

By Senator Burgess

20-01308A-22

20221400__

1 A bill to be entitled
2 An act relating to the Land Acquisition Trust Fund;
3 providing legislative findings; amending s. 375.041,
4 F.S.; providing an annual appropriation to the
5 Department of Environmental Protection to implement
6 the Heartland Headwaters Protection and Sustainability
7 Act; requiring the funds to be used and distributed
8 for specified purposes; removing an obsolete
9 provision; providing an effective date.

10
11 Be It Enacted by the Legislature of the State of Florida:

12
13 Section 1. The Legislature finds that:

14 (1) The Legislature unanimously approved CS/CS/HB 573, the
15 Heartland Headwaters Protection and Sustainability Act, in 2017,
16 to protect the headwaters of the Alafia, Hillsborough,
17 Kissimmee, Ocklawaha, Peace, and Withlacoochee Rivers located in
18 the Green Swamp and Polk County, which are some of the most
19 important and vulnerable water resources in this state.

20 (2) In the same act, the Legislature declared that it is an
21 important state interest to partner with regional water supply
22 authorities and local governments, in accordance with s.
23 373.705, Florida Statutes, to protect the water resources of the
24 headwaters of the Alafia, Hillsborough, Kissimmee, Ocklawaha,
25 Peace, and Withlacoochee Rivers and the surrounding areas.

26 (3) In 2020, the Central Florida Water Initiative (CFWI)
27 Regional Water Supply Plan developed pursuant to s. 373.0465,
28 Florida Statutes, projected the population of the region to
29 reach 4.4 million by 2040, which is a 49 percent increase from a

20-01308A-22

20221400__

30 2015 estimate. The total average of surface water and
31 groundwater use in the CFWI Planning Area is projected to
32 increase 36 percent from 667 million gallons per day in 2015 to
33 908 million gallons per day in 2040.

34 (4) The CFWI Regional Water Supply Plan concluded that in
35 some areas of the CFWI Planning Area, fresh groundwater is near
36 or has exceeded the limits of groundwater availability and that
37 alternative water sources will need to be developed along with
38 additional water conservation efforts and local management
39 strategies to meet the 2040 projected water demands or currently
40 permitted allocations while allowing currently stressed water
41 resources and natural systems to recover.

42 (5) Consistent funding support is required in order to
43 support the efforts of the water management districts to protect
44 the rivers, springs, and wetlands in the region while providing
45 for responsible development of these water resources to support
46 growth and provide for public health and safety.

47 Section 2. Subsection (3) of section 375.041, Florida
48 Statutes, is amended to read:

49 375.041 Land Acquisition Trust Fund.—

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

52 (a) First, to pay debt service or to fund debt service
53 reserve funds, rebate obligations, or other amounts payable with
54 respect to Florida Forever bonds issued under s. 215.618; and
55 pay debt service, provide reserves, and pay rebate obligations
56 and other amounts due with respect to Everglades restoration
57 bonds issued under s. 215.619; and

58 (b) Of the funds remaining after the payments required

20-01308A-22

20221400__

59 under paragraph (a), but before funds may be appropriated,
60 pledged, or dedicated for other uses:

61 1. A minimum of the lesser of 25 percent or \$200 million
62 shall be appropriated annually for Everglades projects that
63 implement the Comprehensive Everglades Restoration Plan as set
64 forth in s. 373.470, including the Central Everglades Planning
65 Project subject to Congressional authorization; the Long-Term
66 Plan as defined in s. 373.4592(2); and the Northern Everglades
67 and Estuaries Protection Program as set forth in s. 373.4595.
68 From these funds, \$32 million shall be distributed each fiscal
69 year through the 2023-2024 fiscal year to the South Florida
70 Water Management District for the Long-Term Plan as defined in
71 s. 373.4592(2). After deducting the \$32 million distributed
72 under this subparagraph, from the funds remaining, a minimum of
73 the lesser of 76.5 percent or \$100 million shall be appropriated
74 each fiscal year through the 2025-2026 fiscal year for the
75 planning, design, engineering, and construction of the
76 Comprehensive Everglades Restoration Plan as set forth in s.
77 373.470, including the Central Everglades Planning Project, the
78 Everglades Agricultural Area Storage Reservoir Project, the Lake
79 Okeechobee Watershed Project, the C-43 West Basin Storage
80 Reservoir Project, the Indian River Lagoon-South Project, the
81 Western Everglades Restoration Project, and the Picayune Strand
82 Restoration Project. The Department of Environmental Protection
83 and the South Florida Water Management District shall give
84 preference to those Everglades restoration projects that reduce
85 harmful discharges of water from Lake Okeechobee to the St.
86 Lucie or Caloosahatchee estuaries in a timely manner. For the
87 purpose of performing the calculation provided in this

