

By the Committee on Natural Resources & Environmental
Protection and Representative Harrington

1 A bill to be entitled
2 An act relating to land acquisition and
3 management; amending s. 253.034, F.S.; defining
4 "conservation lands"; providing procedure for
5 disposition of certain surplus conservation
6 lands by the Board of Trustees of the Internal
7 Improvement Trust Fund; revising procedure for
8 evaluating and offering for sale of surplus
9 lands; providing for disposition of proceeds
10 from the sale of surplus nonconservation lands;
11 exempting sale of Cross Florida Greenway lands
12 from review by the Acquisition and Restoration
13 Council; amending ss. 253.7821, 253.7825,
14 253.7827, 253.7828, and 259.035, F.S.;
15 conforming references and cross references;
16 deleting obsolete language; amending ss.
17 253.111 and 253.115, F.S.; exempting Greenway
18 lands from certain public notice and hearing
19 requirements prior to sale, lease, exchange, or
20 grant of easement; amending s. 253.781, F.S.;
21 renaming the Cross Florida Greenways State
22 Recreation and Conservation Area; amending s.
23 253.7822, F.S.; providing for modification of
24 the Greenway boundary; amending s. 253.7823,
25 F.S.; providing for sale or exchange of surplus
26 lands within the Greenway; providing for
27 disposition of fees and proceeds; amending s.
28 253.7829, F.S.; revising requirements for
29 management of Greenway lands and structures;
30 amending s. 253.783, F.S.; deleting obsolete
31 language relating to the disposition of surplus

1 lands by the Department of Environmental
2 Protection; amending s. 253.82, F.S.; revising
3 conditions under which certain lands titled to
4 the board of trustees may be declared surplus
5 lands; revising appraisal requirements;
6 providing rulemaking authority; creating s.
7 253.86, F.S.; providing for management and use
8 of certain uplands; providing rulemaking
9 authority of the Office of Coastal and Aquatic
10 Managed Areas; providing for fees; providing a
11 penalty; creating s. 259.0324, F.S.; creating
12 the Citizenship Conservation and Education
13 Program; providing legislative findings and
14 definitions; providing requirements for
15 participation; providing for use of funds from
16 the Conservation and Recreation Lands Trust
17 Fund as state matching funds; providing
18 rulemaking authority; amending s. 259.105,
19 F.S.; revising goals and performance measures
20 of the Florida Forever Act; authorizing the
21 Florida Communities Trust to develop certain
22 goals and performance measures; providing
23 rulemaking authority; amending s. 298.22, F.S.;
24 authorizing boards of supervisors of water
25 control districts to construct and manage
26 resource-based recreational facilities;
27 amending s. 369.255, F.S.; authorizing certain
28 municipalities to create a funding mechanism
29 for greenspace management and exotic plant
30 control; providing an effective date.
31

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

2

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

6 253.034 State-owned lands; uses.--

7 (2) As used in this section, the following phrases
8 have the following meanings:

9 (c) "Conservation lands" means lands that are
10 currently managed for conservation, outdoor resource-based
11 recreation, or archaeological or historic preservation, except
12 those lands that were acquired solely to facilitate the
13 acquisition of other conservation lands. Lands acquired for
14 uses other than conservation, outdoor resource-based
15 recreation, or archaeological or historic preservation shall
16 not be designated conservation lands except as otherwise
17 authorized under this section. These lands shall include, but
18 not be limited to, the following: correction and detention
19 facilities, military installations and facilities, state
20 office buildings, maintenance yards, state university or state
21 community college campuses, agricultural field stations or
22 offices, tower sites, law enforcement and license facilities,
23 laboratories, hospitals, clinics, and other sites that possess
24 no significant natural or historical resources. However,
25 lands acquired solely to facilitate the acquisition of other
26 conservation lands, and for which the land management plan has
27 not yet been completed or updated, may be evaluated by the
28 Board of Trustees of the Internal Improvement Trust Fund on a
29 case-by-case basis to determine if they will be designated
30 conservation lands.

31

1 (6) The Board of Trustees of the Internal Improvement
2 Trust Fund shall determine which lands, the title to which is
3 vested in the board, may be surplused. ~~Notwithstanding s.~~
4 ~~253.111~~, For conservation lands, the board shall make a
5 determination that the lands are no longer needed for
6 conservation purposes and may dispose of them by a two-thirds
7 vote. In the case of a land exchange involving the disposition
8 of conservation lands, the board must determine by at least a
9 two-thirds vote that the exchange will result in a net
10 positive conservation benefit. For all other lands, the board
11 shall make a determination that the lands are no longer needed
12 and may dispose of them by majority vote. None of the
13 surplusing procedures or requirements referred to in this
14 section apply to conveyances allowed under s. 253.025(13).

15 (a) For the purposes of this subsection, all lands
16 acquired by the state prior to July 1, 1999, using proceeds
17 from the Preservation 2000 bonds, the Conservation and
18 Recreation Lands Trust Fund, the Water Management Lands Trust
19 Fund, Environmentally Endangered Lands Program, and the Save
20 Our Coast Program and titled to the board, which lands are
21 identified as core parcels or within original project
22 boundaries, shall be deemed to have been acquired for
23 conservation purposes.

24 (b) For any lands purchased by the state on or after
25 July 1, 1999, a determination shall be made by the board prior
26 to acquisition as to those parcels that shall be designated as
27 having been acquired for conservation purposes. No lands
28 acquired for use by the Department of Corrections, the
29 Department of Management Services for use as state offices,
30 the Department of Transportation, except those specifically
31 managed for conservation or recreation purposes, or the State

1 University System or the Florida Community College System
2 shall be designated as having been purchased for conservation
3 purposes.

