

CHAPTER 2024-58

Committee Substitute for Senate Bill No. 1638

An act relating to funding for environmental resource management; creating s. 380.095, F.S.; providing legislative findings and intent; requiring the Department of Revenue to deposit into the Indian Gaming Revenue Trust Fund within the Department of Financial Services a specified percentage of the revenue share payments received under the gaming compact between the Seminole Tribe of Florida and the State of Florida; providing requirements for the distribution of such funds; creating s. 260.0145, F.S.; creating the Local Trail Management Grant Program within the Department of Environmental Protection for a specified purpose; providing for the administration and prioritization of awards; specifying the authorized and prohibited uses of grant funds; requiring the department to submit an annual report to the Governor and the Legislature by a specified date; providing requirements for the report; amending s. 259.1055, F.S.; authorizing the Fish and Wildlife Conservation Commission to enter into voluntary agreements with private landowners for environmental services within the Florida wildlife corridor; providing requirements for such agreements; authorizing the use of land management funds; requiring the Land Management Uniform Accounting Council to recommend the efficient and effective use of certain funds available to state agencies for land management activities; providing requirements for such recommendations; requiring the council to adopt and submit its initial recommendation to the Executive Office of the Governor and the Legislature by a specified date; requiring biennial updates; amending s. 403.0673, F.S.; revising the projects the department is required to prioritize within the water quality improvement grant program; revising the components required for the grant program's annual report; providing appropriations; requiring the department to coordinate with the Water School at Florida Gulf Coast University for specified purposes; requiring the Water School to conduct a specified study; providing requirements for the study; requiring the department to submit a report to the Executive Office of the Governor and the Legislature by a specified date; providing appropriations; requiring the South Florida Water Management District to enter into a contract with the Water School at Florida Gulf Coast University to conduct a study of the health and ecosystem of Lake Okeechobee; providing requirements for the study; requiring that a report be submitted to the Executive Office of the Governor and the Legislature by a specified date; authorizing the Department of Environmental Protection to submit budget amendments for the release of specified funds; providing a contingent effective date.

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

Section 1. Section 380.095, Florida Statutes, is created to read:

380.095 Dedicated funding for conservation lands, resiliency, and clean water infrastructure.—

(1) LEGISLATIVE INTENT.—The Legislature recognizes that the conservation and preservation of the land and water resources of this state are essential to maintaining the quality of life enjoyed by Floridians and to sustaining and growing a thriving state economy, including legacy industries such as tourism, agriculture, and fishing.

(a) The Legislature recognizes that historic investments in land conservation have fostered and will continue to foster the preservation of Florida’s heritage, allow for the strategic expansion and interconnectivity of the Florida wildlife corridor, and promote the protection of crucial habitat necessary for the survival, protection, and recovery of threatened and endangered native species, including the Florida panther.

(b) The Legislature further recognizes that as the state acquires land, the state needs to be a good steward of the land, which necessitates the need for a commitment to provide funding at levels sufficient to ensure the proper management of such lands. These investments provide opportunities for expanded public access to state lands, including state parks, the Florida Greenways and Trails System, and game lands, among others, for recreation; and promote opportunities to protect such lands from wildfire damage and the infiltration of dangerous nonnative plant and animal species, among other benefits.

(c) The Legislature finds that the state is particularly vulnerable to adverse impacts from increases in the frequency and duration of rainfall events and sea level rise. The consequences of such events not only endanger human lives and properties, but also threaten Florida’s natural habitats and biodiversity. The Legislature further recognizes that enhancing the state’s resiliency to storm events and sea level rise is essential to Florida’s economic stability and growth.

(d) Furthermore, the Legislature recognizes the need for additional revenue sources to address the gap in funding that is necessary to address water quality impacts, and that the projections for significant population growth further exacerbate such need.

(e) Therefore, the Legislature finds that it is in the best interest of the residents of the State of Florida to dedicate revenues from the gaming compact between the Seminole Tribe of Florida and the State of Florida to acquire and manage conservation lands, and to make significant investments in resiliency efforts and clean water infrastructure.

