



1 Protection to name and locate segments and  
2 provide a report; authorizing the department to  
3 relocate segments and perform certain  
4 trail-management and publication functions;  
5 authorizing the Florida Greenways and Trails  
6 Council to advise the department regarding the  
7 trail; amending s. 260.015, F.S.; requiring the  
8 appraisal of certain property by the  
9 department; amending s. 260.016, F.S.; revising  
10 the general powers of the Department of  
11 Environmental Protection relating to greenways  
12 and trails; creating s. 335.067, F.S.; creating  
13 the Conserve by Bicycle Program within the  
14 Department of Transportation; providing the  
15 purposes of the program; requiring the  
16 department, with assistance of the State  
17 Pedestrian/Bicycle Coordinator, metropolitan  
18 planning organizations, the Department of  
19 Environmental Protection, and the Department of  
20 Health, to conduct a Conserve by Bicycle study;  
21 requiring that the study be submitted to the  
22 Governor, the Legislature, and the secretaries  
23 of Transportation, Environmental Protection,  
24 and Health, under certain circumstances;  
25 amending s. 373.199, F.S.; requiring the water  
26 management districts to include information  
27 about the Florida National Scenic Trail in the  
28 5-year work plans; amending s. 380.507, F.S.;  
29 revising provisions relating to the acquisition  
30 or disposition of certain property under the  
31

1 Florida Communities Trust Program; providing an  
2 effective date.

3  
4 Be It Enacted by the Legislature of the State of Florida:

5  
6 Section 1. The Division of Statutory Revision is  
7 requested to change the title of chapter 260, Florida  
8 Statutes, to "FLORIDA GREENWAYS AND TRAILS."

9 Section 2. Section 260.011, Florida Statutes, is  
10 amended to read:

11 260.011 Short title.--Sections 260.011-260.018 ~~shall~~  
12 ~~be known and~~ may be cited as the "Florida Greenways and Trails  
13 Act."

14 Section 3. Subsections (1), (2), and (6) of section  
15 260.012, Florida Statutes, are amended to read:

16 260.012 Declaration of policy and legislative  
17 intent.--

18 (1) In order to recognize the benefits of the outdoor  
19 areas of Florida, and in order to conserve, develop, and use  
20 the natural resources of this state for healthful and  
21 recreational purposes, it is declared to be the public policy  
22 of this state and the purpose of ss. 260.011-260.018 to  
23 provide the means and procedures for establishing and  
24 expanding a statewide system of greenways and trails for  
25 recreational and conservation purposes and to designate such  
26 system which shall be designated as the "Florida Greenways and  
27 Trails System." The standards by which the ~~greenways and~~  
28 ~~trails~~ system shall be acquired, designated, administered,  
29 maintained, used, and expanded shall be consistent with ~~the~~  
30 ~~provisions of~~ ss. 260.011-260.018. It is the intent of the  
31 Legislature that these greenways and trails will serve to

1 | implement the concepts of ecosystems management while  
2 | providing, where appropriate, recreational opportunities,  
3 | including, but not limited to, equestrian activities ~~horseback~~  
4 | ~~riding~~, hiking, bicycling, canoeing, jogging, and historical  
5 | and archaeological interpretation, thereby improving the  
6 | health and welfare of the people.

7 |         (2) It is the intent of the Legislature that a  
8 | statewide system of greenways and trails be established to  
9 | provide open space benefiting environmentally sensitive lands  
10 | and wildlife and providing people with access to healthful  
11 | outdoor activities. It is also the intent of the Legislature  
12 | to acquire or designate lands and waterways to facilitate the  
13 | establishment of a statewide system of greenways and trails;  
14 | to encourage the multiple use of public rights-of-way and use  
15 | to the fullest extent existing and future scenic roads,  
16 | highways, park roads, parkways, greenways, trails, and  
17 | national recreational trails; to encourage the development of  
18 | greenways and trails by counties, cities, ~~and~~ special  
19 | districts, and nongovernmental organizations to assist in such  
20 | development by any means available; to coordinate greenway and  
21 | trail plans and development by local governments with one  
22 | another and with the state government and Federal Government;  
23 | to encourage, whenever possible, the development of greenways  
24 | and trails on federal lands by the Federal Government; and to  
25 | encourage the owners of private lands to protect the existing  
26 | ecological, historical, and cultural values of their lands,  
27 | including those values derived from working landscapes.