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

12 (d) Lands owned by the board which are not actively
13 managed by any state agency or for which a land management
14 plan has not been completed pursuant to subsection (5) shall
15 be reviewed by the council or its successor for its
16 recommendation as to whether such lands should be disposed of
17 by the board.

18 (e) Prior to any decision by the board to surplus
19 lands, the Acquisition and Restoration Council shall review
20 and make recommendations to the board concerning the request
21 for surplusizing. The council shall determine whether the
22 request for surplusizing is compatible with the resource values
23 of and management objectives for such lands.

24 (f) In reviewing lands owned by the board, the council
25 ~~or its successor~~ shall consider whether such lands would be
26 more appropriately owned or managed by the county or other
27 unit of local government in which the land is located. The
28 council ~~or its successor~~ shall recommend to the board whether
29 a sale, lease, or other conveyance to a local government would
30 be in the best interests of the state and local government.
31 The provisions of this paragraph in no way limit the

1 provisions of ss. 253.111 and 253.115. Such lands shall be
2 offered to the state, county, or local government for a period
3 of 30 ~~90~~ days. Permittable uses for such surplus lands may
4 include public schools; public libraries; fire or law
5 enforcement substations; and governmental, judicial, or
6 recreational centers. County or local government requests for
7 surplus lands shall be expedited throughout the surplusing
8 process. If the county or local government does not elect to
9 purchase such lands in accordance with s. 253.111, then any
10 surplusing determination involving other governmental agencies
11 shall be made upon the board deciding the best public use of
12 the lands. ~~State agencies shall have the subsequent~~
13 ~~opportunity to acquire the surplus lands for a period not to~~
14 ~~exceed 30 days after the offer to a county or local government~~
15 ~~expires.~~ Surplus properties in which governmental agencies
16 have expressed no interest shall then be available for sale on
17 the private market.

18 (g) Lands determined to be surplus pursuant to this
19 subsection shall be sold for fair market value or the price
20 paid by the state or a water management district to originally
21 acquire the lands, whichever is greater, except that the price
22 of lands sold as surplus to any unit of government shall not
23 exceed the price paid by the state or a water management
24 district to originally acquire the lands. A unit of government
25 which acquires title to lands hereunder for less than fair
26 market value may not sell or transfer title to all or any
27 portion of the lands to any private owner for a period of 10
28 years. Any unit of government seeking to transfer or sell
29 lands pursuant to this paragraph shall first allow the board
30 of trustees to reacquire such lands. The board of trustees
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1 may reacquire such lands for the price at which they sold such
2 lands.

3 (h) Where a unit of government acquired land by gift,
4 donation, grant, quit-claim deed, or other such conveyance
5 where no monetary consideration was exchanged, the price of
6 land sold as surplus shall not exceed the fair market value of
7 the lands. Fair market value shall be determined by the
8 average of two separate appraisals. The individual or entity
9 requesting the surplus shall select and use appraisers from
10 the list of approved appraisers maintained by the Division of
11 State Lands in accordance with s. 253.025(6)(b). The
12 individual or entity requesting the surplus is to incur all
13 costs of the appraisals.

14 (i) After reviewing the recommendations of the council
15 or its successor, the board shall determine whether lands
16 identified for surplus are to be held for other public
17 purposes or whether such lands are no longer needed. The
18 board may require an agency to release its interest in such
19 lands.

20 (j) Requests for surplus may be made by any public
21 or private entity or person. All requests shall be submitted
22 to the lead managing agency for review and recommendation to
23 the council or its successor. Lead managing agencies shall
24 have 90 days to review such requests and make recommendations.
25 Any surplus requests that have not been acted upon within
26 the 90-day time period shall be immediately scheduled for
27 hearing at the next regularly scheduled meeting of the council
28 or its successor. Requests for surplus pursuant to this
29 paragraph shall not be required to be offered to local or
30 state governments as provided in paragraph (f).

31

1 (k) Proceeds from any sale of surplus lands pursuant
2 to this subsection shall be deposited into the fund from which
3 such lands were acquired. However, if the fund from which the
4 lands were originally acquired no longer exists, such proceeds
5 shall be deposited into an appropriate account to be used for
6 land management by the lead managing agency assigned the lands
7 prior to the lands being declared surplus. Funds received from
8 the sale of surplus nonconservation lands, or lands that were
9 acquired by gift, by donation, or for no consideration, shall
10 be deposited into the Internal Improvement Trust Fund.

11 (1) Notwithstanding the provisions of this subsection,
12 no such disposition of land shall be made if such disposition
13 would have the effect of causing all or any portion of the
14 interest on any revenue bonds issued to lose the exclusion
15 from gross income for federal income tax purposes.

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

19 (n) The sale of lands managed pursuant to ss.
20 253.781-253.785 is not subject to review by the council.

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

24 253.111 Notice to board of county commissioners before
25 sale.--The Board of Trustees of the Internal Improvement Trust
26 Fund of the state may not sell any land to which they hold
27 title unless and until they afford an opportunity to the
28 county in which such land is situated to receive such land on
29 the following terms and conditions:

30 (3) If the board receives, within 30 ~~45~~ days after
31 notice is given to the board of county commissioners pursuant

1 to subsection (1), the certified copy of the resolution
2 provided for in subsection (2), the board shall forthwith
3 convey to the county such land at a price that is equal to its
4 appraised market value established by generally accepted
5 professional standards for real estate appraisal and subject
6 to such other terms and conditions as the board determines.