(2) DISTRIBUTION.—Notwithstanding s. 285.710, the Department of Revenue shall, upon receipt, deposit 96 percent of any revenue share payment received under the compact as defined in s. 285.710 into the Indian Gaming Revenue Clearing Trust Fund within the Department of Financial

Services. The funds deposited into the trust fund shall be distributed as follows:

(a) The lesser of 26.042 percent or \$100 million each fiscal year to support the Florida wildlife corridor as defined in s. 259.1055, including the acquisition of lands or conservation easements within the Florida wildlife corridor. To be eligible for funding, the acquisition project must be included on a land acquisition priority list developed pursuant to s. 259.035 or s. 570.71. The funds must be appropriated in Administered Funds each fiscal year. Eligible state agencies may, on a first-come, first-served basis, submit a budget amendment to request release of funds pursuant to chapter 216. Release is contingent upon approval, if required.

(b) The lesser of 26.042 percent or \$100 million each fiscal year for the management of uplands and the removal of invasive species. From these funds, amounts shall be applied as follows:

1. The lesser of 36 percent or \$36 million to the Department of Environmental Protection, of which:

a. The lesser of 88.889 percent of the funds available pursuant to this subparagraph or \$32 million to the State Park Trust Fund within the department for land management activities within the state park system; and

b. The lesser of 11.111 percent of the funds available pursuant to this subparagraph or \$4 million to the Internal Improvement Trust Fund within the department for the purpose of implementing the Local Trail Management Grant Program created pursuant to s. 260.0145.

2. The lesser of 32 percent or \$32 million to the Incidental Trust Fund within the Department of Agriculture and Consumer Services for land management activities.

3. The lesser of 32 percent or \$32 million to the State Game Trust Fund within the Fish and Wildlife Conservation Commission for land management activities, including management activities for gopher tortoises and Florida panthers.

For sub-subparagraph 1.a. and subparagraphs 2. and 3., a land manager may not use more than 25 percent of the distribution for operation capital outlay or capital assets.

(c) The lesser of 26.042 percent or \$100 million each fiscal year to the Resilient Florida Trust Fund within the Department of Environmental Protection for the Statewide Flooding and Sea Level Rise Resilience Plan to be used in accordance with s. 380.093.

(d) After the distributions pursuant to paragraphs (a), (b), and (c), the remainder each fiscal year to the Water Protection and Sustainability Program Trust Fund within the Department of Environmental Protection

for the Water Quality Improvement Grant Program, to be used in accordance with s. 403.0673.

Allocations to trust funds shall be transferred monthly by nonoperating authority to the named trust fund.

Section 2. Section 260.0145, Florida Statutes, is created to read:

260.0145 Local Trail Management Grant Program.—

(1) The Local Trail Management Grant Program is created within the department to assist local governments with costs associated with the operation and maintenance of trails within the Florida Greenways and Trails System. Funding for the program is subject to appropriation.

(2) A local government may receive multiple grant awards per application cycle.

(3) The department shall give priority to each of the following:

(a) A local government that provides cost share for the costs associated with the operation and maintenance of the trails, except for trails within fiscally constrained counties or rural areas of opportunity.

(b) Trails within the Florida wildlife corridor as defined in s. 259.1055.

(4) A local government may only use grant funds for the operation and maintenance of trails, including, but not limited to, the purchase of equipment and capital assets; the funding of necessary repairs to ensure the safety of trail users; and other necessary maintenance, such as pressure washing, bush pruning, and clearing debris. A local government may not use grant funds for the planning, design, or construction of trails.

(5) Beginning January 15, 2025, and each January 15 thereafter, the department shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives in accordance with s. 286.001 listing the grants awarded pursuant to this section. The report must include the following information for each grant award: the grant recipient's name, a description of the individual components of the trail, a description of the maintenance activities funded, the total management cost for the trail components, and the cost share, if any, provided by the recipient.

Section 3. Present subsection (6) of section 259.1055, Florida Statutes, is redesignated as subsection (7), and a new subsection (6) is added to that section, to read:

259.1055 Florida wildlife corridor.—

(6) MANAGEMENT TECHNIQUES.—The Fish and Wildlife Conservation Commission is authorized to enter into voluntary agreements with

private landowners for environmental services within the Florida wildlife corridor.

