two
 2013 vacancies with one appointment each. The subsequent two
 2014 vacancies shall be filled by the Governor and Fish and Wildlife
 2015 Conservation Commission. The Governor, Commissioner of

2016 Agriculture, or the Fish and Wildlife Conservation Commission
 2017 may at any time fill a vacancy for their respective appointment
 2018 for the unexpired term of a member appointed under this
 2019 paragraph.

2020 (b) The five remaining appointees shall be composed of the
 2021 Secretary of Environmental Protection, the director of the
 2022 Division of Forestry of the Department of Agriculture and
 2023 Consumer Services, the executive director of the Fish and
 2024 Wildlife Conservation Commission, the director of the Division
 2025 of Historical Resources of the Department of State, and the
 2026 ~~secretary of~~ the Director of Community Planning of the
 2027 Department of Community Affairs, or their respective designees.

2028 (c) The Governor shall appoint the chair of the council,
 2029 and a vice chair shall be elected from among the members.

2030 (d) The council shall hold periodic meetings at the
 2031 request of the chair.

2032 (e) The Department of Environmental Protection shall
 2033 provide primary staff support to the council and shall ensure
 2034 that council meetings are electronically recorded. Such
 2035 recording shall be preserved pursuant to chapters 119 and 257.

2036 (f) The board of trustees has authority to adopt rules
 2037 pursuant to ss. 120.536(1) and 120.54 to implement the
 2038 provisions of this section.

2039 (2) The four appointed members of the council ~~appointed by~~
 2040 ~~the Governor shall receive \$75 per day while engaged in the~~
 2041 ~~business of the council, as well as~~ shall receive reimbursement
 2042 for expenses and per diem for travel to attend council,
 2043 ~~including attendance at~~ meetings, as allowed state officers and

2044 employees while in the performance of their duties, pursuant to
 2045 s. 112.061.

2046 (3) The council shall provide assistance to the board of
 2047 trustees in reviewing the recommendations and plans for state-
 2048 owned lands required under ss. 253.034 and 259.032. The council
 2049 shall, in reviewing such recommendations and plans, consider the
 2050 optimization of multiple-use and conservation strategies to
 2051 accomplish the provisions funded pursuant to ss. 259.101(3)(a)
 2052 and 259.105(3)(b).

2053 (4) (a) The council may use existing rules adopted by the
 2054 board of trustees, until it develops and recommends amendments
 2055 to those rules, to competitively evaluate, select, and rank
 2056 projects eligible for the Conservation and Recreation Lands list
 2057 pursuant to ss. 259.032(3) and 259.101(4) ~~and, beginning no~~
 2058 ~~later than May 1, 2001, for Florida Forever funds pursuant to s.~~
 2059 ~~259.105(3)(b).~~

2060 (b) By December 1, 2009, the Acquisition and Restoration
 2061 Council shall develop rules defining specific criteria and
 2062 numeric performance measures needed for lands that are to be
 2063 acquired for public purpose under the Florida Forever program
 2064 pursuant to s. 259.105. Each recipient of Florida Forever funds
 2065 shall assist the council in the development of such rules. These
 2066 rules shall be reviewed and adopted by the Board of Trustees
 2067 then submitted to the Legislature for consideration by February
 2068 1, 2010. The Legislature may reject, modify, or approve the
 2069 proposed rules. Each recipient of Florida Forever funds shall
 2070 annually report to the Division of State Lands on each of the
 2071 numeric performance measures accomplished during the previous

2072 fiscal year.

2073 (c) In developing or amending the rules, the council shall
 2074 give weight to the criteria included in s. 259.105(10). The
 2075 board of trustees shall review the recommendations and shall
 2076 adopt rules necessary to administer this section.

2077 (5) An affirmative vote of five members of the council is
 2078 required in order to change a project boundary or to place a
 2079 proposed project on a list developed pursuant to subsection (4).
 2080 Any member of the council who by family or a business
 2081 relationship has a connection with all or a portion of any
 2082 proposed project shall declare the interest before voting on its
 2083 inclusion on a list.

2084 (6) The proposal for a project pursuant to this section or
 2085 s. 259.105(3)(b) may be implemented only if adopted by the
 2086 council and approved by the board of trustees. The council shall
 2087 consider and evaluate in writing the merits and demerits of each
 2088 project that is proposed for Conservation and Recreation Lands,
 2089 Florida Preservation 2000, or Florida Forever funding and shall
 2090 ensure that each proposed project will meet a stated public
 2091 purpose for the restoration, conservation, or preservation of
 2092 environmentally sensitive lands and water areas or for providing
 2093 ~~outdoor~~ recreational opportunities. The council also shall
 2094 determine whether the project conforms, where applicable, with
 2095 the comprehensive plan developed pursuant to s. 259.04(1)(a),
 2096 the comprehensive multipurpose outdoor recreation plan developed
 2097 pursuant to s. 375.021, the state lands management plan adopted
 2098 pursuant to s. 253.03(7), the water resources work plans

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2099 developed pursuant to s. 373.199, and the provisions of s.
 2100 259.032, s. 259.101, or s. 259.105, whichever is applicable.

2101
 2102 Section 15. Section 259.036, Florida Statutes, is amended
 2103 to read:

2104 259.036 Management review teams.--

2105 (1) To determine whether conservation, preservation, and
 2106 recreation lands titled in the name of the Board of Trustees of
 2107 the Internal Improvement Trust Fund are being managed ~~for the~~
 2108 ~~purposes for which they were acquired and in accordance with a~~
 2109 ~~land management plan adopted pursuant to s. 259.032, to achieve~~
 2110 the long-term management goals of the land management plans
 2111 provided in s. 253.034, the board of trustees, acting through
 2112 the Division of State Lands ~~Department of Environmental~~
 2113 ~~Protection~~, shall cause periodic management reviews to be
 2114 conducted as follows:

2115 (a) The Division of State Lands ~~department~~ shall establish
 2116 a regional land management review team composed of the following
 2117 members:

2118 1. One individual who is from the county or local
 2119 community in which the parcel or project is located and who is
 2120 selected by the county commission in the county which is most
 2121 impacted by the acquisition.

2122 2. One individual from the Division of Recreation and
 2123 Parks of the department or one individual from the department's
 2124 district office in which the parcel is located.

2125 3. One individual from the Division of Forestry of the
 2126 Department of Agriculture and Consumer Services with applied

2127 land management experience.

2128 4. One individual from the Fish and Wildlife Conservation
2129 Commission with applied wildlife habitat experience.

2130 5. ~~One individual from the department's district office in~~
2131 ~~which the parcel is located~~ A private land manager selected by
2132 the Commissioner of Agriculture.

2133 6. A private land manager selected by the executive
2134 director of the Fish and Wildlife Conservation Commission
2135 ~~mutually agreeable to the state agency representatives.~~

2136 7. A member selected by ~~of~~ the local soil and water
2137 conservation district board of supervisors.

2138 8. A member of a conservation organization selected by the
2139 Division of State Lands.

2140 (b) The staff of the Division of State Lands shall act as
2141 the review team coordinator for the purposes of establishing
2142 schedules for the reviews and other staff functions. ~~The~~
2143 ~~Legislature shall appropriate funds necessary to implement land~~
2144 ~~management review team functions.~~

2145 (2) The land management review team shall review select
2146 management areas prior to the date the manager is required to
2147 submit a 10-year land management plan update. ~~For management~~
2148 ~~areas that exceed 1,000 acres in size, the Division of State~~
2149 ~~Lands shall schedule a land management review at least every 5~~
2150 ~~years.~~ A copy of the review shall be provided to the land
2151 manager, the Acquisition and Restoration Council, and the
2152 Division of State Lands for incorporation into land management
2153 plan, and the Acquisition and Restoration Council. The land
2154 manager and the Acquisition and Restoration Council shall

2155 consider the findings and recommendations of the land management
 2156 review team in finalizing the required 10-year update of the
 2157 land its management plan.

2158 (3) In conducting a review, the land management review
 2159 team shall evaluate the extent to which the existing management
 2160 plan provides sufficient protection to threatened or endangered
 2161 species, unique or important natural or physical features,
 2162 geological or hydrological functions, or archaeological
 2163 features. The review shall also evaluate the extent to which the
 2164 land is being managed to achieve the goals of the land
 2165 management plans provided in s. 253.034 ~~for the purposes for~~
 2166 ~~which it was acquired~~ and the degree to which actual management
 2167 practices, including public access, are in compliance with the
 2168 adopted management plan. As part of the review, the land
 2169 management review teams shall consider and review the biennial
 2170 reports and audits provided under 253.034(d).

2171 (4) In the event a land management plan has not been
 2172 adopted within the timeframes specified in s. 259.032(10), the
 2173 Division of State Lands shall ~~department may~~ direct a management
 2174 review of the property, to be conducted by the land management
 2175 review team. The review shall consider the extent to which the
 2176 land is being managed for the purposes for which it was acquired
 2177 and the degree to which actual management practices are in
 2178 compliance with the management policy statement and management
 2179 prospectus for that property.

2180 (5) If the land management review team determines that
 2181 reviewed lands are not being managed to achieve the goals of the
 2182 land management plans provided in s. 253.034 ~~for the purposes~~

2183 ~~for which they were acquired~~ or in compliance with the adopted
 2184 land management plan, management policy statement, or management
 2185 prospectus, or if the managing agency fails to address the
 2186 review findings in the updated management plan, the Division of
 2187 State Lands ~~department~~ shall provide the review findings to the
 2188 board, and the managing agency must report to the board ~~its~~
 2189 ~~reasons for managing the lands as it has.~~

2190 (6) No later than the second board meeting following the
 2191 submittal of the review in October of each year, the Division of
 2192 State Lands and the land manager shall ~~department shall report~~
 2193 the annual review findings of the ~~its~~ land management review
 2194 team to the board of trustees.