7 (6) This section does not apply to:

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

9 (b) The conveyance of any lands located within the
10 Everglades Agricultural Area; ~~or~~

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

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

15 253.115 Public notice and hearings.--

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

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

20 (i) Renewals, modifications, or assignments; ~~or~~

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

22 Section 4. Section 253.781, Florida Statutes, is
23 amended to read:

24 253.781 Retention of state-owned lands along former
25 Cross Florida Barge Canal route; creation of Marjorie Harris
26 Carr Cross Florida Greenway ~~Greenways~~ State Recreation and
27 Conservation Area; authorizing transfer to the Federal
28 Government for inclusion in Ocala National Forest.--

29 (1) It is the intent of the Legislature to conserve
30 and protect the natural resources and scenic beauty of the
31 Ocklawaha ~~Oklawaha~~ River Valley and all lands and interests

1 formerly acquired by the state or Federal Government for
2 construction and operation of the Cross Florida Barge Canal.
3 It is the finding of the Legislature that these areas have a
4 significant impact upon environmental and recreational
5 resources of statewide importance and that public ownership of
6 and access to such areas are necessary and desirable to
7 protect the health, welfare, safety, and quality of life of
8 the residents of this state and to implement s. 7, Art. II of
9 the State Constitution. It is further the finding of the
10 Legislature that retention of ownership and control of the
11 majority of the lands by the state and the ownership and
12 control of additional portions by the Federal Government as
13 part of the Ocala National Forest will properly protect and
14 conserve the natural resources and scenic beauty of Florida,
15 enhance recreational opportunities, and be in the public
16 interest. To achieve these goals, the Legislature hereby
17 creates the Marjorie Harris Carr Cross Florida Greenway
18 ~~Greenways~~ State Recreation and Conservation Area.

19 (2) The department is authorized to transfer for
20 consideration ownership of all lands or interests in lands
21 previously owned by the canal authority contained within the
22 existing boundary of the Ocala National Forest and any
23 extension of the boundary of the Ocala National Forest in
24 Putnam County to the United States Department of Agriculture
25 for the purpose of inclusion in the Ocala National Forest.

26 (3) The Board of Trustees of the Internal Improvement
27 Trust Fund may acquire by purchase, exchange of other state
28 lands, or the exercise of the power of eminent domain the fee
29 title to lands acquired in less-than-fee title and to
30 privately owned lands that break the continuity of publicly
31 owned lands within the original canal corridor as specified in

1 the University Planning Team Greenway Management Plan along
2 the canal route, using canal authority assets transferred to
3 the department or using state, local, or federal funds
4 dedicated to acquiring lands for conservation and recreation.
5 The Legislature finds that such exercise of the power of
6 eminent domain to accomplish the purposes of this section is
7 necessary and for a public purpose. Such power of eminent
8 domain must be exercised pursuant to chapter 73.

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

11 Section 5. Section 253.7821, Florida Statutes, is
12 amended to read:

13 253.7821 Marjorie Harris Carr Cross Florida Greenway
14 ~~Greenways~~ State Recreation and Conservation Area assigned to
15 the Office of the Executive Director.--The Marjorie Harris
16 Carr Cross Florida Greenway ~~Greenways~~ State Recreation and
17 Conservation Area(Greenway)is hereby established and is
18 initially assigned to the Office of Greenways and Trails
19 ~~Management~~ within the Office of the Secretary. The office
20 shall manage the Greenway ~~greenways~~ pursuant to the
21 department's existing statutory authority until administrative
22 rules are adopted by the department. However, the provisions
23 of this act shall control in any conflict between this act and
24 any other authority of the department.

25 Section 6. Section 253.7822, Florida Statutes, is
26 amended to read:

27 253.7822 Boundaries of the Marjorie Harris Carr Cross
28 Florida Greenway ~~Greenways~~ State Recreation and Conservation
29 Area; coordination of management activities.--

30 (1) The initial boundaries of the Greenway ~~greenways~~
31 shall be as follows, as described in the August 30, 1992,

1 management plan published by the University of Florida
2 University Planning Team:
3 (a) Segments 1, 2, 5, 6, 7, 8, and 9 of the Base
4 Boundary.
5 (b) Segments 3 and 4 of the Payback Boundary II.
6 (2) The Board of Trustees of the Internal Improvement
7 Trust Fund is authorized to modify the recommended Greenway
8 boundary as described in subsection (1) to include other
9 contiguous lands acquired after the effective date of this act
10 which are suitable for recreation, conservation, or as
11 wildlife corridors ~~within the greenways~~. The board is also
12 authorized to modify the Greenway ~~greenways~~ boundaries as
13 needed to resolve boundary disputes and to reflect the sale of
14 surplus lands; however, no such modifications may result in a
15 discontinuous corridor or a corridor less than 300 yards in
16 width, except as provided for by federal law.
17 ~~(3) If lands located outside the greenways boundaries~~
18 ~~are designated by the Board of Trustees of the Internal~~
19 ~~Improvement Trust Fund as important to the overall management~~
20 ~~of the greenways and are purchased by other land acquisition~~
21 ~~programs, or are otherwise made available for management, the~~
22 ~~board may direct the greenways-managing entity to coordinate~~
23 ~~management activities to enhance the greenways to the greatest~~
24 ~~extent possible, or assume lead agency responsibilities when~~
25 ~~appropriate.~~
26 Section 7. Section 253.7823, Florida Statutes, is
27 amended to read:
28 253.7823 Disposition of surplus lands; ~~compensation of~~
29 ~~counties located within the Cross Florida Canal Navigation~~
30 ~~District.--~~
31

1 (1) The Board of Trustees of the Internal Improvement
2 Trust Fund may authorize the sale or exchange of surplus lands
3 within the former Cross Florida Barge Canal project corridor.
4 In identifying such surplus lands, the department shall give
5 consideration to those lands that are determined to be
6 unnecessary to effectuate the creation of recreational
7 opportunities and conservation activities for which the
8 Marjorie Harris Carr Cross Florida Greenway State Recreation
9 and Conservation Area was created.

10 (2) Sale or exchange of said surplus lands within the
11 former corridor shall be subject to the requirements of s.
12 253.783.