28 |         (6) It is the intent of the Legislature to officially  
29 | recognize the Florida National Scenic Trail as Florida's  
30 | official statewide nonmotorized trail, extending from the  
31 | Florida Panhandle to the Everglades and the Florida Keys, an

1 approximate length of more than 1,400 miles. The Legislature  
2 recognizes the major contributions made to further the  
3 establishment of the Florida National Scenic Trail by the  
4 United States Government, including significant funding, and  
5 the efforts of private landowners, state government, and  
6 not-for-profit entities such as the Florida Trail Association.  
7 The Legislature also recognizes the significant economic  
8 benefit of nature-based recreation and the contributions to  
9 the state's economy which arise from the creation and  
10 completion of the trail. In order to further its commitment to  
11 the residents of this state and the United States Government  
12 to complete the establishment of the trail in a permanent  
13 location, the Legislature:

14 (a) Encourages each state, regional, and local agency  
15 that acquires lands to acquire property interests in the lands  
16 over which the trail passes which are sufficient to ensure  
17 that the trail remains in a permanent location.

18 (b) Officially recognizes, for establishment and  
19 acquisition purposes, the route of the trail as determined by  
20 the U.S.D.A. Forest Service, assisted by the Florida Trail  
21 Association, in the publication entitled "Preferred Routing  
22 for the Florida National Scenic Trail."

23 (c) Encourages state land-buying agencies to consider,  
24 with the assistance of the Florida Trail Association and the  
25 office, the Florida National Scenic Trail as a single project  
26 with multiple phases for the purpose of listing and  
27 acquisition.

28 (d) Encourages the use of private funds to supplement  
29 the state's acquisition of fee or less-than-fee interests in  
30 land containing designated portions of the Florida National  
31 Scenic Trail.

1       (e) Encourages private landowners to continue to allow  
2 the use of their property for purposes of the Florida National  
3 Scenic Trail and encourages provision of incentives and  
4 liability protection for such landowners.

5       (f) Encourages state and local agencies having  
6 economic and ecotourism development responsibilities to  
7 recognize the importance of the Florida National Scenic Trail  
8 in bringing nature-based tourism to communities along the  
9 trail route and to support acquisition and development  
10 activities for completion of the trail in a permanent  
11 location. It is also the intent of the Legislature to  
12 encourage all state, regional, and local agencies who acquire  
13 lands to include in their land buying efforts the acquisition  
14 of sufficient legal interest in the lands over which the trail  
15 passes to ensure its continued existence in a permanent  
16 location.

17       Section 4. Present subsection (7) of section 260.0125,  
18 Florida Statutes, is redesignated as subsection (8), and a new  
19 subsection (7) is added to that section, to read:

20       260.0125 ~~Limitation on liability of~~ Private landowners  
21 whose property is designated as part of the statewide system  
22 of greenways and trails.--

23       (7) When the department determines that public access  
24 is appropriate for greenways and trails on private lands that  
25 are the subject of a designation agreement, the department  
26 must receive written authorization from the landowner before  
27 permitting public access to all or a specified part of the  
28 property. Not later than 7 days before any public meeting  
29 regarding the department's intent to designate such greenways  
30 and trails, the department must notify the private landowner  
31 by certified mail of its intent to determine whether public

1 access to the private property that is the subject of the  
2 designation agreement is appropriate. The public meeting  
3 shall be noticed pursuant to s. 120.525.

4 Section 5. Section 260.013, Florida Statutes, is  
5 transferred, renumbered as section 260.0111, Florida Statutes,  
6 and amended to read:

7 260.0111 ~~260.013~~ Definitions.--As used in ss.

8 260.011-260.018, unless the context otherwise requires:

9 (1) "Board" means the Board of Trustees of the  
10 Internal Improvement Trust Fund.