2195 (6) No later than the second board meeting in October of
 2196 each year, the department shall report the annual review
 2197 findings of its land management review team.

2198 Section 16. Section 259.037, Florida Statutes, is amended
 2199 to read:

2200 259.037 Land Management Uniform Accounting Council.--

2201 (1) The Land Management Uniform Accounting Council is
 2202 created within the Department of Environmental Protection and
 2203 shall consist of the director of the Division of State Lands,
 2204 the director of the Division of Recreation and Parks, the
 2205 director of the Office of Coastal and Aquatic Managed Areas, and
 2206 the director of the Office of Greenways and Trails of the
 2207 Department of Environmental Protection; the director of the
 2208 Division of Forestry of the Department of Agriculture and
 2209 Consumer Services; the executive director of the Fish and
 2210 Wildlife Conservation Commission; and the director of the

2211 Division of Historical Resources of the Department of State, or
 2212 their respective designees. Each state agency represented on the
 2213 council shall have one vote. The chair of the council shall
 2214 rotate annually in the foregoing order of state agencies. The
 2215 agency of the representative serving as chair of the council
 2216 shall provide staff support for the council. The Division of
 2217 State Lands shall serve as the recipient of and repository for
 2218 the council's documents. The council shall meet at the request
 2219 of the chair.

2220 (2) The Auditor General and the director of the Office of
 2221 Program Policy Analysis and Government Accountability, or their
 2222 designees, shall advise the council to ensure that appropriate
 2223 accounting procedures are utilized and that a uniform method of
 2224 collecting and reporting accurate costs of land management
 2225 activities are created and can be used by all agencies and
 2226 legislature.

2227 (3) (a) All land management activities and costs must be
 2228 assigned to a specific category, and any single activity or cost
 2229 may not be assigned to more than one category. Administrative
 2230 costs, such as planning or training, shall be segregated from
 2231 other management activities. Specific management activities and
 2232 costs must initially be grouped, at a minimum, within the
 2233 following categories:

- 2234 1. ~~(a)~~ Resource management.
- 2235 2. Restoration.
- 2236 3. Visitor Services.
- 2237 4. ~~(b)~~ Administration.
- 2238 5. Support

2239 6. Law Enforcement

2240 7. ~~(e)~~ New capital improvement and infrastructure facility

2241 construction.

2242 8. ~~(d)~~ Capital improvement and infrastructure Facility

2243 maintenance.

2244 (b) Each reporting agency shall also:

2245 1. List the acres of land requiring minimal management

2246 effort, moderate management effort, and significant management

2247 effort pursuant to s. 259.032(11)(c). For each category they

2248 shall include the amount of funds requested, the amount of funds

2249 received and the amount of funds expended for land management.

2250 2. Include a report of the available public use

2251 opportunities for each tract of state land and the total

2252 management cost for public access and public use and the cost

2253 associated with each use option.

2254 3. List acres managed and cost of management for each park,

2255 preserve, forest, reserve, or management area.

2256 4. List acres managed, cost of management and lead manager

2257 for state lands tracts for which secondary management activities

2258 were provided.

2259

2260 Upon adoption of the initial list of land management categories

2261 by the council, agencies assigned to manage conservation or

2262 recreation lands shall, on July 1, 2000, begin to account for

2263 land management costs in accordance with the category to which

2264 an expenditure is assigned. Beginning July 1, 2010, all such

2265 costs shall be tied to the land management plan.

2266

2267 (4) The council shall report agencies' expenditures
 2268 pursuant to the adopted categories to the President of the
 2269 Senate and the Speaker of the House of Representatives annually,
 2270 beginning July 1, 2001. The council shall also provide this
 2271 report to the Acquisition and Restoration Council and the
 2272 Division of State Lands for inclusion in its annual report
 2273 required pursuant to s.259.036 ~~s. 259.105~~. Beginning July 1,
 2274 2010, the council shall conduct a review every five years and
 2275 report back to legislature the value added by the report and
 2276 shall provide a recommendation as to revising the reporting
 2277 requirements.

2278 (5) Should the council determine that the list of land
 2279 management categories needs to be revised, it shall meet upon
 2280 the call of the chair.

2281 Section 17. Paragraph (a) of subsection (1) of section
 2282 259.04, Florida Statutes, is amended to read:

2283 259.04 Board; powers and duties.--

2284 (1) For projects and acquisitions selected for purchase
 2285 pursuant to ss. 259.035, 259.101, and 259.105:

2286 (a) The board is given the responsibility, authority, and
 2287 power to develop and execute a comprehensive, statewide 5-year
 2288 plan to conserve, restore, and protect environmentally
 2289 endangered lands, ecosystems, lands necessary for ~~outdoor~~
 2290 recreational needs, and other lands as identified in ss.
 2291 259.032, 259.101, and 259.105. This plan shall be consistent
 2292 with the rules adopted pursuant to s. 259.035(1)(b) and kept
 2293 current through continual reevaluation and revision. The

2294 advisory council or its successor shall assist the board in the
 2295 development, reevaluation, and revision of the plan.

2296 Section 18. Subsection (1), (2), (3), and (7) of section
 2297 259.041, Florida Statutes, is amended to read:

2298 259.041 Acquisition of state-owned lands for preservation,
 2299 conservation, and recreation purposes.--

2300 (1) Neither the Board of Trustees of the Internal
 2301 Improvement Trust Fund nor its duly authorized agent shall
 2302 commit the state, through any instrument of negotiated contract
 2303 or agreement for purchase, to the purchase of lands with or
 2304 without appurtenances unless the provisions of this section have
 2305 been fully complied with. Except for the requirements of
 2306 subsections (3), (7), (14), and (15), the board of trustees may
 2307 waive any requirements of this section, may waive any rules
 2308 adopted pursuant to this section, notwithstanding chapter 120,
 2309 or may substitute other reasonably prudent procedures, provided
 2310 the public's interest is reasonably protected. The title to
 2311 lands acquired pursuant to this section shall vest in the board
 2312 of trustees as provided in s. 253.03(1), unless otherwise
 2313 provided by law, and all such titled lands shall be administered
 2314 pursuant to the provisions of s. 253.03.

2315 (2) The board of trustees has authority to adopt rules
 2316 pursuant to ss. 120.536(1) and 120.54 to implement the
 2317 provisions of this section, including rules governing the terms
 2318 and conditions of land purchases. Such rules shall address with
 2319 specificity, but not be limited to:

2320 (a) The procedures to be followed in the acquisition
 2321 process, including selection of appraisers, surveyors, title
 2322 agents and closing agents, and the content of appraisal reports.

2323 (b) The determination of the value of parcels which the
 2324 state has an interest to acquire.

2325 (c) Special requirements when multiple landowners are
 2326 involved in an acquisition.

2327 (d) Requirements for obtaining written option agreements
 2328 so that the interests of the state are fully protected.

2329 (e) Special requirements when multiple purchasers are
 2330 involved in an acquisition.

2331 (3) No agreement to acquire real property for the purposes
 2332 described in this chapter, chapter 260, or chapter 375, title to
 2333 which will vest in the board of trustees, may bind the state
 2334 unless and until the agreement has been reviewed and approved by
 2335 the Division of State Lands ~~Department of Environmental~~
 2336 ~~Protection~~ as complying with the requirements of this section
 2337 and any rules adopted pursuant to this section. When the state
 2338 is a party to a joint acquisition in which another entity is
 2339 contributing to the agreed contract price, the state
 2340 contribution shall not exceed the difference between the
 2341 appraised value, as determined by the state, and the sum of the
 2342 contributions of the other parties. Where any of the following
 2343 conditions exist, the agreement shall be submitted to and
 2344 approved by the board of trustees:

2345 (a) The purchase price agreed to by the seller exceeds the
 2346 value as established pursuant to the rules of the board of
 2347 trustees;

2348 (b) The contract price agreed to by the seller and
 2349 acquiring agency exceeds \$1 million;
 2350 (c) The acquisition is the initial purchase in a project;
 2351 or
 2352 (d) Other conditions that the board of trustees may adopt
 2353 by rule. Such conditions may include, but not be limited to,
 2354 projects where title to the property being acquired is
 2355 considered nonmarketable or is encumbered in such a way as to
 2356 significantly affect its management.
 2357
 2358 Where approval of the board of trustees is required pursuant to
 2359 this subsection, the acquiring agency must provide a
 2360 justification as to why it is in the public's interest to
 2361 acquire the parcel or project. Approval of the board of trustees
 2362 also is required for projects the department recommends
 2363 acquiring pursuant to subsections (14) and (15). Review and
 2364 approval of agreements for acquisitions for Florida Greenways
 2365 and Trails Program properties pursuant to chapter 260 may be
 2366 waived by the department in any contract with nonprofit
 2367 corporations that have agreed to assist the department with this
 2368 program. Where the contribution of the acquiring agency exceeds
 2369 \$100 million in any one fiscal year, the agreement shall be
 2370 submitted to and approved by the Legislative Budget Commission.
 2371 (7) Prior to approval by the board of trustees or, when
 2372 applicable, the Department of Environmental Protection, of any
 2373 agreement to purchase land pursuant to this chapter, chapter
 2374 260, or chapter 375, and prior to negotiations with the parcel
 2375 owner to purchase any other land, title to which will vest in

2376 the board of trustees, an appraisal of the parcel shall be
 2377 required as follows:

2378 (a) The board of trustees shall adopt by rule the method
 2379 for determining the value of parcels sought to be acquired by
 2380 state agencies pursuant to this section.

