

Amendment No. 1 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	

ORIGINAL STAMP BELOW

11 Representative(s) Harrington offered the following:

13 **Amendment (with title amendment)**

14 Remove from the bill: Everything after the enacting clause  
15  
16 and insert in lieu thereof:

17 Section 1. Paragraph (c) is added to subsection (2) of  
18 section 253.034, Florida Statutes, and subsection (6) of said  
19 section is amended, to read:

20 253.034 State-owned lands; uses.--

21 (2) As used in this section, the following phrases  
22 have the following meanings:

23 (c) "Conservation lands" means lands that are  
24 currently managed for conservation, outdoor resource-based  
25 recreation, or archaeological or historic preservation, except  
26 those lands that were acquired solely to facilitate the  
27 acquisition of other conservation lands. Lands acquired for  
28 uses other than conservation, outdoor resource-based  
29 recreation, or archaeological or historic preservation shall  
30 not be designated conservation lands except as otherwise  
31 authorized under this section. These lands shall include, but

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1 not be limited to, the following: correction and detention  
2 facilities, military installations and facilities, state  
3 office buildings, maintenance yards, state university or state  
4 community college campuses, agricultural field stations or  
5 offices, tower sites, law enforcement and license facilities,  
6 laboratories, hospitals, clinics, and other sites that possess  
7 no significant natural or historical resources. However,  
8 lands acquired solely to facilitate the acquisition of other  
9 conservation lands, and for which the land management plan has  
10 not yet been completed or updated, may be evaluated by the  
11 Board of Trustees of the Internal Improvement Trust Fund on a  
12 case-by-case basis to determine if they will be designated  
13 conservation lands.

14 (6) The Board of Trustees of the Internal Improvement  
15 Trust Fund shall determine which lands, the title to which is  
16 vested in the board, may be surplused. ~~Notwithstanding s.~~  
17 ~~253.111,~~ For conservation lands, the board shall make a  
18 determination that the lands are no longer needed for  
19 conservation purposes and may dispose of them by a two-thirds  
20 vote. In the case of a land exchange involving the disposition  
21 of conservation lands, the board must determine by at least a  
22 two-thirds vote that the exchange will result in a net  
23 positive conservation benefit. For all other lands, the board  
24 shall make a determination that the lands are no longer needed  
25 and may dispose of them by majority vote.

26 (a) For the purposes of this subsection, all lands  
27 acquired by the state prior to July 1, 1999, using proceeds  
28 from the Preservation 2000 bonds, the Conservation and  
29 Recreation Lands Trust Fund, the Water Management Lands Trust  
30 Fund, Environmentally Endangered Lands Program, and the Save  
31 Our Coast Program and titled to the board, which lands are

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1 identified as core parcels or within original project  
2 boundaries, shall be deemed to have been acquired for  
3 conservation purposes.

4 (b) For any lands purchased by the state on or after  
5 July 1, 1999, a determination shall be made by the board prior  
6 to acquisition as to those parcels that shall be designated as  
7 having been acquired for conservation purposes. No lands  
8 acquired for use by the Department of Corrections, the  
9 Department of Management Services for use as state offices,  
10 the Department of Transportation, except those specifically  
11 managed for conservation or recreation purposes, or the State  
12 University System or the Florida Community College System  
13 shall be designated as having been purchased for conservation  
14 purposes.

15 (c) At least every 5 ~~3~~ years, as a component of each  
16 land management plan or land use plan and in a form and manner  
17 prescribed by rule by the board, each management entity shall  
18 evaluate and indicate to the board those lands that the entity  
19 manages which are not being used for the purpose for which  
20 they were originally leased. Such lands shall be reviewed by  
21 the council for its recommendation as to whether such lands  
22 should be disposed of by the board.

23 (d) Lands owned by the board which are not actively  
24 managed by any state agency or for which a land management  
25 plan has not been completed pursuant to subsection (5) shall  
26 be reviewed by the council or its successor for its  
27 recommendation as to whether such lands should be disposed of  
28 by the board.

29 (e) Prior to any decision by the board to surplus  
30 lands, the Acquisition and Restoration Council shall review  
31 and make recommendations to the board concerning the request

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1 for surplusings. The council shall determine whether the  
2 request for surplusings is compatible with the resource values  
3 of and management objectives for such lands.  
4 (f) In reviewing lands owned by the board, the council  
5 ~~or its successor~~ shall consider whether such lands would be  
6 more appropriately owned or managed by the county or other  
7 unit of local government in which the land is located. The  
8 council ~~or its successor~~ shall recommend to the board whether  
9 a sale, lease, or other conveyance to a local government would  
10 be in the best interests of the state and local government.  
11 The provisions of this paragraph in no way limit the  
12 provisions of ss. 253.111 and 253.115. Such lands shall be  
13 offered to the state, county, or local government for a period  
14 of 30 ~~90~~ days. Permittable uses for such surplus lands may  
15 include public schools; public libraries; fire or law  
16 enforcement substations; and governmental, judicial, or  
17 recreational centers. County or local government requests for  
18 surplus lands shall be expedited throughout the surplusings  
19 process. If the county or local government does not elect to  
20 purchase such lands in accordance with s. 253.111, then any  
21 surplusings determination involving other governmental agencies  
22 shall be made upon the board deciding the best public use of  
23 the lands. ~~State agencies shall have the subsequent~~  
24 ~~opportunity to acquire the surplus lands for a period not to~~  
25 ~~exceed 30 days after the offer to a county or local government~~  
26 ~~expires.~~ Surplus properties in which governmental agencies  
27 have expressed no interest shall then be available for sale on  
28 the private market.  
29 (g) Lands determined to be surplus pursuant to this  
30 subsection shall be sold for appraised ~~fair market~~ value or  
31 the price paid by the state or a water management district to

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1 originally acquire the lands, whichever is greater, except  
2 when the board or its designee determines a different sale  
3 price is in the public interest. However, for those ~~that the~~  
4 ~~price of~~ lands sold as surplus to any unit of government, the  
5 price shall not exceed the price paid by the state or a water  
6 management district to originally acquire the lands. A unit of  
7 government which acquires title to lands hereunder for less  
8 than appraised ~~fair market~~ value may not sell or transfer  
9 title to all or any portion of the lands to any private owner  
10 for a period of 10 years. Any unit of government seeking to  
11 transfer or sell lands pursuant to this paragraph shall first  
12 allow the board of trustees to reacquire such lands. ~~The~~  
13 ~~board of trustees may reacquire such lands~~ for the price at  
14 which they sold such lands.

15 (h) Where a unit of government acquired land by gift,  
16 donation, grant, quit-claim deed, or other such conveyance  
17 where no monetary consideration was exchanged, the price of  
18 land sold as surplus may be based on one appraisal. In the  
19 event that a single appraisal yields a value equal to or  
20 greater than \$1 million, a second appraisal is required. ~~shall~~  
21 ~~not exceed the fair market value of the lands. Fair market~~  
22 ~~value shall be determined by the average of two separate~~  
23 ~~appraisals.~~ The individual or entity requesting the surplus  
24 shall select and use appraisers from the list of approved  
25 appraisers maintained by the Division of State Lands in  
26 accordance with s. 253.025(6)(b). The individual or entity  
27 requesting the surplus is to incur all costs of the  
28 appraisals.

29 (i) After reviewing the recommendations of the council  
30 ~~or its successor,~~ the board shall determine whether lands  
31 identified for surplus are to be held for other public

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1 purposes or whether such lands are no longer needed. The  
2 board may require an agency to release its interest in such  
3 lands. For an agency that has requested the use of a property  
4 that was to be declared as surplus, said agency must have the  
5 property under lease within six months of the date of  
6 expiration of the notice provisions required under ss.  
7 253.034(6) and 253.111.

8 (j) Requests for surplusing may be made by any public  
9 or private entity or person. All requests shall be submitted  
10 to the lead managing agency for review and recommendation to  
11 the council or its successor. Lead managing agencies shall  
12 have 90 days to review such requests and make recommendations.  
13 Any surplusing requests that have not been acted upon within  
14 the 90-day time period shall be immediately scheduled for  
15 hearing at the next regularly scheduled meeting of the council  
16 or its successor. Requests for surplusing pursuant to this  
17 paragraph shall not be required to be offered to local or  
18 state governments as provided in paragraph (f).

19 (k) Proceeds from any sale of surplus lands pursuant  
20 to this subsection shall be deposited into the fund from which  
21 such lands were acquired. However, if the fund from which the  
22 lands were originally acquired no longer exists, such proceeds  
23 shall be deposited into an appropriate account to be used for  
24 land management by the lead managing agency assigned the lands  
25 prior to the lands being declared surplus. Funds received from  
26 the sale of surplus nonconservation lands, or lands that were  
27 acquired by gift, by donation, or for no consideration, shall  
28 be deposited into the Internal Improvement Trust Fund.