11 (2) "Department" means the Department of Environmental  
12 Protection.

13 (3) "Designation" means the identification and  
14 inclusion of specific lands and waterways as part of the  
15 statewide system of greenways and trails pursuant to a formal  
16 public process, including the specific written consent of the  
17 landowner. ~~When the department determines that public access~~  
18 ~~is appropriate for greenways and trails, written authorization~~  
19 ~~must be granted by the landowner to the department permitting~~  
20 ~~public access to all or a specified part of the landowner's~~  
21 ~~property. The department's determination shall be noticed~~  
22 ~~pursuant to s. 120.525, and the department shall also notify~~  
23 ~~the landowner by certified mail at least 7 days before any~~  
24 ~~public meeting regarding the intent to designate.~~

25 (4) "Greenway" means a linear open space established  
26 along either a natural corridor, such as a riverfront, stream  
27 valley, or ridgeline, or over land along a railroad  
28 right-of-way converted to recreational use, a canal, a scenic  
29 road, or other route; any natural or landscaped course for  
30 pedestrian or bicycle passage; an open space connector linking  
31 parks, nature reserves, cultural features, or historic sites

1 with each other and populated areas; or a local strip or  
2 linear park designated as a parkway or greenbelt.

3 (5) "Office" means the Office of Greenways and Trails  
4 of the Department of Environmental Protection.

5 (6)(5) "Trails" means linear corridors and any  
6 adjacent support parcels on land or water providing public  
7 access for recreation or authorized alternative modes of  
8 transportation.

9 Section 6. Section 260.0141, Florida Statutes, is  
10 amended to read:

11 260.0141 Greenways and Trails Program.--There is  
12 established within the department the "Florida Greenways and  
13 Trails Program," the purpose of which is to facilitate the  
14 establishment of a statewide system of greenways and trails.  
15 ~~Such greenways and trails shall be acquired pursuant to this~~  
16 ~~act.~~ Planning materials, maps, data, and other information  
17 developed or used in the program shall not be construed as  
18 designation of lands as part of the statewide system of  
19 greenways and trails. Identification of lands in such  
20 information shall not:

21 (1) Require or empower any unit of local or regional  
22 government, or any state agency, to impose additional or more  
23 restrictive environmental, land-use, or zoning regulations;

24 (2) Be construed or cited as authority to adopt,  
25 enforce, or amend any environmental rule or regulation;  
26 comprehensive plan goals, policies, or objectives; or zoning  
27 or land-use ordinance;

28 (3) Be used as the basis for permit denial; imposition  
29 of any permit condition; or application of any rule,  
30 regulation, or ordinance by any subdivision of local,  
31 regional, or state government; or



1 (4) Be construed or cited as authority by any  
2 governmental agency to reduce or restrict the rights of owners  
3 of lands so identified.

4 Section 7. Section 260.0142, Florida Statutes, is  
5 amended to read:

6 260.0142 Florida Greenways and Trails Council;  
7 composition; powers and duties.--

8 (1) There is ~~hereby~~ created within the department ~~of~~  
9 ~~Environmental Protection~~ the Florida Greenways and Trails  
10 Council which shall advise the department in the execution of  
11 the department's powers and duties under this chapter. The  
12 council shall be composed of 21 members, consisting of:

13 (a) Five members appointed by the Governor, with two  
14 members representing the trail user community, two members  
15 representing the greenway user community, and one member  
16 representing private landowners. ~~Of the initial appointments,~~  
17 ~~two shall be appointed for 2 year terms and three shall be~~  
18 ~~appointed for 1 year terms. Subsequent appointments shall be~~  
19 ~~for 2 year terms.~~

20 (b) Three members appointed by the President of the  
21 Senate, with one member representing the trail user community  
22 and two members representing the greenway user community.  
23 Those eligible to represent the greenway user community shall  
24 be chosen from, but not limited to, conservation  
25 organizations, nature study organizations, and scientists and  
26 university experts. ~~Of the initial appointments, two shall be~~  
27 ~~appointed for 2 year terms and one shall be appointed for a~~  
28 ~~1 year term. Subsequent appointments shall be for 2 year~~  
29 ~~terms.~~