13 (3) Any fees from leases or easements or any proceeds
14 from the sale or exchange of lands within the former corridor
15 shall be deposited into the Land Acquisition Trust Fund.

16 ~~(1) The department shall identify parcels of former~~
17 ~~barge canal lands which may be sold or exchanged as needed to~~
18 ~~repay the counties of the Cross Florida Canal Navigation~~
19 ~~District any sums due them pursuant to s. 253.783(2)(e). In~~
20 ~~identifying said surplus lands, the department shall give~~
21 ~~priority consideration to lands situated outside the~~
22 ~~greenways' boundaries, those not having high recreation or~~
23 ~~conservation values, and those having the greatest assessed~~
24 ~~valuations. Although the department shall immediately begin to~~
25 ~~identify the parcels of surplus lands to be sold, the~~
26 ~~department shall offer the lands for sale in a manner designed~~
27 ~~to maximize the amounts received over a reasonable period of~~
28 ~~time.~~

29 ~~(2) Disbursements of amounts due the counties shall be~~
30 ~~made on a semiannual basis and shall be completed before any~~
31

1 ~~additional lands or easements may be acquired within the~~
2 ~~boundaries of the greenways.~~

3 ~~(3) In addition to lands identified for sale to~~
4 ~~generate funds for repayment of counties pursuant to s.~~
5 ~~253.783(2)(e), the department is authorized to sell surplus~~
6 ~~additional former canal lands if they are determined to be~~
7 ~~unnecessary to the effective provision of the type of~~
8 ~~recreational opportunities and conservation activities for~~
9 ~~which the greenways were created.~~

10 ~~(4) Until repayment to the counties pursuant to s.~~
11 ~~253.783(2)(e) has been completed, any agency wishing to use~~
12 ~~former canal lands must pay the full assessed value of said~~
13 ~~lands.~~

14 Section 8. Subsections (1) and (2) and paragraphs (c)
15 and (d) of subsection (4) of section 253.7825, Florida
16 Statutes, are amended to read:

17 253.7825 Recreational uses.--

18 (1) The Marjorie Harris Carr Cross Florida Greenway
19 ~~Greenways~~ State Recreation and Conservation Area must be
20 managed as a multiple-use area pursuant to s. 253.034(2)(a),
21 and as further provided herein. The University of Florida
22 Management Plan provides a conceptual recreational plan that
23 may ultimately be developed at various locations throughout
24 the Greenway ~~greenways~~ corridor. The plan proposes to locate a
25 number of the larger, more comprehensive and complex
26 recreational facilities in sensitive, natural resource areas.
27 Future site-specific studies and investigations must be
28 conducted by the department to determine compatibility with,
29 and potential for adverse impact to, existing natural
30 resources, need for the facility, the availability of other
31 alternative locations with reduced adverse impacts to existing

1 natural resources, and the proper specific sites and locations
2 for the more comprehensive and complex facilities.
3 Furthermore, it is appropriate, with the approval of the
4 department, to allow more fishing docks, boat launches, and
5 other user-oriented facilities to be developed and maintained
6 by local governments.

7 (2) In determining appropriate recreational uses of
8 Greenway ~~greenways~~ lands, the promotion and development of
9 resources-based activities shall be given priority
10 consideration, although user-oriented activities shall not be
11 arbitrarily prohibited when site-specific studies indicate
12 compatibility of the proposed use with natural or cultural
13 resources.

14 (4)

15 (c) Resources-based recreational activities associated
16 with the horse park-agricultural center, including, but not
17 limited to, recreational trails, trails for endurance or
18 competitive riding, steeplechase, and other related activities
19 may be permitted within the Greenway ~~greenways~~ boundary. The
20 Office of Greenways and Trails ~~greenways managing entity~~ shall
21 retain jurisdiction over such activities occurring within the
22 Greenway ~~greenways~~ boundary.

23 (d) Those activities and structures associated with
24 the horse park-agricultural center which are determined by the
25 Office of Greenways and Trails ~~greenways managing entity~~ to be
26 inappropriate uses of Greenway ~~greenways~~ lands shall be sited
27 on lands outside the Greenway ~~greenways~~ boundary.

28 Section 9. Section 253.7827, Florida Statutes, is
29 amended to read:

30 253.7827 Transportation and utility crossings of
31 Greenway ~~greenways~~ lands.--

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

8 (2) In furtherance of previous legislative decisions
9 and policy, the Legislature recognizes the need for the
10 Lebanon Station-to-Wildwood Turnpike toll road extension and
11 the need for it to cross Greenway ~~greenways~~ lands at the
12 intersection of State Road 200 and State Road 484. The
13 Department of Transportation shall pay fair compensation for
14 the lands needed to accomplish the crossing of Greenway
15 ~~greenways~~ lands and shall mitigate the impacts of the crossing
16 to the extent practicable ~~practical~~.

17 (3) Furthermore, the Legislature recognizes the needs
18 expressed by Marion County to provide for the southerly
19 extension of Sixtieth Avenue between State Road 200 and
20 Interstate 75 and for the extension to cross the Greenway
21 ~~greenways~~ lands to allow for the orderly growth and
22 development of Marion County. Right-of-way for this extension
23 across Greenway ~~greenways~~ lands shall be designed to mitigate
24 the impacts to the extent practicable ~~practical~~, and the value
25 of such lands shall be paid based on fair market value ~~or, at~~
26 ~~the option of Marion County, the value can be subtracted from~~
27 ~~the amount of reimbursement due the county pursuant to s.~~
28 ~~253.783.~~

29 Section 10. Section 253.7828, Florida Statutes, is
30 amended to read:

31

1 253.7828 Impairment of use or conservation by agencies
2 prohibited.--All agencies of the state, regional planning
3 councils, water management districts, and local governments
4 shall recognize the special character of the lands and waters
5 designated by the state as the Marjorie Harris Carr Cross
6 Florida Greenway ~~Greenways~~ State Recreation and Conservation
7 Area and shall not take any action which will impair its use
8 and conservation.

