

1 A bill to be entitled
2 An act relating to state lands; amending s. 253.034,
3 F.S.; providing legislative findings; revising
4 measurable objectives for management goals to include
5 the preservation of low-impact agriculture; requiring
6 updated land management plans to identify conservation
7 lands that could support low-impact agriculture and
8 conservation lands that are no longer needed and could
9 be disposed of; requiring that exchanges of
10 conservation lands result in an equal or greater
11 conservation benefit; requiring the Division of State
12 Lands to review state-owned conservation lands and
13 determine if such lands could support low-impact
14 agriculture or be disposed of; requiring the division
15 to submit a list of such lands to the Acquisition and
16 Restoration Council; requiring the council to provide
17 recommendations to the division and the Board of
18 Trustees of the Internal Improvement Trust Fund;
19 requiring that the division direct managing agencies
20 to offer agreements for low-impact agriculture on such
21 lands under certain conditions; providing
22 applicability of such agreements; directing the board
23 to dispose of such lands under certain conditions;
24 requiring the division to review certain
25 nonconservation lands and make recommendations to the
26 board as to whether such lands should be retained in

27 public ownership or disposed of; amending s. 253.42,
28 F.S.; providing for private lands contiguous to state-
29 owned lands to be exchanged for a permanent
30 conservation easement over all or a portion of the
31 privately owned lands; authorizing the use of such
32 lands for low-impact agricultural purposes; providing
33 conditions for approval of such exchanges; requiring
34 that special consideration be given to exchanges that
35 maintain public access for recreational purposes;
36 providing limited liability for persons maintaining
37 such public access; providing that permanent
38 conservation easements over privately owned lands are
39 subject to certain inspection; creating s. 253.87,
40 F.S.; directing the Department of Environmental
41 Protection to include certain county, municipal,
42 state, and federal lands in the Florida State-Owned
43 Lands and Records Information System (SOLARIS)
44 database and to update the database at specified
45 intervals; requiring counties, municipalities, and
46 financially disadvantaged small communities to submit
47 a list of certain lands to the department by a
48 specified date and at specified intervals; directing
49 the department to conduct a study and submit a report
50 to the Governor and Legislature on the technical and
51 economic feasibility of including certain lands in the
52 database or a similar public lands inventory; amending

53 s. 259.105, F.S.; deleting obsolete provisions;
 54 requiring the council to give weight and increased
 55 priority to certain projects when developing proposed
 56 rules relating to Florida Forever funding and
 57 additions to the Conservation and Recreation Lands
 58 list; providing for the appeal of decisions made by
 59 the council; authorizing the board to direct the
 60 council to include certain lands on such list under
 61 certain conditions; amending ss. 259.035 and 373.199,
 62 F.S.; conforming cross-references; directing the
 63 department to consolidate specified parcels of
 64 conservation lands under a single, unified title and
 65 legal description by a specified date; providing an
 66 effective date.

67

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

69

70 Section 1. Subsection (1), paragraphs (b) and (e) of
 71 subsection (5), and subsection (6) of section 253.034, Florida
 72 Statutes, are amended to read:

73 253.034 State-owned lands; uses.—

74 (1) (a) The Legislature finds that the total land area of
 75 the state is approximately 34.7 million acres and, as of January
 76 1, 2014, approximately 3.2 million acres of conservation lands
 77 are titled in the name of the Board of Trustees of the Internal
 78 Improvement Trust Fund. Approximately 1.2 million acres of these

79 | conservation lands, which equal approximately 3.4 percent of the
80 | total land area of the state, are uplands located above the
81 | boundary of jurisdictional wetlands.