29 (l) Notwithstanding the provisions of this subsection,  
30 no such disposition of land shall be made if such disposition  
31 would have the effect of causing all or any portion of the

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

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

6 Section 2. Subsection (3) of section 253.111, Florida  
7 Statutes, is amended, and paragraph (c) is added to subsection  
8 (6) of said section, to read:

9 253.111 Notice to board of county commissioners before  
10 sale.--The Board of Trustees of the Internal Improvement Trust  
11 Fund of the state may not sell any land to which they hold  
12 title unless and until they afford an opportunity to the  
13 county in which such land is situated to receive such land on  
14 the following terms and conditions:

15 (3) If the board receives, within 30 ~~45~~ days after  
16 notice is given to the board of county commissioners pursuant  
17 to subsection (1), the certified copy of the resolution  
18 provided for in subsection (2), the board shall forthwith  
19 convey to the county such land at a price that is equal to its  
20 appraised market value established by generally accepted  
21 professional standards for real estate appraisal and subject  
22 to such other terms and conditions as the board determines.

23 (6) This section does not apply to:

24 (a) Any land exchange approved by the board; ~~or~~

25 (b) The conveyance of any lands located within the  
26 Everglades Agricultural Area; or.

27 (c) Lands managed pursuant to ss. 253.781-253.785.

28 Section 3. Paragraphs (h) and (i) of subsection (5) of  
29 section 253.115, Florida Statutes, are amended, and paragraph  
30 (j) is added to said subsection, to read:

31 253.115 Public notice and hearings.--

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1 (5) The notice and publication requirements of this  
2 section do not apply to:

3 (h) The conveyance of lands pursuant to the provisions  
4 of s. 373.4592(4)(b); ~~or~~

5 (i) Renewals, modifications, or assignments; ~~or-~~

6 (j) Lands managed pursuant to ss. 253.781-253.785.

7 Section 4. Section 253.781, Florida Statutes, is  
8 amended to read:

9 253.781 Retention of state-owned lands along former  
10 Cross Florida Barge Canal route; creation of Marjorie Harris  
11 Carr Cross Florida Greenway ~~Greenways~~ State Recreation and  
12 Conservation Area; authorizing transfer to the Federal  
13 Government for inclusion in Ocala National Forest.--

14 (1) It is the intent of the Legislature to conserve  
15 and protect the natural resources and scenic beauty of the  
16 Ocklawaha ~~Oklawaha~~ River Valley and all lands and interests  
17 formerly acquired by the state or Federal Government for  
18 construction and operation of the Cross Florida Barge Canal.  
19 It is the finding of the Legislature that these areas have a  
20 significant impact upon environmental and recreational  
21 resources of statewide importance and that public ownership of  
22 and access to such areas are necessary and desirable to  
23 protect the health, welfare, safety, and quality of life of  
24 the residents of this state and to implement s. 7, Art. II of  
25 the State Constitution. It is further the finding of the  
26 Legislature that retention of ownership and control of the  
27 majority of the lands by the state and the ownership and  
28 control of additional portions by the Federal Government as  
29 part of the Ocala National Forest will properly protect and  
30 conserve the natural resources and scenic beauty of Florida,  
31 enhance recreational opportunities, and be in the public



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1 interest. To achieve these goals, the Legislature hereby  
2 creates the Marjorie Harris Carr Cross Florida Greenway  
3 ~~Greenways~~ State Recreation and Conservation Area.

4 (2) The department is authorized to transfer for  
5 consideration ownership of all lands or interests in lands  
6 previously owned by the canal authority contained within the  
7 existing boundary of the Ocala National Forest and any  
8 extension of the boundary of the Ocala National Forest in  
9 Putnam County to the United States Department of Agriculture  
10 for the purpose of inclusion in the Ocala National Forest.

11 (3) The Board of Trustees of the Internal Improvement  
12 Trust Fund may acquire by purchase, exchange of other state  
13 lands, or the exercise of the power of eminent domain the fee  
14 title to lands acquired in less-than-fee title and to  
15 privately owned lands that break the continuity of publicly  
16 owned lands within the original canal corridor as specified in  
17 the University Planning Team Greenway Management Plan along  
18 the canal route, using canal authority assets transferred to  
19 the department or using state, local, or federal funds  
20 dedicated to acquiring lands for conservation and recreation.  
21 The Legislature finds that such exercise of the power of  
22 eminent domain to accomplish the purposes of this section is  
23 necessary and for a public purpose. Such power of eminent  
24 domain must be exercised pursuant to chapter 73.

25 (4) Lands transferred pursuant to this section by the  
26 department may reserve existing road rights-of-way.

27 Section 5. Section 253.7821, Florida Statutes, is  
28 amended to read:

29 253.7821 Marjorie Harris Carr Cross Florida Greenway  
30 ~~Greenways~~ State Recreation and Conservation Area assigned to  
31 the Office of the Executive Director.--The Marjorie Harris

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1 Carr Cross Florida Greenway ~~Greenways~~ State Recreation and  
2 Conservation Area(Greenway)is hereby established and is  
3 initially assigned to the Office of Greenways and Trails  
4 ~~Management~~ within the Office of the Secretary. The office  
5 shall manage the Greenway ~~greenways~~ pursuant to the  
6 department's existing statutory authority until administrative  
7 rules are adopted by the department. However, the provisions  
8 of this act shall control in any conflict between this act and  
9 any other authority of the department.

10 Section 6. Section 253.7822, Florida Statutes, is  
11 amended to read:

12 253.7822 Boundaries of the Marjorie Harris Carr Cross  
13 Florida Greenway ~~Greenways~~ State Recreation and Conservation  
14 Area; coordination of management activities.--

15 (1) The initial boundaries of the Greenway ~~greenways~~  
16 shall be as follows, as described in the August 30, 1992,  
17 management plan published by the University of Florida  
18 University Planning Team:

19 (a) Segments 1, 2, 5, 6, 7, 8, and 9 of the Base  
20 Boundary.

21 (b) Segments 3 and 4 of the Payback Boundary II.

22 (2) The Board of Trustees of the Internal Improvement  
23 Trust Fund is authorized to modify the recommended Greenway  
24 boundary as described in subsection (1) to include other  
25 contiguous lands acquired after the effective date of this act  
26 which are suitable for recreation, conservation, or as  
27 wildlife corridors ~~within the greenways~~. The board is also  
28 authorized to modify the Greenway ~~greenways~~ boundaries as  
29 needed to resolve boundary disputes and to reflect the sale of  
30 surplus lands; however, no such modifications may result in a  
31 discontinuous corridor or a corridor less than 300 yards in

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1 width, except as provided for by federal law.

2 ~~(3) If lands located outside the greenways boundaries~~  
3 ~~are designated by the Board of Trustees of the Internal~~  
4 ~~Improvement Trust Fund as important to the overall management~~  
5 ~~of the greenways and are purchased by other land acquisition~~  
6 ~~programs, or are otherwise made available for management, the~~  
7 ~~board may direct the greenways managing entity to coordinate~~  
8 ~~management activities to enhance the greenways to the greatest~~  
9 ~~extent possible, or assume lead agency responsibilities when~~  
10 ~~appropriate.~~

11 Section 7. Section 253.7823, Florida Statutes, is  
12 amended to read:

13 253.7823 Disposition of surplus lands ~~7 compensation of~~  
14 ~~counties located within the Cross Florida Canal Navigation~~  
15 ~~District.--~~

16 (1) The Board of Trustees of the Internal Improvement  
17 Trust Fund may authorize the sale or exchange of surplus lands  
18 within the former Cross Florida Barge Canal project corridor.  
19 In identifying such surplus lands, the department shall give  
20 consideration to those lands that are determined to be  
21 unnecessary to effectuate the creation of recreational  
22 opportunities and conservation activities for which the  
23 Marjorie Harris Carr Cross Florida Greenway State Recreation  
24 and Conservation Area was created.

25 (2) Sale or exchange of said surplus lands within the  
26 former corridor, except for lands acquired under the  
27 Preservation 2000 or Florida Forever programs, shall be  
28 subject to the requirements of s. 253.783.

29 (3) Any fees from leases or easements or any proceeds  
30 from the sale or exchange of lands within the former corridor,  
31 except for fees from the sale or exchange of lands acquired

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1 under the Preservation 2000 or Florida Forever programs, shall  
2 be deposited into the Land Acquisition Trust Fund.