9 Section 11. Section 253.7829, Florida Statutes, is
10 amended to read:

11 253.7829 Management plan for retention or disposition
12 of former Cross Florida Barge Canal lands; authority to manage
13 lands until disposition.--

14 (1) It is declared to be in the public interest that
15 the department shall do and is hereby authorized to perform
16 any management activities for the public purposes described in
17 this section, and incur any and all expenses necessary,
18 convenient, and proper to:

19 (a) Provide updates as needed to the management plan
20 for the Marjorie Harris Carr Cross Florida Greenway State
21 Recreation and Conservation Area submitted to the Governor and
22 Cabinet on August 30, 1992. Updates will reflect boundary
23 amendments due to acquisition of additional lands; boundary
24 amendments due to surplus of lands identified in the
25 recommended boundary as described in s. 253.7822(1)(a) and
26 (b), and any changes in management activities.

27 (b) Operate and maintain existing lands and interests
28 in lands, appurtenances, structures, and facilities.
29 Operation and maintenance of water control structures may be
30 delegated by the department to the St. Johns River Water
31 Management District or the Southwest Florida Water Management

1 District, as necessary. Rights-of-way necessary for the
2 construction and maintenance of electric transmission lines
3 may be authorized.

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

11 (3) The final disposition of the water control
12 structures must be outlined in the management plan as adopted
13 by the Legislature. Such plan shall not be implemented until
14 state legislation specifically directing implementation of the
15 submitted plan or a modified plan, as recommended, becomes
16 effective.

17 ~~(1) It is declared to be in the public interest that~~
18 ~~the department shall do and is hereby authorized to do any and~~
19 ~~all things and incur and pay from the canal authority assets,~~
20 ~~for the public purposes described herein, any and all expenses~~
21 ~~necessary, convenient, and proper to:~~

22 ~~(a) Develop a management plan for the retention or~~
23 ~~disposition of lands acquired for the Cross Florida Barge~~
24 ~~Canal to be submitted to the Governor and Cabinet no later~~
25 ~~than 2 years after the date of enactment of the Cross Florida~~
26 ~~Barge Canal deauthorization act, which plan shall reflect a~~
27 ~~consideration of alternatives for disposition as provided in~~
28 ~~this section of all lands in fee or less than fee owned by the~~
29 ~~Board of Trustees of the Internal Improvement Trust Fund,~~
30 ~~including those lands previously owned by the canal authority~~
31 ~~and the United States Army Corps of Engineers, and lands to be~~

1 ~~transferred to the state by the United States Army Corps of~~
2 ~~Engineers. The management plan shall establish a plan for~~
3 ~~delineating the specific boundaries of the Cross Florida~~
4 ~~Greenways State Recreation and Conservation Area. The~~
5 ~~Legislature intends that such boundaries include, at a~~
6 ~~minimum, a 300-yard-wide corridor, except where the original~~
7 ~~corridor is a lesser width or except in areas where bridges~~
8 ~~and roads cross the canal corridor, on former canal lands~~
9 ~~within the original canal corridor extending from the St.~~
10 ~~Johns River to the Gulf of Mexico, including all of the~~
11 ~~Oklawaha River Valley and Rodman Reservoir, and all canal~~
12 ~~works in all areas whether completed and in use or not, but~~
13 ~~excluding all parts of Lake Rousseau. Such boundaries may~~
14 ~~include other former canal lands according to the following~~
15 ~~criteria:~~

16 ~~1. The proximity of the lands to former canal corridor~~
17 ~~lands.~~

18 ~~2. The environmental sensitivity or importance of the~~
19 ~~lands or its characteristics as a unique or significant~~
20 ~~wildlife habitat.~~

21 ~~3. The proximity of the lands to existing state or~~
22 ~~federal land which is maintained, at least in part, as natural~~
23 ~~wildlife habitat, so that the addition of the parcel would~~
24 ~~function as a wildlife corridor, or as additional habitat.~~

25 ~~4. The potential of the lands to be developed as~~
26 ~~outdoor recreation lands.~~

27

28 ~~Commercially valuable parcels, including those parcels near~~
29 ~~road crossings, within the canal corridor which do not meet~~
30 ~~the criteria of subparagraphs 1.-4. and other former canal~~
31 ~~lands which are not included within the boundaries of the~~

1 ~~Cross Florida Greenways State Recreation and Conservation Area~~
2 ~~under the criteria of subparagraphs 1.-4., may be disposed of~~
3 ~~as surplus lands pursuant to s. 253.783(2)(a)-(d). Such~~
4 ~~alternatives for disposition will include retention by the~~
5 ~~state or any agency thereof for the specific public purposes~~
6 ~~outlined in this paragraph or by the counties or adjacent~~
7 ~~municipalities for recreational or conservation purposes, and~~
8 ~~a declaration of lands not to be retained as surplus lands to~~
9 ~~be disposed of pursuant to s. 253.783(2)(a)-(d). The~~
10 ~~management plan shall also address any remedial measures~~
11 ~~necessary to correct any environmental or economic damage~~
12 ~~caused by works constructed as a part of or as a result of the~~
13 ~~Cross Florida Barge Canal.~~

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

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

28 ~~(3)(a) Before taking any action to control the rhesus~~
29 ~~monkey population located in Marion County, the Fish and~~
30 ~~Wildlife Conservation Commission shall conduct a study of the~~
31 ~~options available to them to deal with control of the rhesus~~

