

By Senator Kirkpatrick

5-1352-99

1 A bill to be entitled
2 An act relating to the Florida Heritage River
3 Commission; creating s. 373.027, F.S.; creating
4 the Florida Heritage River Commission;
5 authorizing the Department of Enviromental
6 Protection and the water management districts
7 to assist in the coordination of state,
8 regional, and local agencies with the American
9 Heritage Rivers Program; providing an effective
10 date.

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

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14 Section 1. Section 373.027, Florida Statutes, is
15 created to read:

16 373.027 Florida Heritage River Commission.--The Florida
17 Heritage River Commission is created to coordinate the efforts
18 of state, regional, and local governments with the American
19 Heritage Rivers Program and the applicable federal agencies
20 responsible for assisting implementation of that program.

21 (1) The commission has three objectives: natural
22 resource and enviromental protection; economic preservation,
23 development, and revitalization; and historic and cultural
24 preservation.

25 (2) The Department of Enviromental Protection shall
26 serve as the overall coordinator of state action. The water
27 management district having jurisdiction shall also assist in
28 this effort and shall make one existing position including
29 support staff available to assist in coordination of state
30 actions.

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1 (3) The commission shall be composed of the Secretary
2 of the Department of Enviromental Protection, the executive
3 director of the applicable water management district, the
4 Secretary of State, a representative of Enterprise Florida,
5 Inc., and a local governmental representative of each county
6 bordering the St. Johns River. The county representative shall
7 be designated by a majority of the Board of County
8 Commissioners in each county. In addition, the Governor, the
9 President of the Senate, and the Speaker of the House of
10 Representatives shall each appoint a representative to serve
11 on the commission.

12 (4) The commission shall provide local and state input
13 and direction to the American Heritage Rivers Program. The
14 commission shall act with due regard for the protection of
15 private property rights provided by the United States and
16 Florida Constitutions and the Florida Statutes. A new
17 regulatory authority is not created as a result of the
18 establishment of the commission nor does the commission have
19 standing or authority to sue or intervene in state or federal
20 court. The commission may not interfere with matters of state,
21 regional, or local government jurisdiction.

22 (5) The commission shall also monitor the progress of
23 the American Heritage River Program and its implementation in
24 regard to the St. Johns River. If the commission finds that
25 the program is not of assistance to the state and its local
26 communities, it shall recommend to the Governor that a process
27 be instituted to terminate the designation.

28 (6) The commission shall identify existing programs of
29 state, regional, and local governments, as well as those of
30 federal agencies, which may provide assistance to communities
31 along the river, including programs of river conservation,

1 community health and economic revitalization, preservation,
2 and development. It shall also, to the extent provided by law,
3 provide sources of financial and technical support for
4 communities adjacent to the St. Johns River. It shall promote
5 local community-based efforts to improve communities along the
6 river.

7 (7) The commission shall solicit and receive input and
8 information from the military, business, industry,
9 agriculture, manufacturing, marinas, ports, shipbuilding,
10 power plants, and utilities, both public and private, who have
11 an interest in the St. Johns River. The commission shall
12 communicate the information it has collected, including issues
13 and concerns, to the River Navigator and various state, local,
14 and federal government agencies and officials. The commission
15 shall also monitor and report the Navigator's response and
16 action to information provided. The commission shall report on
17 the Navigator's activities pursuant to his or her official
18 duties.

19 (8) An objective of the commission shall be to improve
20 commercial and sports fishing, boating, and other water-based
21 recreational activities along the river.

22 (9) The commission shall identify property and
23 installations owned by local governments, the state, or the
24 Federal Government along the river, and means of using that
25 property to improve river conservation and public enjoyment
26 and access to resources in and adjacent to the river.

27 (10) The commission shall coordinate with the River
28 Navigator, the designated federal coordinator, to ensure that
29 the purposes of this section and the American Heritage Rivers
30 Program are carried out to the benefit of the residents of the
31 state and communities along the St Johns River.