82 | (b) All lands acquired pursuant to chapter 259 shall be
83 | managed to serve the public interest by protecting and
84 | conserving land, air, water, and the state's natural resources,
85 | which contribute to the public health, welfare, and economy of
86 | the state. These lands shall be managed to provide for areas of
87 | natural resource based recreation, and to ensure the survival of
88 | plant and animal species and the conservation of finite and
89 | renewable natural resources. The state's lands and natural
90 | resources shall be managed using a stewardship ethic that
91 | assures these resources will be available for the benefit and
92 | enjoyment of all people of the state, both present and future.
93 | It is the intent of the Legislature that, where feasible and
94 | consistent with the goals of protection and conservation of
95 | natural resources associated with lands held in the public trust
96 | by the Board of Trustees of the Internal Improvement Trust Fund,
97 | public land not designated for single-use purposes pursuant to
98 | paragraph (2) (b) be managed for multiple-use purposes. All
99 | multiple-use land management strategies shall address public
100 | access and enjoyment, resource conservation and protection,
101 | ecosystem maintenance and protection, and protection of
102 | threatened and endangered species, and the degree to which
103 | public-private partnerships or endowments may allow the entity
104 | with management responsibility to enhance its ability to manage

105 | these lands. The Acquisition and Restoration Council created in
 106 | s. 259.035 shall recommend rules to the board of trustees, and
 107 | the board shall adopt rules necessary to carry out the purposes
 108 | of this section.

109 | (5) Each manager of conservation lands shall submit to the
 110 | Division of State Lands a land management plan at least every 10
 111 | years in a form and manner prescribed by rule by the board and
 112 | in accordance with the provisions of s. 259.032. Each manager of
 113 | conservation lands shall also update a land management plan
 114 | whenever the manager proposes to add new facilities or make
 115 | substantive land use or management changes that were not
 116 | addressed in the approved plan, or within 1 year of the addition
 117 | of significant new lands. Each manager of nonconservation lands
 118 | shall submit to the Division of State Lands a land use plan at
 119 | least every 10 years in a form and manner prescribed by rule by
 120 | the board. The division shall review each plan for compliance
 121 | with the requirements of this subsection and the requirements of
 122 | the rules established by the board pursuant to this section. All
 123 | land use plans, whether for single-use or multiple-use
 124 | properties, shall include an analysis of the property to
 125 | determine if any significant natural or cultural resources are
 126 | located on the property. Such resources include archaeological
 127 | and historic sites, state and federally listed plant and animal
 128 | species, and imperiled natural communities and unique natural
 129 | features. If such resources occur on the property, the manager
 130 | shall consult with the Division of State Lands and other

131 appropriate agencies to develop management strategies to protect
132 such resources. Land use plans shall also provide for the
133 control of invasive nonnative plants and conservation of soil
134 and water resources, including a description of how the manager
135 plans to control and prevent soil erosion and soil or water
136 contamination. Land use plans submitted by a manager shall
137 include reference to appropriate statutory authority for such
138 use or uses and shall conform to the appropriate policies and
139 guidelines of the state land management plan. Plans for managed
140 areas larger than 1,000 acres shall contain an analysis of the
141 multiple-use potential of the property, which analysis shall
142 include the potential of the property to generate revenues to
143 enhance the management of the property. Additionally, the plan
144 shall contain an analysis of the potential use of private land
145 managers to facilitate the restoration or management of these
146 lands. In those cases where a newly acquired property has a
147 valid conservation plan that was developed by a soil and
148 conservation district, such plan shall be used to guide
149 management of the property until a formal land use plan is
150 completed.

151 (b) Short-term and long-term management goals shall
152 include measurable objectives for the following, as appropriate:

- 153 1. Habitat restoration and improvement.
- 154 2. Public access and recreational opportunities.
- 155 3. Hydrological preservation and restoration.
- 156 4. Sustainable forest management.

157 5. Exotic and invasive species maintenance and control.

158 6. Capital facilities and infrastructure.

159 7. Cultural and historical resources.

160 8. Imperiled species habitat maintenance, enhancement,
161 restoration, or population restoration.

162 9. Preservation of low-impact agriculture.

163 (e) Land management plans are to be updated every 10 years
164 on a rotating basis. Each updated land management plan must
165 identify conservation lands under the plan, in part or in whole:

166 1. That could support low-impact agricultural uses while
167 maintaining the land's conservation purposes.

168 2. That are no longer needed for conservation purposes and
169 could be disposed of in fee simple or with the state retaining a
170 permanent conservation easement.