1 ~~monkeys located within a 10-mile radius of the convergence of~~
2 ~~the Oklawaha and Silver Rivers. The options studied shall~~
3 ~~include but not be limited to:~~

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

6 ~~2. Relocating all or some of the monkeys to~~
7 ~~appropriate private state or federal lands in the United~~
8 ~~States.~~

9 ~~3. Sterilizing all or some of the monkeys, regardless~~
10 ~~of whether they remain in their present location or are~~
11 ~~relocated.~~

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

13 ~~(b) During the time the study is being conducted, the~~
14 ~~Fish and Wildlife Conservation Commission may control monkeys~~
15 ~~that constitute a threat to visitors to such area. Such~~
16 ~~control includes, but is not limited to, the right to deny~~
17 ~~public access to any area where the monkeys are known to~~
18 ~~congregate. The Fish and Wildlife Conservation Commission~~
19 ~~shall post adequate warning signs in areas to which the public~~
20 ~~is denied access.~~

21 ~~(c) The Fish and Wildlife Conservation Commission may~~
22 ~~consult with any other local or state agency while conducting~~
23 ~~the study and may subcontract with any such agency to complete~~
24 ~~the study.~~

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

27 ~~(e) Nothing in this subsection affects the signed~~
28 ~~agreement between the department and the Silver Springs~~
29 ~~Attraction regarding the relocation of rhesus monkeys from~~
30 ~~Silver River State Park to the attraction, and such agreement~~
31 ~~continues to be valid.~~

1 ~~(4) The Board of Trustees of the Internal Improvement~~
2 ~~Trust Fund may authorize the sale or exchange of surplus lands~~
3 ~~within the former Cross Florida Barge Canal project corridor~~
4 ~~and the acquisition of privately owned lands or easements over~~
5 ~~such privately owned lands within the project corridor~~
6 ~~necessary for purposes of completing a continuous corridor or~~
7 ~~for other management purposes provided by law. However, such~~
8 ~~acquisition shall be funded from the proceeds of any sale or~~
9 ~~exchange of surplus canal lands after repayment to the~~
10 ~~counties, as provided in s. 253.783(2)(e), or from other funds~~
11 ~~appropriated by the Legislature.~~

12 ~~(5) The management plan shall specifically and in~~
13 ~~sufficient detail address the canal corridor lands comprising~~
14 ~~the Oklawaha River Valley, identifying the recreational and~~
15 ~~scientific management options which are environmentally~~
16 ~~desirable and cost-effective. The management plan shall be~~
17 ~~consistent with the ultimate aim of developing an overall~~
18 ~~integrated management plan for continued preservation of the~~
19 ~~entire Oklawaha River Valley ecosystem.~~

20 ~~(6) The management plan shall be prepared by the~~
21 ~~department. The management plan shall be submitted to the~~
22 ~~Governor, the President of the Senate, the Speaker of the~~
23 ~~House of Representatives, the minority leaders of the Senate~~
24 ~~and the House of Representatives, and the chairs of the Senate~~
25 ~~Committee on Natural Resources and Conservation and the House~~
26 ~~Committee on Natural Resources, no later than 2 years from the~~
27 ~~deauthorization of the Cross Florida Barge Canal. Operation~~
28 ~~and maintenance of water control structures shall be delegated~~
29 ~~to the Southwest Florida Water Management District and the St.~~
30 ~~Johns River Water Management District or a responsible entity~~
31 ~~contracted by the districts during the period from November~~

1 ~~28, 1992, until the management plan is completed by the canal~~
2 ~~authority and is adopted by the Legislature. The final~~
3 ~~disposition of the water control structures must be outlined~~
4 ~~in this management plan as adopted by the Legislature. Such~~
5 ~~plan shall not be implemented until state legislation~~
6 ~~specifically directing implementation of the submitted plan or~~
7 ~~a modified plan, as recommended, becomes effective.~~

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

10 253.783 Additional powers and duties of the
11 department; disposition of surplus lands; payments to
12 counties.--

13 (2) It is declared to be in the public interest that
14 the department shall do and is hereby authorized to do any and
15 all things and incur and pay, for the public purposes
16 described herein, any and all expenses necessary, convenient,
17 and proper to:

18 (a) Offer any land declared to be surplus, at current
19 appraised value, to the counties in which the surplus land
20 lies, for acquisition for specific public purposes. Any
21 ~~county, at its option, may elect to acquire any lands so~~
22 ~~offered without monetary payment. The fair market value of~~
23 ~~any parcels so transferred shall be subtracted from the~~
24 ~~county's reimbursement under paragraph (e). These offers will~~
25 ~~be made within 3 calendar months after the date the management~~
26 ~~plan is adopted and will be valid for 180 days after the date~~
27 ~~of the offer.~~

28 ~~(e) Refund to the counties of the Cross Florida Canal~~
29 ~~Navigation District moneys pursuant to this paragraph from the~~
30 ~~funds derived from the conveyance of lands of the project to~~
31 ~~the Federal Government or any agency thereof, pursuant to s.~~