3 ~~(1) The department shall identify parcels of former~~  
4 ~~barge canal lands which may be sold or exchanged as needed to~~  
5 ~~repay the counties of the Cross Florida Canal Navigation~~  
6 ~~District any sums due them pursuant to s. 253.783(2)(e). In~~  
7 ~~identifying said surplus lands, the department shall give~~  
8 ~~priority consideration to lands situated outside the~~  
9 ~~greenways' boundaries, those not having high recreation or~~  
10 ~~conservation values, and those having the greatest assessed~~  
11 ~~valuations. Although the department shall immediately begin to~~  
12 ~~identify the parcels of surplus lands to be sold, the~~  
13 ~~department shall offer the lands for sale in a manner designed~~  
14 ~~to maximize the amounts received over a reasonable period of~~  
15 ~~time.~~

16 ~~(2) Disbursements of amounts due the counties shall be~~  
17 ~~made on a semiannual basis and shall be completed before any~~  
18 ~~additional lands or easements may be acquired within the~~  
19 ~~boundaries of the greenways.~~

20 ~~(3) In addition to lands identified for sale to~~  
21 ~~generate funds for repayment of counties pursuant to s.~~  
22 ~~253.783(2)(e), the department is authorized to sell surplus~~  
23 ~~additional former canal lands if they are determined to be~~  
24 ~~unnecessary to the effective provision of the type of~~  
25 ~~recreational opportunities and conservation activities for~~  
26 ~~which the greenways were created.~~

27 ~~(4) Until repayment to the counties pursuant to s.~~  
28 ~~253.783(2)(e) has been completed, any agency wishing to use~~  
29 ~~former canal lands must pay the full assessed value of said~~  
30 ~~lands.~~

31 Section 8. Subsections (1) and (2) and paragraphs (c)

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1 and (d) of subsection (4) of section 253.7825, Florida  
2 Statutes, are amended to read:

3           253.7825 Recreational uses.--

4           (1) The Marjorie Harris Carr Cross Florida Greenway  
5 ~~Greenways~~ State Recreation and Conservation Area must be  
6 managed as a multiple-use area pursuant to s. 253.034(2)(a),  
7 and as further provided herein. The University of Florida  
8 Management Plan provides a conceptual recreational plan that  
9 may ultimately be developed at various locations throughout  
10 the Greenway ~~greenways~~ corridor. The plan proposes to locate a  
11 number of the larger, more comprehensive and complex  
12 recreational facilities in sensitive, natural resource areas.  
13 Future site-specific studies and investigations must be  
14 conducted by the department to determine compatibility with,  
15 and potential for adverse impact to, existing natural  
16 resources, need for the facility, the availability of other  
17 alternative locations with reduced adverse impacts to existing  
18 natural resources, and the proper specific sites and locations  
19 for the more comprehensive and complex facilities.  
20 Furthermore, it is appropriate, with the approval of the  
21 department, to allow more fishing docks, boat launches, and  
22 other user-oriented facilities to be developed and maintained  
23 by local governments.

24           (2) In determining appropriate recreational uses of  
25 Greenway ~~greenways~~ lands, the promotion and development of  
26 resources-based activities shall be given priority  
27 consideration, although user-oriented activities shall not be  
28 arbitrarily prohibited when site-specific studies indicate  
29 compatibility of the proposed use with natural or cultural  
30 resources.

31           (4)

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1 (c) Resources-based recreational activities associated  
2 with the horse park-agricultural center, including, but not  
3 limited to, recreational trails, trails for endurance or  
4 competitive riding, steeplechase, and other related activities  
5 may be permitted within the Greenway ~~greenways~~ boundary. The  
6 Office of Greenways and Trails ~~greenways managing entity~~ shall  
7 retain jurisdiction over such activities occurring within the  
8 Greenway ~~greenways~~ boundary.

9 (d) Those activities and structures associated with  
10 the horse park-agricultural center which are determined by the  
11 Office of Greenways and Trails ~~greenways managing entity~~ to be  
12 inappropriate uses of Greenway ~~greenways~~ lands shall be sited  
13 on lands outside the Greenway ~~greenways~~ boundary.

14 Section 9. Section 253.7827, Florida Statutes, is  
15 amended to read:

16 253.7827 Transportation and utility crossings of  
17 Greenway ~~greenways~~ lands.--

18 (1) The Legislature recognizes that from time to time  
19 it may be necessary to serve statewide public needs by  
20 allowing transportation and utility uses to cross the Greenway  
21 ~~greenways~~ lands. When these crossings are needed, the  
22 location and design should consider and mitigate the impact on  
23 environmental resources, and the value of the land shall be  
24 paid based on fair market value.

25 (2) In furtherance of previous legislative decisions  
26 and policy, the Legislature recognizes the need for the  
27 Lebanon Station-to-Wildwood Turnpike toll road extension and  
28 the need for it to cross Greenway ~~greenways~~ lands at the  
29 intersection of State Road 200 and State Road 484. The  
30 Department of Transportation shall pay fair compensation for  
31 the lands needed to accomplish the crossing of Greenway

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1 ~~greenways~~ lands and shall mitigate the impacts of the crossing  
2 to the extent practicable ~~practical~~.

3 (3) Furthermore, the Legislature recognizes the needs  
4 expressed by Marion County to provide for the southerly  
5 extension of Sixtieth Avenue between State Road 200 and  
6 Interstate 75 and for the extension to cross the Greenway  
7 ~~greenways~~ lands to allow for the orderly growth and  
8 development of Marion County. Right-of-way for this extension  
9 across Greenway ~~greenways~~ lands shall be designed to mitigate  
10 the impacts to the extent practicable ~~practical~~, and the value  
11 of such lands shall be paid based on fair market value ~~or, at~~  
12 ~~the option of Marion County, the value can be subtracted from~~  
13 ~~the amount of reimbursement due the county pursuant to s.~~  
14 ~~253.783.~~

15 Section 10. Section 253.7828, Florida Statutes, is  
16 amended to read:

17 253.7828 Impairment of use or conservation by agencies  
18 prohibited.--All agencies of the state, regional planning  
19 councils, water management districts, and local governments  
20 shall recognize the special character of the lands and waters  
21 designated by the state as the Marjorie Harris Carr Cross  
22 Florida Greenway ~~Greenways~~ State Recreation and Conservation  
23 Area and shall not take any action which will impair its use  
24 and conservation.

25 Section 11. Section 253.7829, Florida Statutes, is  
26 amended to read:

27 253.7829 Management plan for retention or disposition  
28 of former Cross Florida Barge Canal lands; authority to manage  
29 lands until disposition.--

30 (1) It is declared to be in the public interest that  
31 the department shall do and is hereby authorized to perform

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1 any management activities for the public purposes described in  
2 this section, and incur any and all expenses necessary,  
3 convenient, and proper to:

4 (a) Provide updates as needed to the management plan  
5 for the Marjorie Harris Carr Cross Florida Greenway State  
6 Recreation and Conservation Area submitted to the Governor and  
7 Cabinet on August 30, 1992. Updates will reflect boundary  
8 amendments due to acquisition of additional lands; boundary  
9 amendments due to surplus of lands identified in the  
10 recommended boundary as described in s. 253.7822(1)(a) and  
11 (b), and any changes in management activities.

12 (b) Operate and maintain existing lands and interests  
13 in lands, appurtenances, structures, and facilities.  
14 Operation and maintenance of water control structures may be  
15 delegated by the department to the St. Johns River Water  
16 Management District or the Southwest Florida Water Management  
17 District, as necessary. Rights-of-way necessary for the  
18 construction and maintenance of electric transmission lines  
19 may be authorized.

20 (2) The development of hydroelectric power is a  
21 compatible use of Greenway lands and may be considered by the  
22 Board of Trustees of the Internal Improvement Trust Fund as an  
23 allowable use within the Greenway boundary of Lake Rousseau  
24 and the lower Withlacoochee River, provided that such  
25 hydroelectric power complies with all requisite state and  
26 federal environmental and water management standards.

27 (3) The final disposition of the water control  
28 structures must be outlined in the management plan as adopted  
29 by the Legislature. Such plan shall not be implemented until  
30 state legislation specifically directing implementation of the  
31 submitted plan or a modified plan, as recommended, becomes



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1 effective.