171 (6) The board ~~of Trustees of the Internal Improvement~~
172 ~~Trust Fund~~ shall determine which lands titled to, ~~the title to~~
173 ~~which is vested in the board~~, may be surplused. For conservation
174 lands, the board shall determine whether the lands are no longer
175 needed for conservation purposes and may dispose of them by an
176 affirmative vote of at least three members. In the case of a
177 land exchange involving the disposition of conservation lands,
178 the board must determine by an affirmative vote of at least
179 three members that the exchange will result in an equal or
180 greater ~~a net positive~~ conservation benefit. For all other
181 lands, the board shall determine whether the lands are no longer
182 needed and may dispose of them by an affirmative vote of at

183 least three members.

184 (a) For the purposes of this subsection, all lands
 185 acquired by the state before July 1, 1999, using proceeds from
 186 Preservation 2000 bonds, the Conservation and Recreation Lands
 187 Trust Fund, the Water Management Lands Trust Fund,
 188 Environmentally Endangered Lands Program, and the Save Our Coast
 189 Program and titled to the board which are identified as core
 190 parcels or within original project boundaries are deemed to have
 191 been acquired for conservation purposes.

192 (b) For any lands purchased by the state on or after July
 193 1, 1999, before acquisition, the board must determine which
 194 parcels must be designated as having been acquired for
 195 conservation purposes. Lands acquired for use by the Department
 196 of Corrections, the Department of Management Services for use as
 197 state offices, the Department of Transportation, except those
 198 specifically managed for conservation or recreation purposes, or
 199 the State University System or the Florida College System may
 200 not be designated as having been purchased for conservation
 201 purposes.

202 (c)1. At least every 10 years, the division shall review
 203 all state-owned conservation lands titled to the board to
 204 determine whether any such lands could support low-impact
 205 agricultural uses while maintaining the land's conservation
 206 purposes. After such review, the division shall submit a list of
 207 such lands, including any additional lands identified in any
 208 updated land management plan pursuant to subparagraph (5)(e)1.,

209 to the council. Within 9 months after receiving the list, the
 210 council shall provide recommendations to the division as to
 211 whether any such lands could support low-impact agricultural
 212 uses while maintaining the land's conservation purposes. After
 213 considering such recommendations, the division shall direct
 214 managing agencies to offer agreements for low-impact agriculture
 215 on lands that it determines could support such agriculture while
 216 maintaining the land's conservation purposes. This section does
 217 not prohibit a managing agency from entering into agreements as
 218 otherwise provided by law. An agreement entered into pursuant to
 219 this paragraph may not exceed a term of 10 years. However, an
 220 agreement may be renewed with the consent of the division as a
 221 ~~component of each land management plan or land use plan and in a~~
 222 ~~form and manner prescribed by rule by the board, each manager~~
 223 ~~shall evaluate and indicate to the board those lands that are~~
 224 ~~not being used for the purpose for which they were originally~~
 225 ~~leased. For conservation lands, the council shall review and~~
 226 ~~recommend to the board whether such lands should be retained in~~
 227 ~~public ownership or disposed of by the board. For~~
 228 ~~nonconservation lands, the division shall review such lands and~~
 229 ~~recommend to the board whether such lands should be retained in~~
 230 ~~public ownership or disposed of by the board.~~

231 2. At least every 10 years, the division shall review all
 232 state-owned conservation lands titled to the board to determine
 233 whether any such lands are no longer needed for conservation
 234 purposes and could be disposed of in fee simple or with the

235 state retaining a permanent conservation easement. After such
236 review, the division shall submit a list of such lands,
237 including additional conservation lands identified in an updated
238 land management plan pursuant to subparagraph (5)(e)2., to the
239 council. Within 9 months after receiving the list, the council
240 shall provide recommendations to the board as to whether any
241 such lands are no longer needed for conservation purposes and
242 could be disposed of in fee simple or with the state retaining a
243 permanent conservation easement. After reviewing such list and
244 considering such recommendations, if the board determines by an
245 affirmative vote of at least three members of the board that any
246 such lands are no longer needed for conservation purposes, the
247 board shall dispose of the lands in fee simple or with the state
248 retaining a permanent conservation easement.