1 ~~253.781, and from the sales of surplus lands pursuant to this~~
2 ~~section. Following federal deauthorization of the project,~~
3 ~~such refunds shall consist of the \$9,340,720 principal in ad~~
4 ~~valorem taxes contributed by the counties and the interest~~
5 ~~which had accrued on that amount from the time of payment to~~
6 ~~June 30, 1985. In no event shall the counties be paid less~~
7 ~~than the aggregate sum of \$32 million in cash or the appraised~~
8 ~~values of the surplus lands. Such refunds shall be in~~
9 ~~proportion to the ad valorem tax share paid to the Cross~~
10 ~~Florida Canal Navigation District by the respective counties.~~
11 ~~Should the funds derived from the conveyance of lands of the~~
12 ~~project to the Federal Government for payment or from the sale~~
13 ~~of surplus land be inadequate to pay the total of the~~
14 ~~principal plus interest, first priority shall be given to~~
15 ~~repaying the principal and second priority shall be given to~~
16 ~~repaying the interest. Interest to be refunded to the counties~~
17 ~~shall be compounded annually at the following rates:~~
18 ~~1937-1950, 4 percent; 1951-1960, 5 percent; 1961-1970, 6~~
19 ~~percent; 1971-1975, 7 percent; 1976-June 30, 1985, 8 percent.~~
20 ~~In computing interest, amounts already repaid to the counties~~
21 ~~shall not be subject to further assessments of interest. Any~~
22 ~~partial repayments provided to the counties under this act~~
23 ~~shall be considered as contributing to the total repayment~~
24 ~~owed to the counties. Should the funds generated by conveyance~~
25 ~~to the Federal Government and sales of surplus lands be more~~
26 ~~than sufficient to repay said counties in accordance with this~~
27 ~~section, such excess funds may be used for the maintenance of~~
28 ~~the greenways corridor.~~

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

31

1 253.82 Title of state or private owners to Murphy Act
2 lands.--

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

8 (b) Land to which title is vested in the board of
9 trustees by paragraph (a) shall be treated in the same manner
10 as other nonsovereignty lands owned by the board. However,
11 any parcel of land the title to which is vested in the Board
12 of Trustees of the Internal Improvement Trust Fund pursuant to
13 this section which is 10 5 acres or less in size and has an
14 appraised market value of \$250,000~~\$100,000~~ or less is hereby
15 declared surplus, except for lands determined to be needed for
16 state use, and may be sold in any manner provided by law. Only
17 one appraisal shall be required for a sale of such land. All
18 proceeds from the sale of such land shall be deposited into
19 the Internal Improvement Trust Fund. The Board of Trustees of
20 the Internal Improvement Trust Fund is authorized to adopt
21 rules to implement the provisions of this subsection
22 ~~Conservation and Recreation Lands Trust Fund.~~

23 ~~(c) The holder of a claim or lien against land vested~~
24 ~~in the board of trustees by paragraph (a), including a~~
25 ~~municipality or special taxing district, has until October 1,~~
26 ~~1985, to institute suit in a court of competent jurisdiction~~
27 ~~to establish or enforce the claim or lien. The failure to~~
28 ~~institute suit by October 1, 1985, is conclusive evidence of~~
29 ~~abandonment of the claim or lien, and such claim or lien will~~
30 ~~become unenforceable. This paragraph shall not operate to~~

31

1 ~~revive any claim or lien previously extinguished by operation~~
2 ~~of law.~~

3 Section 14. Section 253.86, Florida Statutes, is
4 created to read:

5 253.86 Management and use of state-owned or other
6 uplands; rulemaking authority.--

7 (1) The Office of Coastal and Aquatic Managed Areas of
8 the Department of Environmental Protection shall have the
9 authority to promulgate rules to govern the management and use
10 of state-owned or other uplands above the mean or ordinary
11 high water line assigned to it for management. Such rules may
12 include, but shall not be limited to, establishing prohibited
13 activities or restrictions on activities, consistent with the
14 purposes for which the lands were acquired, designated, or
15 dedicated, and charging fees for use of lands. All fees
16 collected shall be used for the management of uplands managed
17 by the office.

18 (2) Any person violating or otherwise failing to
19 comply with the rules adopted under this section commits a
20 noncriminal violation as defined in s. 775.08(3), punishable
21 by fine, not to exceed \$500 per violation.

22 Section 15. Section 259.0324, Florida Statutes, is
23 created to read:

24 259.0324 Citizenship Conservation and Education
25 Program.--

26 (1) There is created the Citizenship Conservation and
27 Education Program to assist the state in the management of its
28 conservation and recreation lands and to educate residents and
29 visitors, especially children.

30 (2) The Legislature finds that:
31

1 (a) Informed citizen participation is necessary to
2 improve and expand efforts to preserve, conserve, and restore
3 our natural heritage and environment.

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

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

11 (d) Many residents and visitors have little knowledge
12 of the composition of ecosystems and the impact of various
13 activities on them.

14 (3) As used in this section:

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

17 (b) "Conservation education" means the practice of
18 providing outdoor experiences and interpretation regarding
19 natural systems, plants, animals, and water, and
20 interconnections among them.

21 (c) "Conservation education destinations" means public
22 lands and buildings used for the purpose of providing
23 educational experiences and information.

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

28 1. A Florida corporation not for profit incorporated
29 under the provisions of chapter 617 and approved by the
30 Department of State.

31

1 2. Organized and operated to conduct programs and
2 activities; raise funds; request and receive grants, gifts,
3 and bequests of money; acquire, receive, hold, invest, and
4 administer, in its own name, securities, funds, objects of
5 value, or other property, real or personal; and make
6 expenditures to or for the direct or indirect benefit of
7 conservation and recreational lands owned by the state.

8 3. Determined by the appropriate lead managing agency
9 to be consistent with the goals of that agency and in the best
10 interests of the state.

11 4. Approved in writing by the appropriate lead
12 managing agency to operate for the direct or indirect benefit
13 of publicly owned conservation and recreational lands. Such
14 approval shall be given in a letter of agreement from the lead
15 managing agency.

16 (4) Agencies may permit, without charge, appropriate
17 use of fixed property and facilities on their conservation and
18 recreation lands by conservation education providers, subject
19 to the provisions of this section. Such use shall be directly
20 in keeping with the approved purposes of the conservation
21 education provider and may not be made at times or places that
22 would unreasonably interfere with opportunities for the
23 general public to use the property or facilities.

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

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

1 (7) Agencies may use funds annually appropriated from
2 the Conservation and Recreation Lands Trust Fund for use as
3 state matching funds, in conjunction with private donations
4 from conservation education providers, for environmental
5 education facilities, materials, or other related activities.