2381 (b) Each parcel to be acquired shall have at least one
 2382 appraisal. Two appraisals are required when the estimated value
 2383 of the parcel exceeds \$500,000. When two appraisals are
 2384 required, one appraiser shall be selected by the Department of
 2385 Agriculture and Consumer Services. When ~~However,~~ when both
 2386 appraisals exceed \$500,000 and differ significantly, a third
 2387 appraisal shall ~~may~~ be obtained, with the Department of
 2388 Financial Services selecting the third appraiser. Two appraisals
 2389 shall be considered to differ significantly if the higher of the
 2390 two values exceeds 120% of the lower value. When the estimated
 2391 value of the parcel exceeds \$500,000, the review appraiser shall
 2392 be selected by the Department of Financial Services. To provide
 2393 for payment by the agency selecting the second and third
 2394 appraiser and review appraiser, as required by this section, the
 2395 Department of Environmental Protection shall enter into
 2396 interagency agreements with the Department of Agriculture and
 2397 Consumer Services and Department of the Financial Services,
 2398 whereby funds will be transferred to those agencies for that
 2399 purpose upon direction of the selecting agency. All appraisers
 2400 shall be selected from the list of approved appraisers
 2401 maintained by the Division of State Lands in accordance with s.
 2402 253.025(6)(b). When a parcel is estimated to be worth \$100,000
 2403 or less and the director of the Division of State Lands finds

2404 that the cost of obtaining an outside appraisal is not
 2405 justified, an appraisal prepared by the division may be used.
 2406 The state is not required to appraise the value of lands and
 2407 appurtenances that are being donated to the state.

2408 (c) Appraisal fees and associated costs shall be paid by
 2409 the agency proposing the acquisition. The board of trustees
 2410 shall approve qualified fee appraisal organizations. All
 2411 appraisals used for the acquisition of lands pursuant to this
 2412 section shall be prepared by a member of an approved appraisal
 2413 organization or by a state-certified appraiser who meets the
 2414 standards and criteria established in rule by the board of
 2415 trustees. Each fee appraiser selected to appraise a particular
 2416 parcel shall, prior to contracting with the agency or a
 2417 participant in a multiparty agreement, submit to that agency or
 2418 participant an affidavit substantiating that he or she has no
 2419 vested or fiduciary interest in such parcel.

2420 (d) The fee appraiser and the review appraiser ~~for the~~
 2421 ~~agency~~ shall not act in any way that may be construed as
 2422 negotiating with the property owner.

2423 (e) Generally, appraisal reports are confidential and
 2424 exempt from the provisions of s. 119.07(1), for use by the
 2425 agency and the board of trustees, until an option contract is
 2426 executed or, if no option contract is executed, until 2 weeks
 2427 before a contract or agreement for purchase is considered for
 2428 approval by the board of trustees. However, the department has
 2429 the authority, at its discretion, to disclose appraisal reports
 2430 to private landowners during negotiations for acquisitions using
 2431 alternatives to fee simple techniques, if the department

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2432 determines that disclosure of such reports will bring the
2433 proposed acquisition to closure. The Division of State Lands may
2434 also disclose appraisal information to public agencies or
2435 nonprofit organizations that agree to maintain the
2436 confidentiality of the reports or information when joint
2437 acquisition of property is contemplated, or when a public agency
2438 or nonprofit organization enters into a written multiparty
2439 agreement with the division to purchase and hold property for
2440 subsequent resale to the division. In addition, the division may
2441 use, as its own, appraisals obtained by a public agency or
2442 nonprofit organization, provided the appraiser is selected from
2443 the division's list of appraisers and the appraisal is reviewed
2444 and approved by the division. For the purposes of this chapter,
2445 "nonprofit organization" means an organization whose purposes
2446 include the preservation of natural resources, and which is
2447 exempt from federal income tax under s. 501(c)(3) of the
2448 Internal Revenue Code. The agency may release an appraisal
2449 report when the passage of time has rendered the conclusions of
2450 value in the report invalid or when the acquiring agency has
2451 terminated negotiations.

2452 (f) The Division of State Lands may use, as its own,
2453 appraisals obtained by a public agency or nonprofit
2454 organization, provided that the appraiser is selected from the
2455 division's list of appraisers and the appraisal is reviewed and
2456 approved by the division. For the purposes of this chapter, the
2457 term "nonprofit organization" means an organization whose
2458 purposes include the preservation of natural resources and which

2459 | is exempt from federal income tax under s. 501(c)(3) of the
 2460 | Internal Revenue Code.

2461 |
 2462 | Notwithstanding the provisions of this subsection, on behalf of
 2463 | the board and before the appraisal of parcels approved for
 2464 | purchase under this chapter, the Secretary of Environmental
 2465 | Protection or the director of the Division of State Lands may
 2466 | enter into option contracts to buy such parcels. Any such option
 2467 | contract shall state that the final purchase price is subject to
 2468 | approval by the board or, when applicable, the secretary and
 2469 | that the final purchase price may not exceed the maximum offer
 2470 | allowed by law. Any such option contract presented to the board
 2471 | for final purchase price approval shall explicitly state that
 2472 | payment of the final purchase price is subject to an
 2473 | appropriation from the Legislature. The consideration for such
 2474 | an option may not exceed \$1,000 or 0.01 percent of the estimate
 2475 | by the department of the value of the parcel, whichever amount
 2476 | is greater.

2477 | Section 19. Section 259.07, Florida Statutes, is amended
 2478 | to read:

2479 | 259.07 Public meetings.--The council, before making
 2480 | recommendations to the board for the purchase of any land
 2481 | pursuant to s. 259.035, shall hold at least two ~~one or more~~
 2482 | public meetings on the proposed purchase of such land in areas
 2483 | of the state where major portions of such land are situated. At
 2484 | least 30 days in advance of such public meeting, notice shall be
 2485 | published in newspapers of general circulation in the areas
 2486 | where such lands are located, indicating the date, time, and

2487 place of such public meeting. A report of the public meeting
 2488 shall be submitted to the board along with the recommendation
 2489 for purchase of such land.

2490 Section 20. Section 259.105, Florida Statutes, is amended
 2491 to read:

2492 259.105 The Florida Forever Act.-- (1) This section may
 2493 be cited as the "Florida Forever Act."

2494 (2)

2495 (a) The Legislature finds and declares that:

2496 1. Land acquisition programs have ~~The Preservation 2000~~
 2497 ~~program~~ provided tremendous financial resources for purchasing
 2498 environmentally significant lands to protect those lands from
 2499 imminent development or further alteration, and have the
 2500 potential to thwart the conversion of agricultural lands to non-
 2501 agricultural uses, thereby assuring present and future
 2502 generations access to important waterways, open spaces, and
 2503 recreation opportunities and conservation lands.

2504 2. The continued alteration and development of Florida's
 2505 natural and rural areas to accommodate the state's rapidly
 2506 growing population have contributed to the degradation of water
 2507 resources, the fragmentation and destruction of wildlife
 2508 habitats including imperiled species, the loss of outdoor
 2509 recreation space, and the diminishment of wetlands, forests,
 2510 agriculture, working water fronts, coastal open space, and
 2511 public beaches.

2512 3. The potential development of Florida's remaining
 2513 natural areas, agricultural lands and escalation of land values
 2514 require a continuation of government efforts to restore and

2515 manage, bring under public protection, or acquire lands and
 2516 water areas to preserve the state's invaluable quality of life.

2517 4. It is essential to protect the state's ecosystems by
 2518 promoting a more efficient use of land, ensuring opportunities
 2519 for viable agricultural activities on working lands, and to
 2520 promote vital rural communities which support and produce
 2521 development patterns consistent with natural resource protection
 2522 and provide surrogate habitat for wildlife.

2523 5. 4- Florida's groundwater, surface waters, and springs
 2524 are under tremendous pressure due to population growth and
 2525 economic expansion and require special protection and
 2526 restoration efforts, including the protection of uplands and
 2527 springsheds that provide vital recharge to aquifer systems and
 2528 are critical to the protection of water quality and water
 2529 quantity of the aquifers and springs. To ensure that sufficient
 2530 quantities of water are available to meet the current and future
 2531 needs of the natural systems, including springs and springsheds
 2532 that provide vital recharge to aquifer systems, and citizens of
 2533 the state, and assist in achieving the planning goals of the
 2534 department and the water management districts, water resource
 2535 development projects and alternative water supplies as defined
 2536 in s. 373.019 on public lands, where compatible with the
 2537 resource values of land management objectives for the lands, are
 2538 appropriate.

2539 6. 5- The needs of urban, suburban and small communities
 2540 in Florida for high-quality ~~outdoor~~ recreational opportunities,
 2541 greenways, trails, and open space have not been fully met by
 2542 previous acquisition programs. Through such programs as the

2543 Florida Communities Trust and the Florida Recreation Development
 2544 Assistance Program, the state shall place additional emphasis on
 2545 acquiring, protecting, preserving, and restoring open space,
 2546 greenways, and recreation properties within urban suburban and
 2547 rural areas where pristine natural communities or water bodies
 2548 no longer exist because of the proximity of developed property.

2549 7. ~~6.~~ Many of Florida's unique ecosystems, such as the
 2550 Florida Everglades, are facing ecological collapse due to
 2551 Florida's burgeoning population growth and other economic
 2552 activities. To preserve these valuable ecosystems for future
 2553 generations, essential parcels of land must be acquired to
 2554 facilitate ecosystem restoration.