249 3. At least every 10 years, the division shall review all
250 encumbered and unencumbered nonconservation lands titled to the
251 board and recommend to the board whether any such lands should
252 be retained in public ownership or disposed of by the board. The
253 board may dispose of nonconservation lands under this paragraph
254 by a majority vote of the board.

255 (d) Lands titled to ~~owned by~~ the board which are not
256 actively managed by any state agency or for which a land
257 management plan has not been completed pursuant to subsection
258 (5) must be reviewed by the council or its successor for its
259 recommendation as to whether such lands should be disposed of by
260 the board.

261 (e) Before any decision by the board to surplus lands, the
 262 ~~Acquisition and Restoration~~ council shall review and make
 263 recommendations to the board concerning the request for
 264 surplusings. The council shall determine whether the request for
 265 surplusings is compatible with the resource values of and
 266 management objectives for such lands.

267 (f) In reviewing lands titled to ~~owned by~~ the board, the
 268 council shall consider whether such lands would be more
 269 appropriately owned or managed by the county or other unit of
 270 local government in which the land is located. The council shall
 271 recommend to the board whether a sale, lease, or other
 272 conveyance to a local government would be in the best interests
 273 of the state and local government. ~~The provisions of This~~
 274 paragraph does not in no way limit the provisions of ss. 253.111
 275 and 253.115. Such lands shall be offered to the state, county,
 276 or local government for ~~a period of~~ 45 days. Permittable uses
 277 for such surplus lands may include public schools; public
 278 libraries; fire or law enforcement substations; governmental,
 279 judicial, or recreational centers; and affordable housing
 280 meeting the criteria of s. 420.0004(3). County or local
 281 government requests for surplus lands shall be expedited
 282 throughout the surplusings process. If the county or local
 283 government does not elect to purchase such lands in accordance
 284 with s. 253.111, any surplusings determination involving other
 285 governmental agencies shall be made when the board decides the
 286 best public use of the lands. Surplus lands ~~properties~~ in which

287 governmental agencies have not expressed an ~~no~~ interest must
 288 ~~then~~ be available for sale on the private market.

289 (g) The sale price of lands determined to be surplus
 290 pursuant to this subsection and s. 253.82 shall be determined by
 291 the division, which shall consider an appraisal of the property,
 292 or, if the estimated value of the land is \$500,000 or less, a
 293 comparable sales analysis or a broker's opinion of value. The
 294 division may require a second appraisal. The individual or
 295 entity that requests to purchase the surplus parcel shall pay
 296 all costs associated with determining the property's value, if
 297 any.

298 1. A written valuation of land determined to be surplus
 299 pursuant to this subsection and s. 253.82, and related documents
 300 used to form the valuation or which pertain to the valuation,
 301 are confidential and exempt from s. 119.07(1) and s. 24(a), Art.
 302 I of the State Constitution.

303 a. The exemption expires 2 weeks before the contract or
 304 agreement regarding the purchase, exchange, or disposal of the
 305 surplus land is first considered for approval by the board.

306 b. Before expiration of the exemption, the division may
 307 disclose confidential and exempt appraisals, valuations, or
 308 valuation information regarding surplus land:

309 (I) During negotiations for the sale or exchange of the
 310 land.

311 (II) During the marketing effort or bidding process
 312 associated with the sale, disposal, or exchange of the land to

313 facilitate closure of such effort or process.

314 (III) When the passage of time has made the conclusions of
315 value invalid.

316 (IV) When negotiations or marketing efforts concerning the
317 land are concluded.

318 2. A unit of government that acquires title to lands
319 pursuant to this paragraph hereunder for less than appraised
320 value may not sell or transfer title to all or any portion of
321 the lands to any private owner for 10 years. Any unit of
322 government seeking to transfer or sell lands pursuant to this
323 paragraph must first allow the board ~~of trustees~~ to reacquire
324 such lands for the price at which the board sold such lands.

325 (h) Parcels with a market value over \$500,000 must be
326 initially offered for sale by competitive bid. The division may
327 use agents, as authorized by s. 253.431, for this process. Any
328 parcels unsuccessfully offered for sale by competitive bid, and
329 parcels with a market value of \$500,000 or less, may be sold by
330 any reasonable means, including procuring real estate services,
331 open or exclusive listings, competitive bid, auction, negotiated
332 direct sales, or other appropriate services, to facilitate the
333 sale.