6 (8) State funds used pursuant to this section shall be
7 used for matching private donations for 25 percent of each
8 project's costs.

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

15 (10) Agencies are authorized to adopt necessary
16 administrative rules to carry out the purposes of this
17 section.

18 Section 16. Subsection (4) of section 259.035, Florida
19 Statutes, is amended to read:

20 259.035 Acquisition and Restoration Council.--

21 (4) The council may use existing rules adopted by the
22 board of trustees, until it develops and recommends amendments
23 to those rules, to competitively evaluate, select, and rank
24 projects eligible for the Conservation and Recreation Lands
25 list pursuant to ss. 259.032(3) and 259.101(4) and, beginning
26 no later than May 1, 2001, for Florida Forever funds pursuant
27 to s. 259.105(3)(b). In developing or amending the rules, the
28 council shall give weight to the criteria included in s.
29 259.105~~(10)~~~~(9)~~. The board of trustees shall review the
30 recommendations and shall adopt rules necessary to administer
31 this section.

1 Section 17. Present subsections (4), (7), (8), (13),
2 (14), and (16) of section 259.105, Florida Statutes, are
3 amended, subsections (5) through (20) are renumbered as
4 subsections (6) through (21), respectively, and subsection (5)
5 is added to said section, to read:

6 259.105 The Florida Forever Act.--

7 (4) It is the intent of the Legislature that projects
8 or acquisitions funded pursuant to paragraphs (3)(a) and (b)
9 contribute to the achievement of the following goals and
10 performance measures:

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

13 1. The number of acres acquired through the state's
14 land acquisition programs that contribute to the completion of
15 Florida Preservation 2000 projects or projects begun before
16 Florida Preservation 2000;

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

19 3. The number of shared-acquisition projects among
20 Florida Forever funding partners and partners with other
21 funding sources, including local governments and the Federal
22 Government.

23 (b) Increase the protection of Florida's biodiversity
24 at the species, natural community, and landscape levels, as
25 measured by:

26 1. The number of acres acquired of significant
27 strategic habitat conservation areas;

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

30
31

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

4 4. The number of acres acquired of underrepresented
5 native ecosystems;

6 5. The number of landscape-sized protection areas of
7 at least 50,000 acres that exhibit a mosaic of predominantly
8 intact or restorable natural communities established through
9 new acquisition projects or augmentations to previous
10 projects; or

11 6. The percentage increase in the number of
12 occurrences of endangered species, threatened species, or
13 species of special concern on publicly managed conservation
14 areas.

15 (c) Protect, restore, and maintain the quality and
16 natural functions of land, water, and wetland systems of the
17 state, as measured by:

18 1. The number of acres of publicly owned land
19 identified as needing restoration, acres undergoing
20 restoration, and acres with restoration activities completed;

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

25 3. The percentage completion of targeted capital
26 improvements in surface water improvement and management plans
27 created under s. 373.453(2), regional or master stormwater
28 management system plans, or other adopted restoration plans;

29 4. The number of acres acquired that protect natural
30 floodplain functions;

31

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

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

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

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

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

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

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

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

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

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

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

30
31

1 ~~(e) The completion of projects begun under previous~~
2 ~~land acquisition programs, as measured through the acquisition~~
3 ~~of land under inholdings and additions programs.~~

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

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

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

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

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

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

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

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

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

1 ~~(o) The preservation of, or reduction of contaminants~~
2 ~~in, aquifers and springs, as measured by contaminant levels or~~
3 ~~the number of acres of recharge areas acquired.~~

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

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

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

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

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

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

1 ensure that they meet at least one of the criteria under
2 subsection (10)~~(9)~~.

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

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

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

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

1 (9)~~(8)~~ The Acquisition and Restoration Council shall
2 develop a project list that shall represent those projects
3 submitted pursuant to subsection(8)~~(7)~~.

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

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

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

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

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

20 Section 18. Subsection (12) is added to section
21 298.22, Florida Statutes, to read:

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

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

31

1 Section 19. Section 369.255, Florida Statutes, is
2 amended to read:

3 369.255 Green utility ordinances for funding
4 greenspace management and exotic plant control.--

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

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

1 program. The fees shall be collected on a voluntary basis as
2 set forth by the county or municipality and calculated to
3 generate sufficient funds to plan, manage, operate, and
4 administer a greenspace management program. Private natural
5 areas assessed according to s. 193.501 would qualify for
6 stewardship grants.

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

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

13 Section 20. This act shall take effect July 1, 2001.

14 *****

15 HOUSE SUMMARY

16
17 Revises provisions relating to disposition of surplus
18 lands by the Board of Trustees of the Internal
19 Improvement Trust Fund and the Department of
20 Environmental Protection, including conservation lands,
21 as defined in the act. Renames the Cross Florida
22 Greenways State Recreation and Conservation Area as the
23 Marjorie Harris Carr Cross Florida Greenway State
24 Recreation and Conservation Area (Greenway). Provides
25 procedures for modification of Greenway boundaries, sale
26 or other disposition of Greenway lands, and management of
27 Greenway lands and structures. Authorizes the Office of
28 Coastal and Aquatic Managed Areas to provide for the
29 management and use of certain uplands, and to adopt rules
30 and charge fees. Provides a penalty for rule violations.
31 Creates the Citizenship Conservation and Education
Program to provide state land management assistance and
citizen conservation education experiences. Provides for
participation in and funding of the program. Revises
goals and performance measures of the Florida Forever
Act. Authorizes boards of supervisors of water control
districts to construct and manage resource-based
facilities. Authorizes municipalities with populations
over 200,000 to create a funding mechanism for greenspace
management and exotic plant control.