(a) The agreements must require that the landowner protect and restore water resources; improve management of wildlife habitat, including the long-term conservation of forest and grassland soils and native plants; manage the land in a manner that keeps the desired ecosystem healthy for protected species, such as the gopher tortoise and the Florida panther; or provide other incentives to landowners to continue and improve land uses that are both economically sustainable and beneficial to the environment of this state.

(b) The commission shall ensure that any agreement for environmental services entered into requires the landowner to manage the land in a manner that improves or enhances the land beyond what is required under any other agreement or contract the landowner may have with the state.

(c) Subject to appropriation, the commission may use land management funds received pursuant to s. 380.095 for this purpose.

Section 4. (1) The Land Management Uniform Accounting Council (LMUAC) shall recommend the most efficient and effective use of the funds available to state agencies for land management activities pursuant to s. 380.095, Florida Statutes. The recommendations must be based on a review of the resources of each land management agency to determine current expenditures, including personnel costs, spent specifically on upland management activities and invasive species removal. The recommendations must include a calculation methodology to distribute the funds to the state agencies specified in s. 380.095(2)(b), Florida Statutes.

(2) The LMUAC shall adopt its initial recommendation and submit it to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 3, 2027. Thereafter, the LMUAC shall update its recommendation in the biennial report developed pursuant to s. 259.037, Florida Statutes.

Section 5. Subsections (3) and (7) of section 403.0673, Florida Statutes, are amended to read:

403.0673 Water quality improvement grant program.—A grant program is established within the Department of Environmental Protection to address wastewater, stormwater, and agricultural sources of nutrient loading to surface water or groundwater.

- (3) The department shall consider and prioritize those projects that:
- (a) Have the maximum estimated reduction in nutrient load per project;
 - (b) Demonstrate project readiness;
 - (c) Are cost-effective;

(d) Have a cost share identified by the applicant, except for rural areas of opportunity;

(e) Have multiyear project implementation schedules with previous state commitment and involvement in the project, considering previously funded phases, the total amount of previous state funding, and previous partial appropriations for the proposed project; ~~or~~

(f) Are in a location where reductions are needed most to attain the water quality standards of a waterbody not attaining nutrient or nutrient-related standards; or

(g) Were determined eligible in a previous application cycle and were able to demonstrate project readiness but were not awarded a grant.

Any project that does not result in reducing nutrient loading to a waterbody identified in subsection (1) is not eligible for funding under this section.

(7) Beginning January 15, 2024, and each January 15 thereafter, the department shall submit a report regarding the projects funded pursuant to this section to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report must include a list of those projects receiving funding and those projects not receiving funding which were determined eligible by the department and were able to demonstrate project readiness. The report must include ~~and~~ the following information for each project:

(a) A description of the project;

(b) The cost of the project;

(c) The estimated nutrient load reduction of the project;

(d) The location of the project;

(e) The waterbody or waterbodies where the project will reduce nutrients; ~~and~~

(f) The total cost share being provided for the project; and

(g) The progress made in the implementation of multiyear projects, including the funds spent, remaining costs, and remaining timeline for full implementation.

Section 6. For the 2024-2025 fiscal year, the sum of \$2 million in recurring funds is appropriated from the General Revenue Fund to the University of Florida to update continually both the Florida Wildlife Corridor plan and the Florida Ecological Greenways Network plan.

Section 7. From the funds distributed to the Department of Environmental Protection pursuant to s. 380.095(2)(d), Florida Statutes, and for the 2024-2025 fiscal year, the sum of \$5 million in nonrecurring funds is

appropriated from the Water Protection and Sustainability Program Trust Fund within the Department of Environmental Protection to the department to coordinate with the Water School at Florida Gulf Coast University to conduct a study to identify and analyze potential regional projects that meet the eligibility criteria set forth in s. 403.0673, Florida Statutes. At a minimum, the study must include the collection and consolidation of data regarding water quality to identify potential regional projects, including stormwater, hydrologic improvements, and innovative technologies, which reduce nutrient loading to water bodies identified in s. 403.0673(1), Florida Statutes. The department shall submit a report to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 3, 2025.