334 (i) After reviewing the recommendations of the council,
335 the board shall determine whether lands identified for surplus
336 are to be held for other public purposes or are no longer
337 needed. The board may require an agency to release its interest
338 in such lands. A state agency, county, or local government that

339 has requested the use of a property that was to be declared as
340 surplus must secure the property under lease within 90 days
341 after being notified that it may use such property.

342 (j) Requests for surplusizing may be made by any public or
343 private entity or person. All requests shall be submitted to the
344 lead managing agency for review and recommendation to the
345 council or its successor. Lead managing agencies have 90 days to
346 review such requests and make recommendations. Any surplusizing
347 requests that have not been acted upon within the 90-day ~~time~~
348 period shall be immediately scheduled for hearing at the next
349 regularly scheduled meeting of the council or its successor.
350 Requests for surplusizing pursuant to this paragraph are not
351 required to be offered to local or state governments as provided
352 in paragraph (f).

353 (k) Proceeds from any sale of surplus lands pursuant to
354 this subsection shall be deposited into the fund from which such
355 lands were acquired. However, if the fund from which the lands
356 were originally acquired no longer exists, such proceeds shall
357 be deposited into an appropriate account to be used for land
358 management by the lead managing agency assigned the lands before
359 the lands were declared surplus. Funds received from the sale of
360 surplus nonconservation lands, or lands that were acquired by
361 gift, by donation, or for no consideration, shall be deposited
362 into the Internal Improvement Trust Fund.

363 (l) Notwithstanding this subsection, such disposition of
364 land may not be made if it would have the effect of causing all

365 or any portion of the interest on any revenue bonds issued to
 366 lose the exclusion from gross income for federal income tax
 367 purposes.

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

371 (n) The board may adopt rules to administer this section
 372 which may include procedures for administering surplus land
 373 requests and criteria for when the division may approve requests
 374 to surplus nonconservation lands on behalf of the board.

375 Section 2. Subsection (4) is added to section 253.42,
 376 Florida Statutes, to read:

377 253.42 Board of trustees may exchange lands.—The
 378 provisions of this section apply to all lands owned by, vested
 379 in, or titled in the name of the board whether the lands were
 380 acquired by the state as a purchase, or through gift, donation,
 381 or any other conveyance for which no consideration was paid.

382 (4) (a) A person who owns land contiguous to state-owned
 383 land titled to the board may submit a request directly to the
 384 board to exchange all or a portion of such state-owned land with
 385 the state retaining a permanent conservation easement for a
 386 permanent conservation easement over all or a portion of the
 387 privately owned land. State-owned land exchanged pursuant to
 388 this subsection shall be contiguous to the privately owned land
 389 upon which the state retains a permanent conservation easement.
 390 Such conservation easements shall allow the person to use the

391 land for low-impact agriculture. The Division of State Lands
 392 shall review such requests and provide recommendations to the
 393 board. This subsection does not apply to state-owned sovereign
 394 submerged land.

395 (b) The number of acres of state-owned land being
 396 exchanged must be equal to or less than the number of acres of
 397 privately held land that the person is willing to put under a
 398 permanent conservation easement.

399 (c) The board shall consider a request within 180 days
 400 after receipt of the request and may approve the request if:

401 1. At least 30 percent of the perimeter of the privately
 402 held land is bordered by state-owned land and the exchange does
 403 not create an inholding.

404 2. The approval does not result in a violation of the
 405 terms of a preexisting lease or agreement by the board, the
 406 department, the Department of Agriculture and Consumer Services,
 407 or the Fish and Wildlife Conservation Commission.

408 3. For state-owned land that was purchased for
 409 conservation purposes, the board makes a determination that the
 410 land is no longer needed for conservation purposes.

411 4. The approval does not conflict with any existing
 412 flowage easement.

413 5. The request is approved by at least three members of
 414 the board.

415 (d) Special consideration shall be given to a request that
 416 maintains public access for any recreational purpose allowed on

417 the state-owned land at the time the request is submitted to the
418 board. A person who maintains public access pursuant to this
419 paragraph is entitled to the limitation on liability provided in
420 s. 375.251.