2 ~~(1) It is declared to be in the public interest that~~  
3 ~~the department shall do and is hereby authorized to do any and~~  
4 ~~all things and incur and pay from the canal authority assets,~~  
5 ~~for the public purposes described herein, any and all expenses~~  
6 ~~necessary, convenient, and proper to:~~

7 ~~(a) Develop a management plan for the retention or~~  
8 ~~disposition of lands acquired for the Cross Florida Barge~~  
9 ~~Canal to be submitted to the Governor and Cabinet no later~~  
10 ~~than 2 years after the date of enactment of the Cross Florida~~  
11 ~~Barge Canal deauthorization act, which plan shall reflect a~~  
12 ~~consideration of alternatives for disposition as provided in~~  
13 ~~this section of all lands in fee or less than fee owned by the~~  
14 ~~Board of Trustees of the Internal Improvement Trust Fund,~~  
15 ~~including those lands previously owned by the canal authority~~  
16 ~~and the United States Army Corps of Engineers, and lands to be~~  
17 ~~transferred to the state by the United States Army Corps of~~  
18 ~~Engineers. The management plan shall establish a plan for~~  
19 ~~delineating the specific boundaries of the Cross Florida~~  
20 ~~Greenways State Recreation and Conservation Area. The~~  
21 ~~Legislature intends that such boundaries include, at a~~  
22 ~~minimum, a 300-yard-wide corridor, except where the original~~  
23 ~~corridor is a lesser width or except in areas where bridges~~  
24 ~~and roads cross the canal corridor, on former canal lands~~  
25 ~~within the original canal corridor extending from the St.~~  
26 ~~Johns River to the Gulf of Mexico, including all of the~~  
27 ~~Oklawaha River Valley and Rodman Reservoir, and all canal~~  
28 ~~works in all areas whether completed and in use or not, but~~  
29 ~~excluding all parts of Lake Rousseau. Such boundaries may~~  
30 ~~include other former canal lands according to the following~~  
31 ~~criteria:~~

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1           ~~1. The proximity of the lands to former canal corridor~~  
2 ~~lands.~~  
3           ~~2. The environmental sensitivity or importance of the~~  
4 ~~lands or its characteristics as a unique or significant~~  
5 ~~wildlife habitat.~~  
6           ~~3. The proximity of the lands to existing state or~~  
7 ~~federal land which is maintained, at least in part, as natural~~  
8 ~~wildlife habitat, so that the addition of the parcel would~~  
9 ~~function as a wildlife corridor, or as additional habitat.~~  
10           ~~4. The potential of the lands to be developed as~~  
11 ~~outdoor recreation lands.~~  
12  
13 ~~Commercially valuable parcels, including those parcels near~~  
14 ~~road crossings, within the canal corridor which do not meet~~  
15 ~~the criteria of subparagraphs 1.-4. and other former canal~~  
16 ~~lands which are not included within the boundaries of the~~  
17 ~~Cross Florida Greenways State Recreation and Conservation Area~~  
18 ~~under the criteria of subparagraphs 1.-4., may be disposed of~~  
19 ~~as surplus lands pursuant to s. 253.783(2)(a)-(d). Such~~  
20 ~~alternatives for disposition will include retention by the~~  
21 ~~state or any agency thereof for the specific public purposes~~  
22 ~~outlined in this paragraph or by the counties or adjacent~~  
23 ~~municipalities for recreational or conservation purposes, and~~  
24 ~~a declaration of lands not to be retained as surplus lands to~~  
25 ~~be disposed of pursuant to s. 253.783(2)(a)-(d). The~~  
26 ~~management plan shall also address any remedial measures~~  
27 ~~necessary to correct any environmental or economic damage~~  
28 ~~caused by works constructed as a part of or as a result of the~~  
29 ~~Cross Florida Barge Canal.~~  
30           ~~(b) Operate and maintain existing lands and interests~~  
31 ~~in lands, appurtenances, structures, and facilities. Operation~~

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1 ~~and maintenance of water control structures may be delegated~~  
2 ~~by the department to the St. Johns River Water Management~~  
3 ~~District or the Southwest Florida Water Management District,~~  
4 ~~as necessary. Rights of way necessary for the construction and~~  
5 ~~maintenance of electric transmission lines may be authorized.~~

6 ~~(2) The development of hydroelectric power is a~~  
7 ~~compatible use of greenway land and may be considered by the~~  
8 ~~Board of Trustees of the Internal Improvement Trust Fund as an~~  
9 ~~allowable use within the greenways of Lake Rousseau and the~~  
10 ~~lower Withlacoochee River, provided that such hydroelectric~~  
11 ~~power complies with all requisite state and federal~~  
12 ~~environmental and water management standards.~~

13 ~~(3)(a) Before taking any action to control the rhesus~~  
14 ~~monkey population located in Marion County, the Fish and~~  
15 ~~Wildlife Conservation Commission shall conduct a study of the~~  
16 ~~options available to them to deal with control of the rhesus~~  
17 ~~monkeys located within a 10-mile radius of the convergence of~~  
18 ~~the Oklawaha and Silver Rivers. The options studied shall~~  
19 ~~include but not be limited to:~~

20 ~~1. Developing a management plan to allow the monkeys~~  
21 ~~to remain in their present locations.~~

22 ~~2. Relocating all or some of the monkeys to~~  
23 ~~appropriate private state or federal lands in the United~~  
24 ~~States.~~

25 ~~3. Sterilizing all or some of the monkeys, regardless~~  
26 ~~of whether they remain in their present location or are~~  
27 ~~relocated.~~

28 ~~4. Euthanizing all or some of the monkeys.~~

29 ~~(b) During the time the study is being conducted, the~~  
30 ~~Fish and Wildlife Conservation Commission may control monkeys~~  
31 ~~that constitute a threat to visitors to such area. Such~~

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1 ~~control includes, but is not limited to, the right to deny~~  
2 ~~public access to any area where the monkeys are known to~~  
3 ~~congregate. The Fish and Wildlife Conservation Commission~~  
4 ~~shall post adequate warning signs in areas to which the public~~  
5 ~~is denied access.~~

6 ~~(c) The Fish and Wildlife Conservation Commission may~~  
7 ~~consult with any other local or state agency while conducting~~  
8 ~~the study and may subcontract with any such agency to complete~~  
9 ~~the study.~~

10 ~~(d) The study of the options shall be delivered to the~~  
11 ~~Board of Trustees of the Internal Improvement Trust Fund.~~

12 ~~(e) Nothing in this subsection affects the signed~~  
13 ~~agreement between the department and the Silver Springs~~  
14 ~~Attraction regarding the relocation of rhesus monkeys from~~  
15 ~~Silver River State Park to the attraction, and such agreement~~  
16 ~~continues to be valid.~~

17 ~~(4) The Board of Trustees of the Internal Improvement~~  
18 ~~Trust Fund may authorize the sale or exchange of surplus lands~~  
19 ~~within the former Cross Florida Barge Canal project corridor~~  
20 ~~and the acquisition of privately owned lands or easements over~~  
21 ~~such privately owned lands within the project corridor~~  
22 ~~necessary for purposes of completing a continuous corridor or~~  
23 ~~for other management purposes provided by law. However, such~~  
24 ~~acquisition shall be funded from the proceeds of any sale or~~  
25 ~~exchange of surplus canal lands after repayment to the~~  
26 ~~counties, as provided in s. 253.783(2)(e), or from other funds~~  
27 ~~appropriated by the Legislature.~~

28 ~~(5) The management plan shall specifically and in~~  
29 ~~sufficient detail address the canal corridor lands comprising~~  
30 ~~the Oklawaha River Valley, identifying the recreational and~~  
31 ~~scientific management options which are environmentally~~

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1 ~~desirable and cost-effective. The management plan shall be~~  
2 ~~consistent with the ultimate aim of developing an overall~~  
3 ~~integrated management plan for continued preservation of the~~  
4 ~~entire Oklawaha River Valley ecosystem.~~

5 ~~(6) The management plan shall be prepared by the~~  
6 ~~department. The management plan shall be submitted to the~~  
7 ~~Governor, the President of the Senate, the Speaker of the~~  
8 ~~House of Representatives, the minority leaders of the Senate~~  
9 ~~and the House of Representatives, and the chairs of the Senate~~  
10 ~~Committee on Natural Resources and Conservation and the House~~  
11 ~~Committee on Natural Resources, no later than 2 years from the~~  
12 ~~deauthorization of the Cross Florida Barge Canal. Operation~~  
13 ~~and maintenance of water control structures shall be delegated~~  
14 ~~to the Southwest Florida Water Management District and the St.~~  
15 ~~Johns River Water Management District or a responsible entity~~  
16 ~~contracted by the districts during the period from November~~  
17 ~~28, 1992, until the management plan is completed by the canal~~  
18 ~~authority and is adopted by the Legislature. The final~~  
19 ~~disposition of the water control structures must be outlined~~  
20 ~~in this management plan as adopted by the Legislature. Such~~  
21 ~~plan shall not be implemented until state legislation~~  
22 ~~specifically directing implementation of the submitted plan or~~  
23 ~~a modified plan, as recommended, becomes effective.~~

24 Section 12. Paragraphs (a) and (e) of subsection (2)  
25 of section 253.783, Florida Statutes, are amended to read:

26 253.783 Additional powers and duties of the  
27 department; disposition of surplus lands; payments to  
28 counties.--

29 (2) It is declared to be in the public interest that  
30 the department shall do and is hereby authorized to do any and  
31 all things and incur and pay, for the public purposes

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1 described herein, any and all expenses necessary, convenient,  
2 and proper to:

3 (a) Offer any land declared to be surplus, at current  
4 appraised value, to the counties in which the surplus land  
5 lies, for acquisition for specific public purposes. Any  
6 county, at its option, may elect to acquire any lands so  
7 offered without monetary payment. The fair market value of  
8 any parcels so transferred shall be subtracted from the  
9 county's reimbursement under paragraph (e). These offers will  
10 be made within 3 calendar months after the date the management  
11 plan is adopted and will be valid for 180 days after the date  
12 of the offer.