2555 8. ~~7.~~ Access to public lands to support a broad range of
 2556 ~~outdoor~~ recreational opportunities and the development of
 2557 necessary infrastructure, where compatible with the resource
 2558 values of land management objectives for such lands, promotes an
 2559 appreciation for Florida's natural assets and improves the
 2560 quality of life.

2561 9. ~~8.~~ Acquisition of lands, in fee simple, less-than-fee
 2562 interest, or other techniques ~~or in any lesser interest,~~ should
 2563 be based on a comprehensive science-based assessment of
 2564 Florida's natural resources that targets essential conservation
 2565 lands by prioritizing all current and future acquisitions based
 2566 on a uniform set of data and planned so as to protect the
 2567 integrity and function of ecological systems, and working
 2568 landscapes, and provide multiple benefits, including
 2569 preservation of fish and wildlife habitat, recreation space for

2570 urban and ~~as well as~~ rural areas, and the restoration of water
 2571 storage, flow, and recharge. Such acquisition shall be based on
 2572 the rules adopted pursuant s. 259.035.

2573 10. 9- The state has embraced performance-based program
 2574 budgeting as a tool to evaluate the achievements of publicly
 2575 funded agencies, build in accountability, and reward those
 2576 agencies which are able to consistently achieve quantifiable
 2577 goals. While previous and existing state environmental programs
 2578 have achieved varying degrees of success, few of these programs
 2579 can be evaluated as to the extent of their achievements,
 2580 primarily because performance measures, standards, outcomes, and
 2581 goals were not established at the outset. Therefore, the Florida
 2582 Forever program shall be developed and implemented in the
 2583 context of measurable state goals and objectives.

2584 11. The Legislature recognizes that the state must play a
 2585 major role in the recovery and management of its imperiled
 2586 species through the acquisition, restoration, enhancement and
 2587 management of ecosystems which can or could support the major
 2588 life functions of imperiled species. It is the intent of the
 2589 Legislature to support local, state and federal programs that
 2590 provide public and private land owners meaningful incentives to
 2591 restore, manage, and repopulate such imperiled species habitat
 2592 on private lands. It is further the intent of the Legislature
 2593 that public lands, both existing and to be acquired in any
 2594 fashion, be restored, managed, and repopulated as habitat for
 2595 imperiled species to advance the goals and objectives of
 2596 imperiled species management plans approved by the Florida Fish
 2597 and Wildlife Conservation Commission under commission rules

2598 without unnecessarily restricting the use of such land for
 2599 recreational and water supply uses. As part of the state's
 2600 role, state lands which include imperiled species habitat shall
 2601 include as a management activity the restoration, management,
 2602 and repopulation of such habitats. In addition, the primary
 2603 land managers of such state lands may use fees received for
 2604 adverse impacts to imperiled species from private and public
 2605 projects as a means to restore, manage, and repopulate such
 2606 land, and such fees received shall be used as a revenue source
 2607 to implement land management plans developed under 253.034 or
 2608 land management prospectus developed and implemented under this
 2609 chapter

2610 12. 10. It is the intent of the Legislature to change the
 2611 focus and direction of the state's major land acquisition
 2612 programs and to extend funding and bonding capabilities, so that
 2613 the state fulfills its role in the recovery and management of
 2614 Florida's imperiled species consistent with the goals and
 2615 objectives of the imperiled species management plans approved by
 2616 the Florida Fish and Wildlife Conservation Commission under
 2617 commission rules; provides ample access to Florida waterways
 2618 and; enhances adequate water supply to meet the needs of natural
 2619 systems as well as Florida citizens through the implementation
 2620 of alternative supplies and water resource development as
 2621 defined in s. 373.019; ensuring future generations may enjoy the
 2622 natural resources of Florida.

2623 (b) The Legislature recognizes that acquisition is only
 2624 one way to achieve the aforementioned goals and directs the
 2625 state's primary land managers to develop encourages the

2626 ~~development~~ of creative partnerships between governmental
 2627 agencies and private landowners. Such partnerships shall include
 2628 the restoration, repopulation and management of imperiled
 2629 species habitat on state lands as provided for subparagraph (a)
 2630 (10). Easements acquired pursuant to s. 570.71(2)(a) and (b),
 2631 land protection agreements, rural land stewardship agreements,
 2632 sector planning, mitigation, and similar tools should be used,
 2633 where appropriate, to bring environmentally sensitive tracts
 2634 under an acceptable level of protection at a lower financial
 2635 cost to the public, and to provide private landowners with the
 2636 opportunity to enjoy and benefit from their property.

2637 (c) Public agencies or other entities that receive funds
 2638 under this section ~~shall~~ ~~are encouraged to better~~ coordinate
 2639 their expenditures so that project acquisitions, when combined
 2640 with acquisitions under Florida Forever, Preservation 2000, Save
 2641 Our Rivers, the Florida Communities Trust, and other public land
 2642 acquisition programs, ~~will form more complete patterns of~~
 2643 ~~protection for natural areas, greenways and functioning~~
 2644 ~~ecosystems, to better accomplish the intent of this section.~~
 2645 Sector planning, rural land stewardship programs and strategies
 2646 referenced in subparagraph (a)(10) are also to be utilized to
 2647 form a more complete pattern of restored, managed and protected
 2648 ecosystem to accomplish the intent of this section and to
 2649 advance the goals and objectives of the imperiled species
 2650 management plans approved by the Florida Fish and Wildlife
 2651 Conservation Commission under commission rules.

2652 (d) A long-term financial commitment to restoring and
 2653 managing Florida's public lands to implement land management

2654 plans developed under s. 253.034 or land management prospectus
 2655 developed and implemented under this chapter must accompany any
 2656 ~~new~~ land acquisition program to ensure that the natural resource
 2657 values of such lands are protected, that the public enjoys ~~has~~
 2658 ~~the opportunity to enjoy~~ the lands to their fullest potential,
 2659 and that the state achieves the full benefits of its investment
 2660 of public dollars. Innovative strategies such as public-private
 2661 partnerships and inter-agency planning and sharing of resources
 2662 shall be used to achieve the state's management goals.

2663 (e) With limited dollars available for restoration,
 2664 management and acquisition of land and water areas and for
 2665 providing long-term management and capital improvements, a
 2666 competitive selection process shall ~~can~~ select those projects
 2667 best able to meet the goals of Florida Forever and maximize the
 2668 efficient use of the program's funding.

2669 (f) To ensure success and provide accountability to the
 2670 citizens of this state, it is the intent of the Legislature that
 2671 any cash or bond proceeds used pursuant to this section be used
 2672 to implement the goals and objectives recommended by
 2673 comprehensive science-based assessment and the Florida Forever
 2674 ~~Advisory Council~~ as approved by the Board of Trustees of the
 2675 Internal Improvement Trust Fund and the Legislature.

2676 (g) As it has with previous land acquisition programs, the
 2677 Legislature recognizes the desires of the citizens of this state
 2678 to prosper through economic development and to preserve, restore
 2679 and manage the natural areas and recreational open space of
 2680 Florida. The Legislature further recognizes the urgency of
 2681 restoring the natural functions of public lands or water bodies

2682 before they are degraded to a point where recovery may never
 2683 occur, yet acknowledges the difficulty of ensuring adequate
 2684 funding for restoration and management efforts in light of other
 2685 equally critical financial needs of the state. It is the
 2686 Legislature's desire and intent to fund the implementation of
 2687 this section and to do so in a fiscally responsible manner, by
 2688 issuing bonds to be repaid with documentary stamp tax, or other
 2689 revenue sources including those identified in s. 259.105(a)(10).

2690 (h) The Legislature further recognizes the important role
 2691 that many of our state and federal military installations
 2692 contribute to protecting and preserving Florida's natural
 2693 resources as well as our economic prosperity. Where the state's
 2694 land conservation plans overlap with the military's need to
 2695 protect lands, waters, and habitat to ensure the sustainability
 2696 of military missions, it is the Legislature's intent that
 2697 agencies receiving funds under this program cooperate with our
 2698 military partners to protect and buffer military installations
 2699 and military airspace, by:

2700 1. Protecting and restoring habitat on nonmilitary land
 2701 for any species found on military land that is designated as
 2702 threatened or endangered, or is a candidate for such designation
 2703 under the Endangered Species Act, or any Florida statute, Fish
 2704 and Wildlife Conservation Commission rules;

2705 2. Providing the military with technical assistance to
 2706 restore, enhance and manage military land as habitat for
 2707 imperiled species or species designated as threatened or
 2708 endangered, or are candidates for such designation and for the
 2709 recovery or reestablishment of such species.

2710 3. ~~2.~~ Protecting areas underlying low-level military air
 2711 corridors or operating areas; and

2712 4. ~~3.~~ Protecting areas identified as clear zones, accident
 2713 potential zones, and air installation compatible use buffer
 2714 zones delineated by our military partners.

2715 (3) Less the costs of issuing and the costs of funding
 2716 reserve accounts and other costs associated with bonds, the
 2717 proceeds of cash payments or bonds issued pursuant to this
 2718 section shall be deposited into the Florida Forever Trust Fund
 2719 created by s. 259.1051. The proceeds shall be distributed by the
 2720 Department of Environmental Protection in the following manner:

2721 (a) ~~Thirty-five~~ percent to the Department of Environmental
 2722 Protection for the acquisition and restoration of lands and
 2723 capital project expenditures necessary to implement the water
 2724 management districts' priority lists developed pursuant to s.
 2725 373.199. The funds are to be distributed to the water management
 2726 districts as provided in subsection (11). A minimum of 50
 2727 percent of the total funds provided over the life of the Florida
 2728 Forever program pursuant to this paragraph shall be used for the
 2729 acquisition of lands.