421 (e) Land subject to a permanent conservation easement
422 granted pursuant to this subsection is subject to inspection by
423 the department to ensure compliance with the terms of the
424 permanent conservation easement.

425 Section 3. Section 253.87, Florida Statutes, is created to
426 read:

427 253.87 Inventory of state, federal, and local government
428 conservation lands by the Department of Environmental
429 Protection.—

430 (1) By July 1, 2017, the Department of Environmental
431 Protection shall include in the Florida State-Owned Lands and
432 Records Information System (SOLARIS) database all federally
433 owned conservation lands, all lands on which the federal
434 government retains a permanent conservation easement, and all
435 lands on which the state retains a permanent conservation
436 easement. The department shall update the database at least
437 every 5 years.

438 (2) (a) By July 1, 2017, for counties and municipalities,
439 and by July 1, 2018, for financially disadvantaged small
440 communities, as defined in s. 403.1838, and at least every 5
441 years thereafter, respectively, each county, municipality, and
442 financially disadvantaged small community shall identify all

443 conservation lands that it owns in fee simple and all lands on
444 which it retains a permanent conservation easement and submit,
445 in a manner determined by the department, a list of such lands
446 to the department. Within 6 months after receiving such list,
447 the department shall add such lands to the SOLARIS database.

448 (3) By January 1, 2017, the department shall conduct a
449 study and submit a report to the Governor, the President of the
450 Senate, and the Speaker of the House of Representatives on the
451 technical and economic feasibility of including the following
452 lands in the SOLARIS database or a similar public lands
453 inventory:

454 (a) All lands on which local comprehensive plans, land use
455 restrictions, zoning ordinances, or land development regulations
456 prohibit the land from being developed or limit the amount of
457 development to one unit per 40 or more acres.

458 (b) All publicly and privately owned lands for which
459 development rights have been transferred.

460 (c) All privately owned lands under a permanent
461 conservation easement.

462 (d) All lands owned by a nonprofit or nongovernmental
463 organization for conservation purposes.

464 (e) All lands that are part of a mitigation bank.

465 Section 4. Subsections (5) through (21) are renumbered as
466 subsections (4) through (20), respectively, and paragraph (m) of
467 subsection (3) and present subsections (4), (11), and (14) of
468 section 259.105, Florida Statutes, are amended, and paragraph

469 (m) is added to present subsection (10) of that section, to
 470 read:

471 259.105 The Florida Forever Act.—

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

478 ~~(m) Notwithstanding paragraphs (a)–(j) and for the 2014–~~
 479 ~~2015 fiscal year only:~~

480 ~~1. Five million dollars to the Department of Agriculture~~
 481 ~~and Consumer Services for the acquisition of agricultural lands~~
 482 ~~through perpetual conservation easements and other perpetual~~
 483 ~~less than fee techniques, which will achieve the objectives of~~
 484 ~~Florida Forever and s. 570.71.~~

485 ~~2. The remaining moneys appropriated from the Florida~~
 486 ~~Forever Trust Fund shall be distributed only to the Division of~~
 487 ~~State Lands within the Department of Environmental Protection~~
 488 ~~for land acquisitions that are less than fee interest, for~~
 489 ~~partnerships in which the state's portion of the acquisition~~
 490 ~~cost is no more than 50 percent, or for conservation lands~~
 491 ~~needed for military buffering or springs or water resources~~
 492 ~~protection.~~

493
 494 ~~This paragraph expires July 1, 2015.~~

495 ~~(4) Notwithstanding subsection (3) and for the 2014-2015~~
 496 ~~fiscal year only, the funds appropriated in section 56 of the~~
 497 ~~2014-2015 General Appropriations Act may be provided to water~~
 498 ~~management districts for land acquisitions, including less than~~
 499 ~~fee interest, identified by water management districts as being~~
 500 ~~needed for water resource protection or ecosystem restoration.~~
 501 ~~This subsection expires July 1, 2015.~~

502 (9) ~~(10)~~ The Acquisition and Restoration Council shall
 503 recommend rules for adoption by the board of trustees to
 504 competitively evaluate, select, and rank projects eligible for
 505 Florida Forever funds pursuant to paragraph (3) (b) and for
 506 additions to the Conservation and Recreation Lands list pursuant
 507 to ss. 259.032 and 259.101(4). In developing these proposed
 508 rules, the Acquisition and Restoration Council shall give weight
 509 to the following criteria:

510 (m) The project allows the state to purchase a permanent
 511 conservation easement that would authorize existing low-impact
 512 agricultural uses to continue while achieving the intended
 513 conservation purpose.