13 (e) Refund to the counties of the Cross Florida Canal  
14 Navigation District moneys pursuant to this paragraph from the  
15 funds derived from the conveyance of lands of the project to  
16 the Federal Government or any agency thereof, pursuant to s.  
17 253.781, and from the sales of surplus lands pursuant to this  
18 section. Following federal deauthorization of the project,  
19 such refunds shall consist of the \$9,340,720 principal in ad  
20 valorem taxes contributed by the counties and the interest  
21 which had accrued on that amount from the time of payment to  
22 June 30, 1985. In no event shall the counties be paid less  
23 than the aggregate sum of \$32 million in cash or the appraised  
24 values of the surplus lands. Such refunds shall be in  
25 proportion to the ad valorem tax share paid to the Cross  
26 Florida Canal Navigation District by the respective counties.  
27 Should the funds derived from the conveyance of lands of the  
28 project to the Federal Government for payment or from the sale  
29 of surplus land be inadequate to pay the total of the  
30 principal plus interest, first priority shall be given to  
31 repaying the principal and second priority shall be given to

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1 ~~repaying the interest. Interest to be refunded to the counties~~  
2 ~~shall be compounded annually at the following rates:~~  
3 ~~1937-1950, 4 percent; 1951-1960, 5 percent; 1961-1970, 6~~  
4 ~~percent; 1971-1975, 7 percent; 1976-June 30, 1985, 8 percent.~~  
5 ~~In computing interest, amounts already repaid to the counties~~  
6 ~~shall not be subject to further assessments of interest. Any~~  
7 ~~partial repayments provided to the counties under this act~~  
8 ~~shall be considered as contributing to the total repayment~~  
9 ~~owed to the counties. Should the funds generated by conveyance~~  
10 ~~to the Federal Government and sales of surplus lands be more~~  
11 ~~than sufficient to repay said counties in accordance with this~~  
12 ~~section, such excess funds may be used for the maintenance of~~  
13 ~~the greenways corridor.~~

14 Section 13. Subsection (2) of section 253.82, Florida  
15 Statutes, is amended to read:

16 253.82 Title of state or private owners to Murphy Act  
17 lands.--

18 (2)(a) The title to any land which was acquired by the  
19 state under chapter 18296, Laws of Florida, 1937, except those  
20 parcels which have been sold, conveyed, dedicated, or released  
21 by the state pursuant to subsection (1), is hereby vested in  
22 the Board of Trustees of the Internal Improvement Trust Fund.

23 (b) Land to which title is vested in the board of  
24 trustees by paragraph (a) shall be treated in the same manner  
25 as other nonsovereignty lands owned by the board. However,  
26 any parcel of land the title to which is vested in the Board  
27 of Trustees of the Internal Improvement Trust Fund pursuant to  
28 this section which is 10 5 acres or less in size and has an  
29 appraised market value of ~~\$250,000~~ ~~\$100,000~~ or less is hereby  
30 declared surplus, except for lands determined to be needed for  
31 state use, and may be sold in any manner provided by law. Only

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1 one appraisal shall be required for a sale of such land.All  
2 proceeds from the sale of such land shall be deposited into  
3 the Internal Improvement Trust Fund. The Board of Trustees of  
4 the Internal Improvement Trust Fund is authorized to adopt  
5 rules to implement the provisions of this subsection  
6 ~~Conservation and Recreation Lands Trust Fund.~~

7 (c) The holder of a claim or lien against land vested  
8 in the board of trustees by paragraph (a), including a  
9 municipality or special taxing district, has until October 1,  
10 1985, to institute suit in a court of competent jurisdiction  
11 to establish or enforce the claim or lien. The failure to  
12 institute suit by October 1, 1985, is conclusive evidence of  
13 abandonment of the claim or lien, and such claim or lien will  
14 become unenforceable. This paragraph shall not operate to  
15 revive any claim or lien previously extinguished by operation  
16 of law.

17 Section 14. Section 253.86, Florida Statutes, is  
18 created to read:

19 253.86 Management and use of state-owned or other  
20 uplands; rulemaking authority.--

21 (1) The Office of Coastal and Aquatic Managed Areas of  
22 the Department of Environmental Protection shall have the  
23 authority to promulgate rules to govern the management and use  
24 of state-owned or other uplands assigned to it for management.  
25 Such rules may include, but shall not be limited to,  
26 establishing prohibited activities or restrictions on  
27 activities, consistent with the purposes for which the lands  
28 were acquired, designated, or dedicated, and charging fees for  
29 use of lands. All fees collected shall be used for the  
30 management of uplands managed by the office.

31 (2) Any person violating or otherwise failing to



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1 comply with the rules adopted under this section commits a  
2 noncriminal violation as defined in s. 775.08(3), punishable  
3 by fine, not to exceed \$500 per violation.

4 Section 15. Section 259.0324, Florida Statutes, is  
5 created to read:

6 259.0324 Citizenship Conservation and Education  
7 Program.--

8 (1) There is created the Citizenship Conservation and  
9 Education Program to assist the state in the management of its  
10 conservation and recreation lands and to educate residents and  
11 visitors, especially children.

12 (2) The Legislature finds that:

13 (a) Informed citizen participation is necessary to  
14 improve and expand efforts to preserve, conserve, and restore  
15 our natural heritage and environment.

16 (b) Many children are not afforded scientific  
17 place-based opportunities to gain hands-on experience or  
18 knowledge that supports understanding of our natural world.

19 (c) Many families and individuals, especially those  
20 living in urban environments, are not aware of or do not have  
21 sufficient access to Florida's extensive conservation and  
22 recreational lands.

23 (d) Many residents and visitors have little knowledge  
24 of the composition of ecosystems and the impact of various  
25 activities on them.

26 (3) As used in this section:

27 (a) "Agency" means any governmental entity receiving  
28 funds for management purposes pursuant to s. 259.032.

29 (b) "Conservation education" means the practice of  
30 providing outdoor experiences and interpretation regarding  
31 natural systems, plants, animals, and water, and

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1 interconnections among them.

2 (c) "Conservation education destinations" means public  
3 lands and buildings used for the purpose of providing  
4 educational experiences and information.

5 (d) "Conservation education providers" means  
6 organizations that currently or may at some time offer to  
7 provide conservation education experiences or destinations. At  
8 a minimum, any such providers shall be:

9 1. A Florida corporation not for profit incorporated  
10 under the provisions of chapter 617 and approved by the  
11 Department of State.

12 2. Organized and operated to conduct programs and  
13 activities; raise funds; request and receive grants, gifts,  
14 and bequests of money; acquire, receive, hold, invest, and  
15 administer, in its own name, securities, funds, objects of  
16 value, or other property, real or personal; and make  
17 expenditures to or for the direct or indirect benefit of  
18 conservation and recreational lands owned by the state.

19 3. Determined by the appropriate lead managing agency  
20 to be consistent with the goals of that agency and in the best  
21 interests of the state.

22 4. Approved in writing by the appropriate lead  
23 managing agency to operate for the direct or indirect benefit  
24 of publicly owned conservation and recreational lands. Such  
25 approval shall be given in a letter of agreement from the lead  
26 managing agency.

27 (4) Agencies may permit, without charge, appropriate  
28 use of fixed property and facilities on their conservation and  
29 recreation lands by conservation education providers, subject  
30 to the provisions of this section. Such use shall be directly  
31 in keeping with the approved purposes of the conservation

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1 education provider and may not be made at times or places that  
2 would unreasonably interfere with opportunities for the  
3 general public to use the property or facilities.

4 (5) Agencies may prescribe by rule any condition with  
5 which a conservation education provider shall comply in order  
6 to use fixed property or facilities.

7 (6) Agencies shall not permit the use of any fixed  
8 property or facilities by a conservation education provider  
9 that does not provide equal membership and employment  
10 opportunities to all persons regardless of race, color,  
11 religion, sex, age, or national origin.

12 (7) Agencies are authorized to properly recognize and  
13 honor conservation education providers who make donations of  
14 matching funds by placing a plaque or other appropriate  
15 designation noting the contribution to project facilities, or  
16 by naming project facilities after the provider who made the  
17 donation.

18 (8) Agencies are authorized to adopt necessary  
19 administrative rules to carry out the purposes of this  
20 section.

21 Section 16. Subsections (1), (7), (8) and (9) of  
22 section 259.0345, Florida Statutes, are amended to read:

23 259.0345 Florida Forever Advisory Council.--

24 (1)(a) There is hereby created the Florida Forever  
25 Advisory Council, consisting of seven residents of this state  
26 who shall be appointed by the Governor. The appointments  
27 shall include one member from within the geographic boundaries  
28 of each water management district who has resided in the  
29 district for at least 1 year. The remaining appointments  
30 shall come from the state at large. The membership of the  
31 council shall be representative of agriculture, the

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1 development community, local government, the environmental  
2 community, and the scientific and technical community who have  
3 substantial experience in areas of land, water, and wildlife  
4 management and other related areas.