2730 (b) ~~Thirty-five~~ percent to the Department of Environmental
 2731 Protection for the acquisition, restoration and management of
 2732 lands and capital project expenditures described in this
 2733 section. Of the proceeds distributed pursuant to this paragraph,
 2734 it is the intent of the Legislature that an increased priority
 2735 be given to those acquisitions which achieve a combination of
 2736 conservation goals, including protecting Florida's water
 2737 resources, providing support for developing alternative water

2738 supplies and water resource development as defined in s.373.019,
 2739 and natural groundwater recharge. At a minimum, 3 percent, and
 2740 no more than 10 percent, of the funds allocated pursuant to this
 2741 paragraph, shall be spent on capital project expenditures
 2742 identified during the time of acquisition that meet land
 2743 management planning activities necessary for public access
 2744 ~~Capital project expenditures may not exceed 10 percent of the~~
 2745 ~~funds allocated pursuant to this paragraph.~~

2746 (c) Twenty-two percent to the Department of Environmental
 2747 Protection Department of Community Affairs for use by the
 2748 Florida Communities Trust for the purposes of part III of
 2749 chapter 380, as described and limited by this subsection, and
 2750 grants to local governments or nonprofit environmental
 2751 organizations that are tax-exempt under s. 501(c)(3) of the
 2752 United States Internal Revenue Code for the acquisition of
 2753 community-based projects, urban open spaces, parks, and
 2754 greenways to implement local government comprehensive plans.
 2755 From funds available to the trust and used for land acquisition,
 2756 75 percent shall be matched by local governments on a dollar-
 2757 for-dollar basis. The Legislature intends that the Florida
 2758 Communities Trust emphasize funding projects in low-income or
 2759 otherwise disadvantaged communities and projects that provide
 2760 areas for public access and offer public access by vessels to
 2761 waters of the state, including docks, boat ramps, and associated
 2762 parking and other amenities. At least 30 percent of the total
 2763 allocation provided to the trust shall be used in Standard
 2764 Metropolitan Statistical Areas, but one-half of that amount
 2765 shall be used in localities in which the project site is located

2766 in built-up commercial, industrial, or mixed-use areas and
 2767 functions to intersperse open spaces within congested urban core
 2768 areas. From funds allocated to the trust, no less than 5 percent
 2769 shall be used to acquire lands for recreational trail systems,
 2770 provided that in the event these funds are not needed for such
 2771 projects, they will be available for other trust projects. Local
 2772 governments may use federal grants or loans, private donations,
 2773 or environmental mitigation funds, including environmental
 2774 mitigation funds required pursuant to s. 338.250, for any part
 2775 or all of any local match required for acquisitions funded
 2776 through the Florida Communities Trust. Any lands purchased by
 2777 nonprofit organizations using funds allocated under this
 2778 paragraph must provide for such lands to remain permanently in
 2779 public use through a reversion of title to local or state
 2780 government, conservation easement, or other appropriate
 2781 mechanism. Projects funded with funds allocated to the Trust
 2782 shall be selected in a competitive process measured against
 2783 criteria adopted in rule by the Trust.

2784 (d) Two percent to the Department of Environmental
 2785 Protection for grants pursuant to s. 375.075.

2786 (e) One and five-tenths percent to the Department of
 2787 Environmental Protection for the purchase of inholdings and
 2788 additions to state parks and for capital project expenditures as
 2789 described in this section. At a minimum, 1 percent, and no more
 2790 than 10 percent, of the funds allocated pursuant to this
 2791 paragraph, shall be spent on capital project expenditures
 2792 identified during the time of acquisition that meets land
 2793 management planning activities necessary for public access

2794 ~~Capital project expenditures may not exceed 10 percent of the~~
 2795 ~~funds allocated under this paragraph.~~ For the purposes of this
 2796 paragraph, "state park" means any real property in the state
 2797 which is under the jurisdiction of the Division of Recreation
 2798 and Parks of the department, or which may come under its
 2799 jurisdiction.

2800 (f) One and five-tenths percent to the Division of
 2801 Forestry of the Department of Agriculture and Consumer Services
 2802 to fund the acquisition of state forest inholdings and additions
 2803 pursuant to s. 589.07, the implementation of reforestation plans
 2804 or sustainable forestry management practices, restoration and
 2805 management of state lands, and for capital project expenditures
 2806 as described in this section. At a minimum, 1 percent, and no
 2807 more than 10 percent, of the funds allocated for the acquisition
 2808 of inholdings and additions pursuant to this paragraph, shall be
 2809 spent on capital project expenditures identified during the time
 2810 of acquisition that meet land management planning activities
 2811 necessary for public access ~~Capital project expenditures may not~~
 2812 ~~exceed 10 percent of the funds allocated under this paragraph.~~

2813 (g) One and five-tenths percent to the Fish and Wildlife
 2814 Conservation Commission to fund the acquisition of inholdings
 2815 and additions to lands managed by the commission which are
 2816 important to the conservation of fish and wildlife, restoration
 2817 and management of state lands, and for capital project
 2818 expenditures as described in this section. At a minimum, 1
 2819 percent, and no more than 10 percent, of the funds allocated
 2820 pursuant to this paragraph, shall be spent on capital projects
 2821 identified during the time of acquisition that meet land

2822 management planning activities necessary for public access
 2823 ~~Capital project expenditures may not exceed 10 percent of the~~
 2824 ~~funds allocated under this paragraph.~~

2825 (h) One and five-tenths percent to the Department of
 2826 Environmental Protection for the Florida Greenways and Trails
 2827 Program, to acquire greenways and trails or greenways and trail
 2828 systems pursuant to chapter 260, including, but not limited to,
 2829 abandoned railroad rights-of-way and the Florida National Scenic
 2830 Trail and for capital project expenditures as described in this
 2831 section. At a minimum, 1 percent, and no more than 10 percent,
 2832 of the funds allocated pursuant to this paragraph, shall be
 2833 spent on capital project expenditures identified during the time
 2834 of acquisition that meet land management planning activities
 2835 necessary for public access ~~Capital project expenditures may not~~
 2836 ~~exceed 10 percent of the funds allocated under this paragraph.~~

2837 (i) It is the intent of the Legislature that cash payments
 2838 or proceeds of Florida Forever bonds distributed under this
 2839 section shall be expended in an efficient and fiscally
 2840 responsible manner. An agency that receives proceeds from
 2841 Florida Forever bonds under this section may not maintain a
 2842 balance of unencumbered funds in its Florida Forever subaccount
 2843 beyond 3 fiscal years from the date of deposit of funds from
 2844 each bond issue. Any funds that have not been expended or
 2845 encumbered after 3 fiscal years from the date of deposit shall
 2846 be distributed by the Legislature at its next regular session
 2847 for use in the Florida Forever program.

2848 (j) Five percent to the Department of Agriculture and
 2849 Consumer Services Conservation and Recreation Lands Program

2850 Trust Fund to fund the acquisition of perpetual easements by the
 2851 Board of Trustees of the Internal Improvement Trust fund
 2852 pursuant to the provisions of 570.71. The Departments of
 2853 Agriculture and Consumer Services and Environmental Protection
 2854 shall coordinate the development of annual workplans for
 2855 proposed less than fee simple acquisition projects developed
 2856 pursuant to this paragraph and those developed pursuant to
 2857 subsection (17)(e). Terms of easements proposed for acquisition
 2858 under this subsection shall be developed by the Department of
 2859 Agriculture and Consumer Services in coordination with the
 2860 Division of State Lands.

2861 (k) ~~(j)~~ For the purposes of paragraphs (e), (f), and (g),
 2862 the agencies which receive the funds shall develop their
 2863 individual acquisition or restoration lists. Proposed additions
 2864 may be acquired if they are identified within the original
 2865 project boundary, the management plan required pursuant to s.
 2866 253.034, or the management prospectus required pursuant to s.
 2867 259.032(9)(d), or pursuant to s. 570.71, or contain lands that
 2868 advance the goals and objectives of Florida Fish and Wildlife
 2869 Conservation Commission approved species or habitat recovery
 2870 plans. Proposed additions not meeting the requirements of this
 2871 paragraph shall be submitted to the Acquisition and Restoration
 2872 Council for approval. The council may only approve the proposed
 2873 addition if it meets two or more of the following criteria:
 2874 serves as a link or corridor to other publicly owned property;
 2875 enhances the protection or management of the property; would add
 2876 a desirable resource to the property; would create a more
 2877 manageable boundary configuration; has a high resource value

2878 that otherwise would be unprotected; or can be acquired at less
 2879 than fair market value.

2880 (4) It is the intent of the Legislature that projects or
 2881 acquisitions funded pursuant to paragraphs (3)(a) and (b)
 2882 contribute to the achievement of the following goals, which
 2883 shall be evaluated in accordance with specific criteria and
 2884 numeric performance measures developed pursuant s. 259.035(4):

2885 (a) Enhance the coordination and completion of land
 2886 acquisition projects, as measured by:

2887 1. The number of acres acquired, restored and managed
 2888 through the state's land acquisition programs that contribute to
 2889 the enhancement of essential natural resources, ecosystem
 2890 service parcels, and connecting linkage corridors as identified
 2891 and developed by the best available scientific analysis
 2892 ~~completion of Florida Preservation 2000 projects or projects~~
 2893 ~~begun before Preservation 2000;~~

2894 2. The number of acres protected through the use of
 2895 alternatives to fee simple acquisition; or

2896 3. The number of shared acquisition projects among Florida
 2897 Forever funding partners and partners with other funding
 2898 sources, including local governments, private entities, and the
 2899 Federal Government.