20-01308A-22

20221400__

88 subparagraph, the amount of debt service paid pursuant to
89 paragraph (a) for bonds issued after July 1, 2016, for the
90 purposes set forth under paragraph (b) shall be added to the
91 amount remaining after the payments required under paragraph
92 (a). The amount of the distribution calculated shall then be
93 reduced by an amount equal to the debt service paid pursuant to
94 paragraph (a) on bonds issued after July 1, 2016, for the
95 purposes set forth under this subparagraph.

96 2. A minimum of the lesser of 7.6 percent or \$50 million
97 shall be appropriated annually for spring restoration,
98 protection, and management projects. For the purpose of
99 performing the calculation provided in this subparagraph, the
100 amount of debt service paid pursuant to paragraph (a) for bonds
101 issued after July 1, 2016, for the purposes set forth under
102 paragraph (b) shall be added to the amount remaining after the
103 payments required under paragraph (a). The amount of the
104 distribution calculated shall then be reduced by an amount equal
105 to the debt service paid pursuant to paragraph (a) on bonds
106 issued after July 1, 2016, for the purposes set forth under this
107 subparagraph.

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

115 4. The sum of \$64 million is appropriated and shall be
116 transferred to the Everglades Trust Fund for the 2018-2019

20-01308A-22

20221400__

117 fiscal year, and each fiscal year thereafter, for the EAA
118 reservoir project pursuant to s. 373.4598. Any funds remaining
119 in any fiscal year shall be made available only for Phase II of
120 the C-51 reservoir project or projects identified in
121 subparagraph 1. and must be used in accordance with laws
122 relating to such projects. Any funds made available for such
123 purposes in a fiscal year are in addition to the amount
124 appropriated under subparagraph 1. This distribution shall be
125 reduced by an amount equal to the debt service paid pursuant to
126 paragraph (a) on bonds issued after July 1, 2017, for the
127 purposes set forth in this subparagraph.

128 5. The sum of \$50 million shall be appropriated annually to
129 the South Florida Water Management District for the Lake
130 Okeechobee Watershed Restoration Project in accordance with s.
131 373.4599. This distribution must be reduced by an amount equal
132 to the debt service paid pursuant to paragraph (a) on bonds
133 issued after July 1, 2021, for the purposes set forth in this
134 subparagraph.

135 6. The sum of \$20 million shall be appropriated annually to
136 the Department of Environmental Protection to implement the
137 Heartland Headwaters Protection and Sustainability Act pursuant
138 to chapter 2017-111, Laws of Florida. The funds must be used to
139 enter into financial assistance agreements and distributed in
140 accordance with the projects identified in the heartland
141 headwaters annual report submitted to the Legislature pursuant
142 to s. 373.463 to finance the cost of designing or constructing
143 projects that protect, restore, or enhance the headwaters of the
144 river systems located in the Heartland Region of Central
145 Florida. This distribution shall be reduced by an amount equal

20-01308A-22

20221400__

146 to the debt service paid pursuant to paragraph (a) on bonds
147 issued after July 1, 2022, for the purposes set forth in this
148 subparagraph ~~Notwithstanding subparagraph 3., for the 2021-2022~~
149 ~~fiscal year, funds shall be appropriated as provided in the~~
150 ~~General Appropriations Act. This subparagraph expires July 1,~~
151 ~~2022.~~

152 Section 3. This act shall take effect July 1, 2022.