5 (b) The members appointed by the Governor shall serve  
6 3-year terms, except that, initially, to provide for staggered  
7 terms, three of the appointees shall serve 2-year terms. No  
8 appointee shall serve more than 6 years. The Governor may at  
9 any time fill a vacancy for the unexpired term of a member  
10 appointed under paragraph (a).

11 ~~(c) Additionally, the President of the Senate and the~~  
12 ~~Speaker of the House of Representatives shall each appoint one~~  
13 ~~ad hoc nonvoting member from their respective chambers. Such~~  
14 ~~members shall be appointed from a standing committee that has~~  
15 ~~a jurisdictional responsibility for the Department of~~  
16 ~~Environmental Protection. These appointees shall serve for~~  
17 ~~the duration of the term of the appointing President or~~  
18 ~~Speaker.~~

19 ~~(c)~~(d) No person who is or has been a lobbyist as  
20 defined in s. 112.3148, at any time during the 24 months  
21 preceding appointment to the council, for any entity whose  
22 interests could be affected by actions or decisions of the  
23 council, shall be appointed to the council.

24 ~~(d)~~(e) The council shall, at a minimum, meet twice a  
25 year.

26 ~~(7) The council shall provide a report, by December~~  
27 ~~15, 2000, to the Secretary of Environmental Protection, who~~  
28 ~~shall forward the report to the board of trustees for their~~  
29 ~~approval. After approval by the board of trustees, the~~  
30 ~~secretary shall forward the approved report to the President~~  
31 ~~of the Senate and the Speaker of the House of Representatives,~~

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1 ~~prior to the beginning of the 2001 Regular Legislative~~  
2 ~~Session, for review by the appropriate substantive legislative~~  
3 ~~committee from which the Florida Forever Act originated, or~~  
4 ~~its successor. The Legislature may reject, modify, or take no~~  
5 ~~action relative to the goals and performance measures~~  
6 ~~established by the report. If no action is taken, the goals~~  
7 ~~and performance measures shall be implemented. The report~~  
8 ~~shall meet the following requirements solely with respect to~~  
9 ~~the funding provided pursuant to s. 259.105(3)(b):~~

10       ~~(a) Establish specific goals for those identified in~~  
11 ~~s. 259.105(4).~~

12       ~~(b) Provide recommendations expanding or refining the~~  
13 ~~goals identified in s. 259.105(4).~~

14       ~~(c) Identify specific performance measures that may be~~  
15 ~~used to analyze progress towards the goals established.~~

16  
17 ~~It is recognized that during the development of this report,~~  
18 ~~the council may identify other recommendations concerning the~~  
19 ~~implementation of Florida Forever. These recommendations shall~~  
20 ~~be incorporated in the reports identified in subsection (8).~~

21       ~~(7)(8)~~ The council shall provide a report, at least 30  
22 days prior to the regular legislative sessions in the  
23 following years: 2002, 2004, 2006 and 2008. The report shall  
24 be provided to the Secretary of Environmental Protection, who  
25 shall forward the report to the board of trustees for their  
26 approval. After approval by the board of trustees, the  
27 secretary shall forward the approved report to the President  
28 of the Senate and the Speaker of the House of Representatives.  
29 The report shall provide: recommendations for adjusting or  
30 expanding the goals detailed in s. 259.105(4); recommendations  
31 for adjusting the percentage distributions detailed in s.

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1 259.105(3); and recommendations concerning other aspects of  
2 the Florida Forever Act. In making recommendations for  
3 adjusting the percentage distributions detailed in s.  
4 259.105(3), the council shall consider which agencies have  
5 encumbered their funds in a timely manner and unencumbered  
6 balances, if any, in each agency's Florida Forever subaccount.  
7 The recommendations may include increases in percentage  
8 distributions to those agencies that have encumbered Florida  
9 Forever funds in a timely manner.

10 ~~(8)(9)~~ The reports required pursuant to subsections  
11 (7) ~~and (8)~~ are to be based upon and developed through:

12 (a) Comments received during public hearings, in  
13 different areas of the state, held for the purpose of  
14 gathering public input and recommendations.

15 (b) Evaluations of Florida's existing public land  
16 acquisition programs for conservation, preservation, and  
17 recreational purposes, including those administered by the  
18 water management districts and the Department of Community  
19 Affairs, to determine the extent of Florida's unmet needs for  
20 restoration, acquisition, and management of public lands and  
21 water areas and for acquisition of privately owned lands and  
22 water areas.

23 (c) Material and data developed by the Florida Natural  
24 Areas Inventory concerning Florida's conservation lands.

25 Section 17. Subsection (4) of section 259.035, Florida  
26 Statutes, is amended to read:

27 259.035 Acquisition and Restoration Council.--

28 (4) The council may use existing rules adopted by the  
29 board of trustees, until it develops and recommends amendments  
30 to those rules, to competitively evaluate, select, and rank  
31 projects eligible for the Conservation and Recreation Lands

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1 list pursuant to ss. 259.032(3) and 259.101(4) and, beginning  
2 no later than May 1, 2001, for Florida Forever funds pursuant  
3 to s. 259.105(3)(b). In developing or amending the rules, the  
4 council shall give weight to the criteria included in s.  
5 259.105(10)~~(9)~~. The board of trustees shall review the  
6 recommendations and shall adopt rules necessary to administer  
7 this section.

8 Section 18. Present subsections (4), (7), (8), (13),  
9 (14), and (16) of section 259.105, Florida Statutes, are  
10 amended, subsections (5) through (20) are renumbered as  
11 subsections (6) through (21), respectively, and subsection (5)  
12 is added to said section, to read:

13 259.105 The Florida Forever Act.--

14 (4) It is the intent of the Legislature that projects  
15 or acquisitions funded pursuant to paragraphs (3)(a) and (b)  
16 contribute to the achievement of the following goals and  
17 performance measures:

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

20 1. The number of acres acquired through the state's  
21 land acquisition programs that contribute to the completion of  
22 Florida Preservation 2000 projects or projects begun before  
23 Florida Preservation 2000;

24 2. The number of acres protected through the use of  
25 alternatives to fee-simple acquisition; or

26 3. The number of shared-acquisition projects among  
27 Florida Forever funding partners and partners with other  
28 funding sources, including local governments and the Federal  
29 Government.

30 (b) Increase the protection of Florida's biodiversity  
31 at the species, natural community, and landscape levels, as

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1 measured by:

2 1. The number of acres acquired of significant  
3 strategic habitat conservation areas;

4 2. The number of acres acquired of highest priority  
5 conservation areas for Florida's rarest species;

6 3. The number of acres acquired of significant  
7 landscapes, landscape linkages, and conservation corridors,  
8 giving priority to completing linkages;

9 4. The number of acres acquired of underrepresented  
10 native ecosystems;

11 5. The number of landscape-sized protection areas of  
12 at least 50,000 acres that exhibit a mosaic of predominantly  
13 intact or restorable natural communities established through  
14 new acquisition projects or augmentations to previous  
15 projects; or

16 6. The percentage increase in the number of  
17 occurrences of endangered species, threatened species, or  
18 species of special concern on publicly managed conservation  
19 areas.

20 (c) Protect, restore, and maintain the quality and  
21 natural functions of land, water, and wetland systems of the  
22 state, as measured by:

23 1. The number of acres of publicly owned land  
24 identified as needing restoration, acres undergoing  
25 restoration, and acres with restoration activities completed;

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

30 3. The percentage completion of targeted capital  
31 improvements in surface water improvement and management plans



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- 1 created under s. 373.453(2), regional or master stormwater  
2 management system plans, or other adopted restoration plans;  
3 4. The number of acres acquired that protect natural  
4 floodplain functions;  
5 5. The number of acres acquired that protect surface  
6 waters of the state;  
7 6. The number of acres identified for acquisition to  
8 minimize damage from flooding and the percentage of those  
9 acres acquired;  
10 7. The number of acres acquired that protect fragile  
11 coastal resources;  
12 8. The number of acres of functional wetland systems  
13 protected;  
14 9. The percentage of miles of critically eroding  
15 beaches contiguous with public lands that are restored or  
16 protected from further erosion;  
17 10. The percentage of public lakes and rivers in which  
18 invasive, nonnative aquatic plants are under maintenance  
19 control; or  
20 11. The number of acres of public conservation lands  
21 in which upland invasive, exotic plants are under maintenance  
22 control.  
23 (d) Ensure that sufficient quantities of water are  
24 available to meet the current and future needs of natural  
25 systems and the citizens of the state, as measured by:  
26 1. The number of acres acquired which provide  
27 retention and storage of surface water in naturally occurring  
28 storage areas, such as lakes and wetlands, consistent with the  
29 maintenance of water resources or water supplies and  
30 consistent with district water supply plans;  
31 2. The quantity of water made available through the