2900 (b) Increase the protection of Florida's biodiversity at
 2901 the species, natural community, and landscape levels, as
 2902 measured by:

2903 1. The number of acres acquired of significant strategic
 2904 habitat conservation areas;

2905 2. The number of acres acquired of highest priority
 2906 conservation areas for Florida's rarest plant species and
 2907 imperiled species;

2908 3. The number of acres acquired of significant landscapes,
 2909 landscape linkages, and conservation corridors, giving priority
 2910 to completing linkages;

2911 4. The number of acres acquired of underrepresented native
 2912 ecosystems;

2913 5. The number of landscape-sized protection areas of at
 2914 least 50,000 acres that exhibit a mosaic of predominantly intact
 2915 or restorable natural communities established through new
 2916 acquisition projects or augmentations to previous projects; or

2917 6. The percentage increase in the number of occurrences of
 2918 endangered species, threatened species, or species of special
 2919 concern on publicly managed conservation areas.

2920 7. The number of acres which represent actual or potential
 2921 imperiled species habitat.

2922 (c) Protect, restore, and maintain the quality and natural
 2923 functions of land, water, and wetland systems of the state, as
 2924 measured by:

2925 1. The number of acres of publicly owned land identified
 2926 as needing restoration, acres undergoing restoration, and acres
 2927 with restoration activities completed;

2928 2. The percentage of water segments that fully meet,
 2929 partially meet, or do not meet their designated uses as reported
 2930 in the Department of Environmental Protection's State Water
 2931 Quality Assessment 305(b) Report;

- 2932 3. The percentage completion of targeted capital
 2933 improvements in surface water improvement and management plans
 2934 created under s. 373.453(2), regional or master stormwater
 2935 management system plans, or other adopted restoration plans;
- 2936 4. The number of acres acquired that protect natural
 2937 floodplain functions;
- 2938 5. The number of acres acquired that protect surface
 2939 waters of the state;
- 2940 6. The number of acres identified for acquisition to
 2941 minimize damage from flooding and the percentage of those acres
 2942 acquired;
- 2943 7. The number of acres acquired that protect fragile
 2944 coastal resources;
- 2945 8. The number of acres of functional wetland systems
 2946 protected;
- 2947 9. The percentage of miles of critically eroding beaches
 2948 contiguous with public lands that are restored or protected from
 2949 further erosion;
- 2950 10. The percentage of public lakes and rivers in which
 2951 invasive, nonnative aquatic plants are under maintenance
 2952 control; ~~or~~
- 2953 11. The number of acres of public conservation lands in
 2954 which upland invasive, exotic plants are under maintenance
 2955 control; or-
- 2956 12. The number of acres restored or enhanced that serve as
 2957 habitat for imperiled species which advance the goals and
 2958 objectives of Florida Fish and Wildlife Conservation Commission
 2959 approved species or habitat recovery plans.

2960 (d) Ensure that sufficient quantities of water are
 2961 available to meet the current and future needs of natural
 2962 systems and the citizens of the state, as measured by:

- 2963 1. The number of acres acquired which provide retention
 2964 and storage of surface water in naturally occurring storage
 2965 areas, such as lakes and wetlands, consistent with the
 2966 maintenance of water resources or water supplies and consistent
 2967 with district water supply plans;
- 2968 2. The quantity of water made available through the water
 2969 resource development component of a district water supply plan
 2970 for which a water management district is responsible; or
- 2971 3. The number of acres acquired of groundwater recharge
 2972 areas critical to springs, sinks, aquifers, other natural
 2973 systems, or water supply.
- 2974 4. The means in which support is provided for the
 2975 development of alternative water supply projects and water
 2976 resource development as defined in s. 373.019.

2977 (e) Increase natural resource-based public recreational
 2978 and educational opportunities, as measured by:

- 2979 1. The number of acres acquired that are available for
 2980 natural resource-based public recreation or education;
- 2981 2. The miles of trails that are available for public
 2982 recreation, giving priority to those that provide significant
 2983 connections including those that will assist in completing the
 2984 Florida National Scenic Trail; or
- 2985 3. The number of new resource-based recreation facilities,
 2986 by type, made available on public land.

2987 (f) Preserve significant archaeological or historic sites,
 2988 as measured by:

2989 1. The increase in the number of and percentage of
 2990 historic and archaeological properties listed in the Florida
 2991 Master Site File or National Register of Historic Places which
 2992 are protected or preserved for public use; or

2993 2. The increase in the number and percentage of historic
 2994 and archaeological properties that are in state ownership.

2995 (g) Increase the amount of forestland available for
 2996 sustainable management of natural resources, as measured by:

2997 1. The number of acres acquired that are available for
 2998 sustainable forest management;

2999 2. The number of acres of state-owned forestland managed
 3000 for economic return in accordance with current best management
 3001 practices;

3002 3. The number of acres of forestland acquired that will
 3003 serve to maintain natural groundwater recharge functions; or
 3004 4. The percentage and number of acres identified for restoration
 3005 actually restored by reforestation.

3006 4. The number of acres restored or enhanced that serve as
 3007 habitat for imperiled species which advance the goals and
 3008 objectives of Florida Fish and Wildlife Conservation Commission
 3009 approved species or habitat recovery plans.

3010 (h) Increase the amount of open space available in urban
 3011 areas, as measured by:

3012 1. The percentage of local governments that participate in
 3013 land acquisition programs and acquire open space in urban cores;
 3014 or

3015 2. The percentage and number of acres of purchases of open
 3016 space within urban service areas.

3017 (i) Increase the amount of agricultural and working land
 3018 protected from conversion and development.

3019 1. The number of acres of agricultural and working lands
 3020 under perpetual rural land protection easement.

3021 2. The number of acres of agricultural and working lands
 3022 under time-certain conservation easement.

3023 3. The number of acres under conservation easement
 3024 providing surrogate habitat for wildlife as determined by the
 3025 Fish and Wildlife Conservation Commission.

3026 Florida Forever projects and acquisitions funded pursuant to
 3027 paragraph (3) (c) shall be measured by goals developed by rule by
 3028 the Florida Communities Trust Governing Board created in s.
 3029 380.504.

3030 (5)

3031 (a) All lands acquired pursuant to this section shall be
 3032 managed for multiple-use purposes, where compatible with the
 3033 resource values of land management objectives for such lands. As
 3034 used in this section, "multiple-use" includes, but is not
 3035 limited to, ~~outdoor~~ recreational activities as described in ss.
 3036 253.034 and 259.032(9) (b), water resource development projects,
 3037 and sustainable forestry management.

3038 (b) Upon a decision by the entity in which title to lands
 3039 acquired pursuant to this section has vested, such lands may be
 3040 designated single use as defined in s. 253.034(2) (b).

3041 (6) As provided in this section, a water resource or water
 3042 supply development project may be allowed only if the following

3043 conditions are met: minimum flows and levels have been
 3044 established for those waters, if any, which may reasonably be
 3045 expected to experience significant harm to water resources as a
 3046 result of the project; the project complies with all applicable
 3047 permitting requirements; and the project is consistent with the
 3048 regional water supply plan, if any, of the water management
 3049 district and with relevant recovery or prevention strategies if
 3050 required pursuant to s. 373.0421(2).

3051 (7)

3052 (a) Beginning no later than July 1, 2001, and every year
 3053 thereafter, the Acquisition and Restoration Council shall accept
 3054 applications from state agencies, local governments, nonprofit
 3055 and for-profit organizations, private land trusts, and
 3056 individuals for project proposals eligible for funding pursuant
 3057 to paragraph (3)(b). The council shall evaluate the proposals
 3058 received pursuant to this subsection to ensure that they meet at
 3059 least one of the criteria under subsection (9).

3060 (b) Project applications shall contain, at a minimum, the
 3061 following:

- 3062 1. A minimum of two numeric performance measures that
 3063 directly relate to the overall goals adopted by the council.
 3064 Each performance measure shall include a baseline measurement,
 3065 which is the current situation; a performance standard which the
 3066 project sponsor anticipates the project will achieve; and the
 3067 performance measurement itself, which should reflect the
 3068 incremental improvements the project accomplishes towards
 3069 achieving the performance standard.

3070 2. Proof that property owners within any proposed
 3071 acquisition have been notified of their inclusion in the
 3072 proposed project. Any property owner may request the removal of
 3073 such property from further consideration by submitting a request
 3074 to the project sponsor or the Acquisition and Restoration
 3075 Council by certified mail. Upon receiving this request, the
 3076 council shall delete the property from the proposed project;
 3077 however, the board of trustees, at the time it votes to approve
 3078 the proposed project lists pursuant to subsection (16), may add
 3079 the property back on to the project lists if it determines by a
 3080 super majority of its members that such property is critical to
 3081 achieve the purposes of the project.

3082 (c) The title to lands acquired under this section shall
 3083 vest in the Board of Trustees of the Internal Improvement Trust
 3084 Fund, except that title to lands acquired by a water management
 3085 district shall vest in the name of that district and lands
 3086 acquired by a local government shall vest in the name of the
 3087 purchasing local government. All deeds or leases with respect to
 3088 any real property acquired with funds received by a water
 3089 management district pursuant to this section shall contain a
 3090 reversion, conveyance, or termination clause that will vest
 3091 title in the Board of Trustees of the Internal Improvement Trust
 3092 Fund prior to any disposition or surplus of such lands.