Section 8. From the funds distributed to the Indian Gaming Revenue Clearing Trust Fund within the Department of Financial Services pursuant to s. 380.095(2)(a), Florida Statutes, and for the 2024-2025 fiscal year, the sum of \$100 million in nonrecurring funds is appropriated from trust funds to Administered Funds for land acquisition pursuant to s. 380.095(2)(a), Florida Statutes.

Section 9. From the funds distributed to the Department of Environmental Protection pursuant to s. 380.095(2)(b)1., Florida Statutes, and for the 2024-2025 fiscal year, the sum of \$4 million in nonrecurring funds is appropriated from the Internal Improvement Trust Fund within the Department of Environmental Protection for the purpose of implementing the Local Trail Management Grant Program created pursuant to s. 260.0145, Florida Statutes.

Section 10. From the funds distributed to the Department of Environmental Protection pursuant to s. 380.095(2)(b)1., Florida Statutes, and for the 2024-2025 fiscal year, the sum of \$32 million in nonrecurring funds is appropriated from the State Park Trust Fund within the Department of Environmental Protection for land management activities as specified in s. 380.095(2)(b)1.a., Florida Statutes.

Section 11. From the funds distributed to the Department of Agriculture and Consumer Services pursuant to s. 380.095(2)(b)2., Florida Statutes, and for the 2024-2025 fiscal year, the sum of \$32 million in nonrecurring funds is appropriated from the Incidental Trust Fund within the Department of Agriculture and Consumer Services for land management activities as specified in s. 380.095(2)(b)2., Florida Statutes.

Section 12. From the funds distributed to the Fish and Wildlife Conservation Commission pursuant to s. 380.095(2)(b)3., Florida Statutes, and for the 2024-2025 fiscal year, the sum of \$32 million in nonrecurring funds is appropriated from the State Game Trust Fund within the Fish and Wildlife Conservation Commission for control of invasive species and upland land management activities pursuant to s. 380.095(2)(b)3., Florida Statutes, or s. 259.1055, Florida Statutes.

Section 13. From the funds distributed to the Department of Environmental Protection pursuant to s. 380.095(2)(c), Florida Statutes, and for the 2024-2025 fiscal year, the sum of \$100 million in nonrecurring funds is appropriated from the Resilient Florida Trust Fund within the Department of Environmental Protection for the Statewide Flooding and Sea Level Rise Resilience Plan pursuant to s. 380.093, Florida Statutes.

Section 14. From the funds distributed to the Department of Environmental Protection pursuant to s. 380.095(2)(d), Florida Statutes, and for the 2024-2025 fiscal year, the sum of \$79 million in nonrecurring funds is appropriated from the Water Protection and Sustainability Program Trust Fund within the Department of Environmental Protection for the Water Quality Improvement Grant Program pursuant to s. 403.0673, Florida Statutes.

Section 15. For the 2024-2025 fiscal year, the sum of \$150 million in nonrecurring funds from the General Revenue Fund is appropriated in the Aid to Local Governments – Grants and Aids - South Florida Water Management District - Operations appropriation category to the South Florida Water Management District for operations and maintenance responsibilities under the purview of the district. The funds must be placed in reserve. From the funds, the district shall enter into a contract with the Water School at Florida Gulf Coast University to conduct a study of the health and ecosystem of Lake Okeechobee. The study must take into account the health of plants, fish, and wildlife to be used for future planning of invasive plant control, replanting of native vegetation, and fish and game management. A report must be submitted by January 1, 2025, to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives. The Department of Environmental Protection is authorized to submit budget amendments to request release of funds pursuant to chapter 216, Florida Statutes. Release is contingent upon the submission of a spend plan and negotiated draft contract between the South Florida Water Management District and the Florida Gulf Coast University Water School.

Section 16. This act shall take effect upon becoming a law if SB 7080 or similar legislation is adopted in the same legislative session or an extension thereof and becomes a law.

Approved by the Governor April 4, 2024.

Filed in Office Secretary of State April 4, 2024.