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1 water resource development component of a district water  
2 supply plan for which a water management district is  
3 responsible; or  
4 3. The number of acres acquired of groundwater  
5 recharge areas critical to springs, sinks, aquifers, other  
6 natural systems, or water supply.  
7 (e) Increase natural resource-based public  
8 recreational and educational opportunities, as measured by:  
9 1. The number of acres acquired that are available for  
10 natural resource-based public recreation or education;  
11 2. The miles of trails that are available for public  
12 recreation, giving priority to those that provide significant  
13 connections, including those that will assist in completing  
14 the Florida National Scenic Trail; or  
15 3. The number of new resource-based recreation  
16 facilities, by type, made available on public land.  
17 (f) Preserve significant archaeological or historic  
18 sites, as measured by:  
19 1. The increase in the number of and percentage of  
20 historic and archaeological properties listed in the Florida  
21 Master Site File or National Register of Historic Places,  
22 which are protected or preserved for public use; or  
23 2. The increase in the number and percentage of  
24 historic and archaeological properties that are in state  
25 ownership.  
26 (g) Increase the amount of forestland available for  
27 sustainable management of natural resources, as measured by:  
28 1. The number of acres acquired that are available for  
29 sustainable forest management;  
30 2. The number of acres of state-owned forestland  
31 managed for economic return in accordance with current best

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1 management practices;

2 3. The number of acres of forestland acquired that  
3 will serve to maintain natural groundwater recharge functions;  
4 or

5 4. The percentage and number of acres identified for  
6 restoration actually restored by reforestation.

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

9 1. The percentage of local governments that  
10 participate in land acquisition programs and acquire open  
11 space in urban cores; or

12 2. The percentage and number of acres of purchases of  
13 open space within urban service areas.

14 ~~(a) An increase in the level of protection for, or an~~  
15 ~~increase in the populations of, listed plant species, as~~  
16 ~~measured by the number of occurrences, acres of strategic~~  
17 ~~habitat areas, or delisting or redesignation of such species.~~

18 ~~(b) An increase in the level of protection for, or an~~  
19 ~~increase in the populations of, listed animal species, as~~  
20 ~~measured by the number of occurrences, acres of strategic~~  
21 ~~habitat areas, delisting or redesignation of such species, or~~  
22 ~~the change in long-term survival rates.~~

23 ~~(c) The restoration of land areas, as measured by a~~  
24 ~~reduction in nonnative species, level of maintenance control~~  
25 ~~of invasive species, reforestation rates, or regeneration of~~  
26 ~~natural communities.~~

27 ~~(d) An increase in public landholdings needed to meet~~  
28 ~~the goals of this subsection, as measured by the acquisition~~  
29 ~~of lands in fee simple or with less than fee simple~~  
30 ~~alternatives.~~

31 ~~(e) The completion of projects begun under previous~~

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1 ~~land acquisition programs, as measured through the acquisition~~  
2 ~~of land under inholdings and additions programs.~~

3 ~~(f) An increase in the amount of forest land for~~  
4 ~~sustainable natural resources.~~

5 ~~(g) An increase in public recreational opportunities,~~  
6 ~~as measured by the acreage available for recreational~~  
7 ~~opportunities or the number of miles available for greenways~~  
8 ~~or trails.~~

9 ~~(h) A reduction in the amount of pollutants flowing~~  
10 ~~into Florida's surface waters, as measured by a reduction in~~  
11 ~~the number of surface water bodies designated as impaired.~~

12 ~~(i) The improvement of water recharge rates on public~~  
13 ~~lands, as measured by increased speed of recharge and amount~~  
14 ~~of cubic feet of water made available.~~

15 ~~(j) The restoration of water areas, as measured by a~~  
16 ~~reduction of nonnative species, level of maintenance control~~  
17 ~~of invasive species, regeneration of natural communities,~~  
18 ~~reduction of excessive sedimentation, removal of impediments,~~  
19 ~~or reduction of shoreline erosion.~~

20 ~~(k) The protection of natural floodplain functions and~~  
21 ~~prevention of or reduction in flood damage, as measured by the~~  
22 ~~number of acres of floodplain in public ownership.~~

23 ~~(l) The restoration of degraded water bodies, as~~  
24 ~~measured by the number of goals implemented under a surface~~  
25 ~~water improvement plan or other restoration plans.~~

26 ~~(m) The restoration of wetlands, as measured by the~~  
27 ~~number of acres of previously converted wetlands returned to a~~  
28 ~~functioning status.~~

29 ~~(n) The preservation of strategic wetlands, as~~  
30 ~~measured by the number of acres acquired.~~

31 ~~(o) The preservation of, or reduction of contaminants~~

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1 ~~in, aquifers and springs, as measured by contaminant levels or~~  
2 ~~the number of acres of recharge areas acquired.~~

3 ~~(p) The implementation of practices that provide~~  
4 ~~sufficient quantities of water available to meet current and~~  
5 ~~future needs of the natural system and residents of the state,~~  
6 ~~as measured by execution of water resource development~~  
7 ~~components of the districts' water management plans. However,~~  
8 ~~funds provided for capital improvements under this purpose are~~  
9 ~~limited to those provided the water management districts in~~  
10 ~~paragraph (3)(a).~~

11 ~~(q) An increase in the state's inventory of historical~~  
12 ~~and cultural sites as measured by the number of sites~~  
13 ~~acquired.~~

14 ~~(r) An increase in the protection of fragile coastal~~  
15 ~~resources, as measured by the linear feet and acreage of~~  
16 ~~coastline acquired.~~

17 ~~(s) An increase in the protection of significant~~  
18 ~~surface waters of the state, as measured by the acreage of~~  
19 ~~lands acquired to buffer them.~~

20 (5) Florida Forever projects and acquisitions funded  
21 pursuant to paragraph (3)(c) shall be measured by goals  
22 developed by rule by the governing body of the Florida  
23 Communities Trust created in s. 380.504.

24 (8)(7)(a) Beginning no later than July 1, 2001, and  
25 every year thereafter, the Acquisition and Restoration Council  
26 shall accept applications from state agencies, local  
27 governments, nonprofit and for-profit organizations, private  
28 land trusts, and individuals for project proposals eligible  
29 for funding pursuant to paragraph (3)(b). The council shall  
30 evaluate the proposals received pursuant to this subsection to  
31 ensure that they meet at least one of the criteria under

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1 subsection~~(10)~~~~(9)~~.

2 (b) Project applications shall contain, at a minimum,  
3 the following:

4 1. A minimum of two numeric performance measures that  
5 directly relate to the overall goals adopted by the council.  
6 Each performance measure shall include a baseline measurement,  
7 which is the current situation; a performance standard which  
8 the project sponsor anticipates the project will achieve; and  
9 the performance measurement itself, which should reflect the  
10 incremental improvements the project accomplishes towards  
11 achieving the performance standard.

12 2. Proof that property owners within any proposed  
13 acquisition have been notified of their inclusion in the  
14 proposed project. Any property owner may request the removal  
15 of such property from further consideration by submitting a  
16 request to the project sponsor or the Acquisition and  
17 Restoration Council by certified mail. Upon receiving this  
18 request, the council shall delete the property from the  
19 proposed project; however, the board of trustees, at the time  
20 it votes to approve the proposed project lists pursuant to  
21 subsection~~(17)~~~~(16)~~, may add the property back on to the  
22 project lists if it determines by a super majority of its  
23 members that such property is critical to achieve the purposes  
24 of the project.

25 (c) The title to lands acquired under this section  
26 shall vest in the Board of Trustees of the Internal  
27 Improvement Trust Fund, except that title to lands acquired by  
28 a water management district shall vest in the name of that  
29 district and lands acquired by a local government shall vest  
30 in the name of the purchasing local government.

31 ~~(9)~~~~(8)~~ The Acquisition and Restoration Council shall

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1 develop a project list that shall represent those projects  
2 submitted pursuant to subsection (8)~~(7)~~.

3 (14)~~(13)~~ An affirmative vote of five members of the  
4 Acquisition and Restoration Council shall be required in order  
5 to place a proposed project on the list developed pursuant to  
6 subsection (9)~~(8)~~. Any member of the council who by family or  
7 a business relationship has a connection with any project  
8 proposed to be ranked shall declare such interest prior to  
9 voting for a project's inclusion on the list.

10 (15)~~(14)~~ Each year that bonds are to be issued  
11 pursuant to this section, the Acquisition and Restoration  
12 Council shall review the most current approved project list  
13 and shall, by the first board meeting in May, present to the  
14 Board of Trustees of the Internal Improvement Trust Fund for  
15 approval a listing of projects developed pursuant to  
16 subsection (9)~~(8)~~. The board of trustees may remove projects  
17 from the list developed pursuant to this subsection, but may  
18 not add projects or rearrange project rankings.