30 (c) Three members appointed by the Speaker of the  
31 House of Representatives, with two members representing the

1 trail user community and one member representing the greenway  
2 user community. ~~Of the initial appointments, two shall be~~  
3 ~~appointed for 2 year terms and one shall be appointed for a~~  
4 ~~1 year term. Subsequent appointments shall be for 2 year~~  
5 ~~terms.~~ Those eligible to represent the trail user community  
6 shall be chosen from, but not be limited to, paved trail  
7 users, hikers, off-road bicyclists, users of off-highway  
8 vehicles, paddlers, equestrians, disabled outdoor recreational  
9 users, and commercial recreational interests. ~~Those eligible~~  
10 ~~to represent the greenway user community shall be chosen from,~~  
11 ~~but not be limited to, conservation organizations, nature~~  
12 ~~study organizations, and scientists and university experts.~~

13 (d) The 10 remaining members shall include:

- 14 1. The Secretary of Environmental Protection or a  
15 designee;
- 16 2. The executive director of the Fish and Wildlife  
17 Conservation Commission or a designee;
- 18 3. The Secretary of Community Affairs or a designee;
- 19 4. The Secretary of Transportation or a designee;
- 20 5. The Director of the Division of Forestry of the  
21 Department of Agriculture and Consumer Services or a designee;
- 22 6. The director of the Division of Historical  
23 Resources of the Department of State or a designee;
- 24 7. A representative of the water management districts  
25 ~~who shall serve for 1 year.~~ Membership on the council shall  
26 rotate among the five districts. The districts shall determine  
27 the order of rotation;
- 28 8. A representative of a federal land management  
29 agency. The Secretary of Environmental Protection shall  
30 identify the appropriate federal agency and request  
31

1 designation of a representative from the agency to serve on  
2 the council;

3 9. A representative of the regional planning councils  
4 to be appointed by the Secretary of Environmental Protection,  
5 in consultation with the Secretary of Community Affairs.  
6 Membership on the council shall rotate among the seven  
7 regional planning councils. The regional planning councils  
8 shall determine the order of rotation, for a single 2 year  
9 term. The representative shall not be selected from the same  
10 regional planning council for successive terms; and

11 10. A representative of local governments to be  
12 appointed by the Secretary of Environmental Protection, in  
13 consultation with the Secretary of Community Affairs,  
14 ~~for a single 2 year term.~~ Membership shall alternate between a  
15 county representative and a municipal representative.

16  
17 The term of all appointees shall be for 2 years unless  
18 otherwise specified. The appointees of the Governor, the  
19 President of the Senate, and the Speaker of the House of  
20 Representatives may be reappointed for no more than four  
21 consecutive terms. The representative of the water management  
22 districts, regional planning councils, and local governments  
23 may be reappointed for no more than two consecutive terms. All  
24 other appointees may serve until replaced.

25 (2) The department shall provide necessary staff  
26 assistance to the council.

27 ~~(3) The council is authorized to contract for and to~~  
28 ~~accept gifts, grants, or other aid from the United States~~  
29 ~~Government or any person or corporation.~~

30 ~~(3)(4)~~ The duties of the council ~~shall~~ include, ~~but~~  
31 ~~not be limited to,~~ the following:

1           ~~(a) Advise the Department of Environmental Protection,~~  
2 ~~the Department of Community Affairs, the Department of~~  
3 ~~Transportation, the Fish and Wildlife Conservation Commission,~~  
4 ~~the Division of Forestry of the Department of Agriculture and~~  
5 ~~Consumer Services, the water management districts, and the~~  
6 ~~regional planning councils on policies relating to the Florida~~  
7 ~~Greenways and Trails System, and promote intergovernmental~~  
8 ~~cooperation;~~

9           ~~(a)(b)~~ Facilitate a statewide system of interconnected  
10 landscape linkages, conservation corridors, greenbelts,  
11 recreational corridors and trails, scenic corridors,  
12 utilitarian corridors, reserves, regional parks and preserves,  
13 ecological sites, and cultural/historic/recreational sites,  
14 using;

15           ~~(c)~~ Facilitate a statewide system of interconnected  
16 land-based trails that connect urban, suburban, and rural  
17 areas of the state and facilitate expansion of the statewide  
18 system of freshwater and saltwater paddling trails.  
19

20           ~~(b)(d)~~ Recommend priorities for critical links in the  
21 Florida Greenways and Trails System.