3093 (8) The Acquisition and Restoration Council shall develop
 3094 a project list that shall represent those projects submitted
 3095 pursuant to subsection (7).

3096 (9) The Acquisition and Restoration Council shall
 3097 recommend rules for adoption by the board of trustees to

3098 competitively evaluate, select, and rank projects eligible for
 3099 Florida Forever funds pursuant to paragraph (3)(b) and for
 3100 additions to the Conservation and Recreation Lands list pursuant
 3101 to ss. 259.032 and 259.101(4). In developing these proposed
 3102 rules, the Acquisition and Restoration Council shall give weight
 3103 to the following criteria:

3104 (a) The project meets multiple goals described in
 3105 subsection (4).

3106 (b) The project is part of an ongoing governmental effort
 3107 to restore, protect, or develop land areas or water resources.

3108 (c) The project enhances or facilitates restoration or
 3109 management of properties already under public ownership. (d)
 3110 The project has significant archaeological or historic value.

3111 (e) The project has funding sources that are identified
 3112 and assured through at least the first 2 years of the project.

3113 (f) The project includes the acquisition, restoration,
 3114 repopulation or management of habitat for imperiled species.

3115 (g) ~~(f)~~ The project contributes to the solution of water
 3116 resource problems on a regional basis.

3117 (h) ~~(g)~~ The project has a significant portion of its land
 3118 area in imminent danger of development, in imminent danger of
 3119 losing its significant natural attributes or recreational open
 3120 space, or in imminent danger of subdivision which would result
 3121 in multiple ownership and make acquisition of the project costly
 3122 or less likely to be accomplished.

3123 (i) ~~(h)~~ The project implements an element from a plan
 3124 developed by an ecosystem management team or advances the goals

3125 and objectives of Florida Fish and Wildlife Conservation
 3126 Commission approved species or habitat recovery plans..

3127 (j) ~~(i)~~ The project is one of the components of the
 3128 Everglades restoration effort.

3129 (k) ~~(j)~~ The project may be purchased at 80 percent of
 3130 appraised value or prevents the conversion and development of
 3131 agricultural and working lands.

3132 (l) ~~(k)~~ The project may be acquired, in whole or in part,
 3133 tax incentives, mitigation funds or other revenues, and using
 3134 alternatives to fee simple, including but not limited to,
 3135 purchase of development rights, hunting rights, agricultural or
 3136 silvicultural rights, or mineral rights or obtaining
 3137 conservation easements or flowage easements.

3138 (m) ~~(l)~~ The project is a joint acquisition, either among
 3139 public agencies, nonprofit organizations, or private entities,
 3140 or by a public-private partnership.

3141 (10) The Acquisition and Restoration Council shall give
 3142 increased priority to those projects for which any matching
 3143 funds are available and to project elements previously
 3144 identified on an acquisition list pursuant to this section that
 3145 can be acquired at 80 percent or less of appraised value. The
 3146 council shall also give increased priority to those projects
 3147 where the state's land conservation plans overlap with the
 3148 military's need to protect lands, water, and habitat to ensure
 3149 the sustainability of military missions including:

3150 (a) Protecting habitat on nonmilitary land for any species
 3151 found on military land that is designated as threatened or

3152 endangered, or is a candidate for such designation under the
 3153 Endangered Species Act or any Florida statute;

3154 (b) Protecting areas underlying low-level military air
 3155 corridors or operating areas; and

3156 (c) Protecting areas identified as clear zones, accident
 3157 potential zones, and air installation compatible use buffer
 3158 zones delineated by our military partners, and for which federal
 3159 or other funding is available to assist with the project.

3160 (11) For the purposes of funding projects pursuant to
 3161 paragraph (3) (a), the Secretary of Environmental Protection
 3162 shall ensure that each water management district receives the
 3163 following percentage of funds annually:

3164 (a) Thirty-five percent to the South Florida Water
 3165 Management District, ~~of which amount \$25 million for 2 years~~
 3166 ~~beginning in fiscal year 2000-2001 shall be transferred by the~~
 3167 ~~Department of Environmental Protection into the Save Our~~
 3168 ~~Everglades Trust Fund and shall be used exclusively to implement~~
 3169 ~~the comprehensive plan under s. 373.470.~~

3170 (b) Twenty-five percent to the Southwest Florida Water
 3171 Management District.

3172 (c) Twenty-five percent to the St. Johns River Water
 3173 Management District.

3174 (d) Seven and one-half percent to the Suwannee River Water
 3175 Management District.

3176 (e) Seven and one-half percent to the Northwest Florida
 3177 Water Management District.

3178 (12) It is the intent of the Legislature that in
 3179 developing the list of projects for funding pursuant to

3180 paragraph (3)(a), that these funds not be used to abrogate the
 3181 financial responsibility of those point and nonpoint sources
 3182 that have contributed to the degradation of water or land areas.
 3183 Therefore, an increased priority shall be given by the water
 3184 management district governing boards to those projects that have
 3185 secured a cost-sharing agreement allocating responsibility for
 3186 the cleanup of point and nonpoint sources.

3187 (13) An affirmative vote of five members of the
 3188 Acquisition and Restoration Council shall be required in order
 3189 to place a proposed project on the list developed pursuant to
 3190 subsection (8). Any member of the council who by family or a
 3191 business relationship has a connection with any project proposed
 3192 to be ranked shall declare such interest prior to voting for a
 3193 project's inclusion on the list.

3194 (14) Each year that cash disbursements or bonds are to be
 3195 issued pursuant to this section, the Acquisition and Restoration
 3196 Council shall review the most current approved project list and
 3197 shall, by the first board meeting in May, present to the Board
 3198 of Trustees of the Internal Improvement Trust Fund for approval
 3199 a listing of projects developed pursuant to subsection (8). The
 3200 board of trustees may remove projects from the list developed
 3201 pursuant to this subsection, but may not add projects or
 3202 rearrange project rankings.

3203 (15) The Acquisition and Restoration Council shall submit
 3204 to the board of trustees, with its list of projects, a report
 3205 that includes, but shall not be limited to, the following
 3206 information for each project listed:

3207 (a) The stated purpose for inclusion.

- 3208 (b) Projected costs to achieve the project goals.
- 3209 (c) An interim management budget developed in accordance
- 3210 with s. 253.034 that includes all costs associated with
- 3211 immediate public access.
- 3212 (d) Specific performance measures.
- 3213 (e) Plans for public access.
- 3214 (f) An identification of the essential parcel or parcels
- 3215 within the project without which the project cannot be properly
- 3216 managed.
- 3217 (g) Where applicable, an identification of those projects
- 3218 or parcels within projects which should be acquired in fee
- 3219 simple or in less than fee simple.
- 3220 (h) An identification of those lands being purchased for
- 3221 conservation purposes.
- 3222 (i) A management policy statement for the project and a
- 3223 management prospectus pursuant to s. 259.032(9) (d).
- 3224 (j) An estimate of land value based on county tax assessed
- 3225 values.
- 3226 (k) A map delineating project boundaries.
- 3227 (l) An assessment of the project's ecological value,
- 3228 ~~outdoor~~ recreational value, forest resources, wildlife
- 3229 resources, ownership pattern, utilization, and location.
- 3230 (m) A discussion of whether alternative uses are proposed
- 3231 for the property and what those uses are.
- 3232 (n) A designation of the management agency or agencies.
- 3233 (16) All proposals for projects pursuant to paragraph
- 3234 (3) (b) ~~or subsection (20)~~ shall be implemented only if adopted
- 3235 by the Acquisition and Restoration Council and approved by the

3236 board of trustees. The council shall consider and evaluate in
 3237 writing the merits and demerits of each project that is proposed
 3238 for Florida Forever funding and each proposed addition to the
 3239 Conservation and Recreation Lands list program. The council
 3240 shall ensure that each proposed project will meet a stated
 3241 public purpose for the restoration, conservation, or
 3242 preservation of environmentally sensitive lands and water areas
 3243 or for providing outdoor recreational opportunities and that
 3244 each proposed addition to the Conservation and Recreation Lands
 3245 list will meet the public purposes under s. 259.032(3) and, when
 3246 applicable, s. 259.101(4). The council also shall determine
 3247 whether the project or addition conforms, where applicable, with
 3248 the comprehensive plan developed pursuant to s. 259.04(1)(a),
 3249 the comprehensive multipurpose outdoor recreation plan developed
 3250 pursuant to s. 375.021, the state lands management plan adopted
 3251 pursuant to s. 253.03(7), the water resources work plans
 3252 developed pursuant to s. 373.199, and the provisions of this
 3253 section.

3254 (17) On an annual basis, the Division of State Lands shall
 3255 prepare an annual workplan that prioritizes projects on the
 3256 Florida Forever list and sets forth the funding available in the
 3257 fiscal year for land acquisition. The workplan shall consider
 3258 the following categories of expenditure for land conservation
 3259 projects already selected for the Florida Forever list pursuant
 3260 to subsection (8).

3261 (a) A critical natural lands category including functional
 3262 landscape-scale natural systems, intact large hydrological
 3263 systems, lands with significant imperiled natural communities

3264 and corridors linking large landscapes as identified and
 3265 developed by the best available scientific analysis.