19 (17)~~(16)~~ All proposals for projects pursuant to  
20 paragraph (3)(b) or subsection (21)~~(20)~~ shall be implemented  
21 only if adopted by the Acquisition and Restoration Council and  
22 approved by the board of trustees. The council shall consider  
23 and evaluate in writing the merits and demerits of each  
24 project that is proposed for Florida Forever funding and each  
25 proposed addition to the Conservation and Recreation Lands  
26 list program. The council shall ensure that each proposed  
27 project will meet a stated public purpose for the restoration,  
28 conservation, or preservation of environmentally sensitive  
29 lands and water areas or for providing outdoor recreational  
30 opportunities and that each proposed addition to the  
31 Conservation and Recreation Lands list will meet the public

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1 purposes under s. 259.032(3) and, when applicable, s.  
2 259.101(4). The council also shall determine whether the  
3 project or addition conforms, where applicable, with the  
4 comprehensive plan developed pursuant to s. 259.04(1)(a), the  
5 comprehensive multipurpose outdoor recreation plan developed  
6 pursuant to s. 375.021, the state lands management plan  
7 adopted pursuant to s. 253.03(7), the water resources work  
8 plans developed pursuant to s. 373.199, and the provisions of  
9 this section.

10 (21)~~(20)~~ The Acquisition and Restoration Council, as  
11 successors to the Land Acquisition and Management Advisory  
12 Council, may amend existing Conservation and Recreation Lands  
13 projects and add to or delete from the 2000 Conservation and  
14 Recreation Lands list until funding for the Conservation and  
15 Recreation Lands program has been expended. The amendments to  
16 the 2000 Conservation and Recreation Lands list will be  
17 reported to the board of trustees in conjunction with the  
18 council's report developed pursuant to subsection~~(14)~~~~(15)~~.

19 Section 19. Subsection (12) is added to section  
20 298.22, Florida Statutes, to read:

21 298.22 Powers of supervisors.--The board of  
22 supervisors of the district has full power and authority to  
23 construct, complete, operate, maintain, repair, and replace  
24 any and all works and improvements necessary to execute the  
25 water control plan. Subject to the applicable provisions of  
26 chapter 373 or chapter 403, the board of supervisors:

27 (12) May construct, manage, or authorize construction  
28 and management of resource-based recreational facilities that  
29 may include greenways, trails, and associated facilities.

30 Section 20. Section 369.255, Florida Statutes, is  
31 amended to read:



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1           369.255 Green utility ordinances for funding  
2 greenspace management and exotic plant control.--

3           (1) LEGISLATIVE FINDING.--The Legislature finds that  
4 the proper management of greenspace areas, including, without  
5 limitation, the urban forest, greenways, private and public  
6 forest preserves, wetlands, and aquatic zones, is essential to  
7 the state's environment and economy and to the health and  
8 safety of its residents and visitors. The Legislature also  
9 finds that the limitation and control of nonindigenous plants  
10 and tree replacement and maintenance are vital to achieving  
11 the natural systems and recreational lands goals and policies  
12 of the state pursuant to s. 187.201(10), the State  
13 Comprehensive Plan. It is the intent of this section to  
14 enable local governments to establish a mechanism to provide  
15 dedicated funding for the aforementioned activities, when  
16 deemed necessary by a ~~that~~ county or municipality.

17           (2) In addition to any other funding mechanisms  
18 legally available to counties and municipalities to control  
19 invasive, nonindigenous aquatic or upland plants and manage  
20 urban forest resources, a county or municipality may create  
21 one or more green utilities or adopt fees sufficient to plan,  
22 restore, and manage urban forest resources, greenways, forest  
23 preserves, wetlands, and other aquatic zones and create a  
24 stewardship grant program for private natural areas. Counties  
25 or municipalities may create, alone or in cooperation with  
26 other counties or municipalities pursuant to the Florida  
27 Interlocal Cooperation Act, s. 163.01, one or more greenspace  
28 management districts to fund the planning, management,  
29 operation, and administration of a greenspace management  
30 program. The fees shall be collected on a voluntary basis as  
31 set forth by the county or municipality and calculated to

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1 generate sufficient funds to plan, manage, operate, and  
2 administer a greenspace management program. Private natural  
3 areas assessed according to s. 193.501 would qualify for  
4 stewardship grants.

5 (3) This section shall only apply to counties with a  
6 population of 500,000 or more and municipalities with a  
7 population of 200,000 or more.

8 (4) Nothing in this section shall authorize counties  
9 or municipalities to require any nongovernmental entity to  
10 collect the fee described in subsection (2) on their behalf.

11 Section 21. Notwithstanding the provision of section  
12 259.101(3)(c), Florida Statutes (1993) (Section 5, Chapter  
13 92-288, Laws of Florida) regarding the set-aside of funds for  
14 land acquisition in areas of critical state concern, \$2.9  
15 million from funds previously approved is available for grants  
16 to local governments in the Florida Keys and the Key West  
17 areas of critical state concern to assist in implementing the  
18 local comprehensive plan. Grant funds are to be used for land  
19 acquisition for conservation, open space, and outdoor  
20 recreation lands, and are contingent upon the review of a  
21 local government's proposed project, and a determination by  
22 the Florida Communities Trust that the proposed project is an  
23 eligible use of funds under the Florida Communities Trust  
24 Program. A local government with a population of less than  
25 10,000 is not required to provide a local match. A local  
26 government with a population of 10,000 or more is required to  
27 provide a dollar for dollar match.

28 Section 22. Subsection (8) of section 259.101, Florida  
29 Statutes, is repealed.

30 Section 23. This act shall take effect July 1, 2001.  
31

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 1, line 2 through page 2, line 30  
4 remove from the title of the bill: all of said lines

5

6 and insert in lieu thereof:

7 An act relating to land acquisition and  
8 management; amending s. 253.034, F.S.; defining  
9 "conservation lands"; providing procedure for  
10 disposition of certain surplus conservation  
11 lands by the Board of Trustees of the Internal  
12 Improvement Trust Fund; revising procedure for  
13 evaluating and offering for sale of surplus  
14 lands; providing for disposition of proceeds  
15 from the sale of surplus nonconservation lands;  
16 amending ss. 253.7821, 253.7825, 253.7827,  
17 253.7828, and 259.035, F.S.; conforming  
18 references and cross references; deleting  
19 obsolete language; amending ss. 253.111 and  
20 253.115, F.S.; exempting Greenway lands from  
21 certain public notice and hearing requirements  
22 prior to sale, lease, exchange, or grant of  
23 easement; amending s. 253.781, F.S.; renaming  
24 the Cross Florida Greenways State Recreation  
25 and Conservation Area; amending s. 253.7822,  
26 F.S.; providing for modification of the  
27 Greenway boundary; amending s. 253.7823, F.S.;  
28 providing for sale or exchange of surplus lands  
29 within the Greenway; providing for disposition  
30 of fees and proceeds; amending s. 253.7829,  
31 F.S.; revising requirements for management of

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1 Greenway lands and structures; amending s.  
2 253.783, F.S.; deleting obsolete language  
3 relating to the disposition of surplus lands by  
4 the Department of Environmental Protection;  
5 amending s. 253.82, F.S.; revising conditions  
6 under which certain lands titled to the board  
7 of trustees may be declared surplus lands;  
8 revising appraisal requirements; providing  
9 rulemaking authority; creating s. 253.86, F.S.;  
10 providing for management and use of certain  
11 uplands; providing rulemaking authority of the  
12 Office of Coastal and Aquatic Managed Areas;  
13 providing for fees; providing a penalty;  
14 creating s. 259.0324, F.S.; creating the  
15 Citizenship Conservation and Education Program;  
16 providing legislative findings and definitions;  
17 providing requirements for participation;  
18 providing rulemaking authority; revising the  
19 funding of the Florida Communities Trust  
20 Program, authorizing capital expenditures;  
21 amending s. 259.0345, F.s.; repealing authority  
22 for certain members of the Legislature to be  
23 appointed as ad hoc nonvoting members to the  
24 Florida Forever Advisory Council; amending s.  
25 259.105, F.S.; revising goals and performance  
26 measures of the Florida Forever Act;  
27 authorizing the Florida Communities Trust to  
28 develop certain goals and performance measures;  
29 providing rulemaking authority; amending s.  
30 298.22, F.S.; authorizing boards of supervisors  
31 of water control districts to construct and

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manage resource-based recreational facilities;  
amending s. 369.255, F.S.; authorizing certain  
municipalities to create a funding mechanism  
for greenspace management and exotic plant  
control; repealing subsection (8) of s.259.101,  
F.S.; relating to the disposal and use of  
certain state owned lands; providing an  
effective date.