514 (10) ~~(11)~~ The Acquisition and Restoration Council shall
 515 give increased priority to:

516 (a) these Projects for which matching funds are available.

517 (b) and to Project elements previously identified on an
 518 acquisition list pursuant to this section that can be acquired
 519 at 80 percent or less of appraised value.

520 (c) Projects that can be acquired in less than fee

521 ownership, such as a permanent conservation easement.

522 (d) Projects that contribute to improving the quality and
 523 quantity of groundwater.

524 (e) Projects that contribute to improving the water
 525 quality and flow of springs.

526 ~~(f) The council shall also give increased priority to~~
 527 ~~these~~ Projects where the state's land conservation plans overlap
 528 with the military's need to protect lands, water, and habitat to
 529 ensure the sustainability of military missions including:

530 1.~~(a)~~ Protecting habitat on nonmilitary land for any
 531 species found on military land that is designated as threatened
 532 or endangered, or is a candidate for such designation under the
 533 Endangered Species Act or any Florida statute;

534 2.~~(b)~~ Protecting areas underlying low-level military air
 535 corridors or operating areas; and

536 3.~~(c)~~ Protecting areas identified as clear zones, accident
 537 potential zones, and air installation compatible use buffer
 538 zones delineated by our military partners, and for which federal
 539 or other funding is available to assist with the project.

540 (13)~~(14)~~ An affirmative vote of at least five members of
 541 the Acquisition and Restoration Council shall be required in
 542 order to place a ~~proposed~~ project submitted pursuant to
 543 subsection (6) on the proposed project list developed pursuant
 544 to subsection (7) ~~(8)~~. Any member of the council who by family
 545 or a business relationship has a connection with any project
 546 proposed to be ranked shall declare such interest before ~~prior~~

547 ~~to~~ voting for a project's inclusion on the list. A decision by
 548 the council to not place a project on the proposed list may be
 549 appealed directly to the Board of Trustees of the Internal
 550 Improvement Trust Fund. Pursuant to such an appeal, the board,
 551 by an affirmative vote of at least three members of the board,
 552 may direct the council to place the project on the proposed
 553 project list.

554 Section 5. Paragraph (c) of subsection (4) of section
 555 259.035, Florida Statutes, is amended to read:

556 259.035 Acquisition and Restoration Council.—

557 (4)

558 (c) In developing or amending rules, the council shall
 559 give weight to the criteria included in s. 259.105(9)
 560 ~~259.105(10)~~. The board of trustees shall review the
 561 recommendations and shall adopt rules necessary to administer
 562 this section.

563 Section 6. Paragraph (i) of subsection (4) of section
 564 373.199, Florida Statutes, is amended to read:

565 373.199 Florida Forever Water Management District Work
 566 Plan.—

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

569 (i) Numeric performance measures for each project. Each
 570 performance measure shall include a baseline measurement, which
 571 is the current situation; a performance standard, which water
 572 management district staff anticipates the project will achieve;

PCB SAC 15-02

2015

573 and the performance measurement itself, which should reflect the
574 incremental improvements the project accomplishes towards
575 achieving the performance standard. These measures shall reflect
576 the relevant goals detailed in s. 259.105 ~~259.105(4)~~.

577 Section 7. Consolidating titles to state-owned
578 conservation lands.—As expeditiously as possible, but not later
579 than July 1, 2018, the Department of Environmental Protection
580 shall consolidate under a single, unified title and legal
581 description all individually titled parcels of conservation
582 lands solely owned by the Board of Trustees of the Internal
583 Improvement Trust Fund that are contiguous to other parcels of
584 conservation lands solely owned by the board.

585 Section 8. This act shall take effect July 1, 2015.