3266 (b) A partnerships or regional incentive category,
 3267 including:

3268 1. Projects where local and regional cost-share agreements
 3269 provide a lower cost and greater conservation benefit to the
 3270 people of the state. Additional consideration shall be provided
 3271 under this category where parcels are identified as part of a
 3272 local or regional visioning process and are supported by
 3273 scientific analysis;

3274 2. Bargain and shared projects where the state will receive
 3275 a significant reduction in price for public ownership of land as
 3276 a result of the removal of development rights or other interests
 3277 in lands, or receives alternative or matching funds.

3278 (c) A substantially complete category of projects where
 3279 mainly inholdings, additions and linkages between preserved
 3280 areas will be acquired and where eighty-five percent of the
 3281 project is complete.

3282 (d) A climate change category lists of lands where
 3283 acquisition or other conservation measures will address the
 3284 challenges of global climate change, such as through protection,
 3285 restoration, mitigation and strengthening of Florida's land,
 3286 water and coastal resources. This category includes lands which
 3287 provide opportunities to sequester carbon, provide habitat,
 3288 protect coastal lands or barrier islands, and otherwise mitigate
 3289 and help adapt to the effects of sea level rise, and meet other
 3290 objectives of the program.

3291 (e) A less-than-fee category for working agricultural lands
 3292 that significantly contributes to resource protection through
 3293 conservation easements and other less-than-fee techniques, tax
 3294 incentives, life estates, landowner agreements, and other
 3295 partnerships, including conservation easements acquired in
 3296 partnership with federal conservation programs, that will
 3297 achieve the objectives of Florida Forever while allowing the
 3298 continuation of compatible agricultural uses on the land. Terms
 3299 of easements proposed for acquisition under this category shall
 3300 be developed by the Division of State lands in coordination with
 3301 the Department of Agriculture and Consumer Services.

3302
 3303 The workplan shall be adopted by the Acquisition and Restoration
 3304 Council after at least one public hearing. A copy of the
 3305 workplan shall be provided to the Board of Trustees of the
 3306 Internal Improvement Trust Fund no later than October 1 of each
 3307 year.

3308 (18) ~~(17)~~

3309 (a) The Board of Trustees of the Internal Improvement
 3310 Trust Fund, or, in the case of water management district lands,
 3311 the owning water management district, may authorize the granting
 3312 of a lease, easement, or license for the use of certain lands
 3313 acquired pursuant to this section, for certain uses that are
 3314 determined by the appropriate board to be compatible with the
 3315 resource values of land management objectives for such lands.

3316 (b) Any existing lease, easement, or license acquired for
 3317 incidental public or private use on, under, or across any lands

3318 | acquired pursuant to this section shall be presumed to be
 3319 | compatible with the purposes for which such lands were acquired.

3320 | (c) Notwithstanding the provisions of paragraph (a), no
 3321 | such lease, easement, or license shall be entered into by the
 3322 | Department of Environmental Protection or other appropriate
 3323 | state agency if the granting of such lease, easement, or license
 3324 | would adversely affect the exclusion of the interest on any
 3325 | revenue bonds issued to fund the acquisition of the affected
 3326 | lands from gross income for federal income tax purposes,
 3327 | pursuant to Internal Revenue Service regulations.

3328 | (19) ~~(18)~~ The Acquisition and Restoration Council shall
 3329 | recommend adoption of rules by the board of trustees necessary
 3330 | to implement the provisions of this section relating to:
 3331 | solicitation, scoring, selecting, and ranking of Florida Forever
 3332 | project proposals; disposing of or leasing lands or water areas
 3333 | selected for funding through the Florida Forever program; and
 3334 | the process of reviewing and recommending for approval or
 3335 | rejection the land management plans associated with publicly
 3336 | owned properties. Rules promulgated pursuant to this subsection
 3337 | shall be submitted to the President of the Senate and the
 3338 | Speaker of the House of Representatives, for review by the
 3339 | Legislature, no later than 30 days prior to the 2010 2001
 3340 | Regular Session and shall become effective only after
 3341 | legislative review. In its review, the Legislature may reject,
 3342 | modify, or take no action relative to such rules. The board of
 3343 | trustees shall conform such rules to changes made by the
 3344 | Legislature, or, if no action was taken by the Legislature, such
 3345 | rules shall become effective.

3346 (20) ~~(19)~~ Lands listed as projects for acquisition,
 3347 restoration, or management under the Florida Forever program may
 3348 be managed for conservation pursuant to s. 259.032, on an
 3349 interim basis by a private party in anticipation of a state
 3350 purchase, or on a permanent basis after state purchase, in
 3351 accordance with a contractual arrangement between the acquiring
 3352 agency and the private party that may include management service
 3353 contracts, leases, cost-share arrangements, or resource
 3354 conservation agreements. Lands designated as eligible under this
 3355 subsection shall be managed to maintain or enhance the resources
 3356 the state is seeking to protect by acquiring the land and to
 3357 accelerate public access to the lands. Funding for these
 3358 contractual arrangements may originate from the documentary
 3359 stamp tax revenue deposited into the Conservation and Recreation
 3360 Lands Trust Fund and Water Management Lands Trust Fund. No more
 3361 than 5 percent of funds allocated under the trust funds shall be
 3362 expended for this purpose. In addition, funding obtained from
 3363 sources as provided in s.259.105(2)(a)(10) shall be deposited
 3364 into the Land Acquisition Trust Fund.

3365 (21) ~~(20)~~ ~~The Acquisition and Restoration Council, as~~
 3366 ~~successors to the Land Acquisition and Management Advisory~~
 3367 ~~Council, may amend existing Conservation and Recreation Lands~~
 3368 ~~projects and add to or delete from the 2000 Conservation and~~
 3369 ~~Recreation Lands list until funding for the Conservation and~~
 3370 ~~Recreation Lands program has been expended. The amendments to~~
 3371 ~~the 2000 Conservation and Recreation Lands list will be reported~~
 3372 ~~to the board of trustees in conjunction with the council's~~
 3373 ~~report developed pursuant to subsection (15) The use of rural-~~

3374 lands-protection easements as described in s. 570.71(3) and
 3375 rural lands stewardship areas described in s.163.3177(11)(d) are
 3376 encouraged as a way to maintain working lands while furthering
 3377 the goals of this chapter.

3378 Section 21. Section 259.1051, Florida Statutes, is amended
 3379 to read:

3380 259.1051 Florida Forever Trust Fund.--

3381 (1) There is created the Florida Forever Trust Fund to
 3382 carry out the purposes of ss. 259.032, 259.105, 259.1052, and
 3383 375.031. The Florida Forever Trust Fund shall be held and
 3384 administered by the Department of Environmental Protection.
 3385 Proceeds from the sale of bonds, except proceeds of refunding
 3386 bonds, issued under s. 215.618 and payable from moneys
 3387 transferred to the Land Acquisition Trust Fund under s.
 3388 201.15(1)(a), not to exceed \$5.3 ~~\$3~~ billion, must be deposited
 3389 into this trust fund to be distributed and used as provided in
 3390 s. 259.105(3). The bond resolution adopted by the governing
 3391 board of the Division of Bond Finance of the State Board of
 3392 Administration may provide for additional provisions that govern
 3393 the disbursement of the bond proceeds.

3394 Section 22. Paragraph (b) of subsection (1) of section
 3395 373.1391, Florida Statutes, is amended to read:

3396 373.1391 Management of real property.--

3397 (1)

3398 (b) Whenever practicable, such lands shall be open to the
 3399 general public for recreational uses. General public
 3400 recreational purposes shall include, but not be limited to,
 3401 fishing, hunting, horseback riding, swimming, camping, hiking,

3402 canoeing, boating, diving, birding, sailing, jogging, and other
 3403 related outdoor activities to the maximum extent possible
 3404 considering the environmental sensitivity and suitability of
 3405 those lands. These public lands shall be evaluated for their
 3406 resource value for the purpose of establishing which parcels, in
 3407 whole or in part, annually or seasonally, would be conducive to
 3408 general public recreational purposes. Such findings shall be
 3409 included in management plans which are developed for such public
 3410 lands. These lands shall be made available to the public for
 3411 these purposes, unless the district governing board can
 3412 demonstrate that such activities would be incompatible with the
 3413 purposes for which these lands were acquired. The department in
 3414 its supervisory capacity shall ensure that the districts provide
 3415 consistent levels of public access to district lands, consistent
 3416 with the purposes for which the lands were acquired.

3417 Section 23. Paragraph (h) of subsection (4) of section
 3418 373.199, Florida Statutes, is amended to read:

3419 373.199 Florida Forever Water Management District Work
 3420 Plan.--

3421 (4) The list submitted by the districts shall include,
 3422 where applicable, the following information for each project:

3423 (h) A clear and concise ~~An~~ estimate of the funding needed
 3424 to carry out the restoration, protection, or improvement
 3425 project, or the development of new water resources, where
 3426 applicable, and a clear and concise identification of the
 3427 projected sources of the funding for the uses of Florida Forever
 3428 funds.

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3429 Section 24. All of the statutory powers, duties and
3430 functions, records, personnel, property, and unexpended balances
3431 of appropriations, allocations, or other funds for the
3432 administration of sections 380.501 through 380.515, Florida
3433 Statutes, related to the Florida Communities Trust, shall be
3434 transferred by a type two transfer, as defined in s. 20.06(2)
3435 from the Department of Community Affairs to the Department of
3436 Environmental Protection.

3437 Section 25. The Division of Statutory Revision of the
3438 Office of Legislative services is requested to prepare a
3439 reviser's bill to conform Chapter 380 of the Florida Statutes to
3440 the organizational changes made by this act.

3441 Section 26. This act shall take effect July 1, 2008.