22           ~~(c)(e)~~ Review recommendations of the office  
23 ~~applications~~ for acquisition funding under the Florida  
24 Greenways and Trails Program and recommend to the Secretary of  
25 Environmental Protection which projects should be acquired.

26           ~~(f)~~ Provide funding recommendations to agencies and  
27 ~~organizations regarding the acquisition, development, and~~  
28 ~~management of greenways and trails, including the promotion of~~  
29 ~~private landowner incentives;~~

30           ~~(d)(g)~~ Review designation proposals for inclusion in  
31 the Florida Greenways and Trails System.

1           ~~(h) Provide advocacy and education to benefit the~~  
2 ~~statewide system of greenways and trails by encouraging~~  
3 ~~communication and conferencing;~~

4           (e)(i) Encourage public-private partnerships to  
5 develop and manage greenways and trails.†

6           (f)(j) Review progress toward meeting established  
7 benchmarks and recommend appropriate action.†

8           (g)(k) Make recommendations for updating and revising  
9 the implementation plan for the Florida Greenways and Trails  
10 System.†

11           ~~(l) Advise the Land Acquisition and Management~~  
12 ~~Advisory Council or its successor to ensure the incorporation~~  
13 ~~of greenways and trails in land management plans on lands~~  
14 ~~managed by the Department of Environmental Protection, the~~  
15 ~~Fish and Wildlife Conservation Commission, the Division of~~  
16 ~~Historical Resources of the Department of State, and the~~  
17 ~~Division of Forestry of the Department of Agriculture and~~  
18 ~~Consumer Services;~~

19           ~~(m) Provide advice and assistance to the Department of~~  
20 ~~Transportation and the water management districts regarding~~  
21 ~~the incorporation of greenways and trails into their planning~~  
22 ~~efforts;~~

23           ~~(n) Encourage land use, environmental, and coordinated~~  
24 ~~linear infrastructure planning to facilitate the~~  
25 ~~implementation of local, regional, and statewide greenways and~~  
26 ~~trails systems;~~

27           (h)(o) Promote greenways and trails support  
28 organizations.† and

29           (i)(p) Support the Florida Greenways and Trails System  
30 through intergovernmental coordination, budget  
31

1 recommendations, advocacy, education, and in any other  
2 appropriate way.

3 ~~(4)(5)~~ The council shall establish procedures for  
4 conducting its affairs in execution of the duties and  
5 responsibilities stated in this section, which operating  
6 procedures shall include determination of a council chair and  
7 other appropriate operational guidelines. The council shall  
8 meet at the call of the chair, or at such times as may be  
9 prescribed by its operating procedures. The council may  
10 establish committees to conduct the work of the council and  
11 the committees may include nonmembers as appropriate.

12 ~~(5)(6)~~ A vacancy on the council shall be filled for  
13 the remainder of the unexpired term in the same manner as the  
14 original appointment. Members whose terms have expired may  
15 continue to serve until replaced or reappointed. ~~No member~~  
16 ~~shall serve on the council for more than two consecutive~~  
17 ~~terms.~~

18 ~~(6)(7)~~ Members of the council may ~~shall~~ not receive  
19 any compensation for their services but are ~~shall be~~ entitled  
20 to receive reimbursement for per diem and travel expenses  
21 incurred in the performance of their duties, as provided in s.  
22 112.061.

23 Section 8. Section 260.0143, Florida Statutes, is  
24 created to read:

25 260.0143 Florida Circumnavigation Saltwater Paddling  
26 Trail.--

27 (1) The Legislature creates the Florida  
28 Circumnavigation Saltwater Paddling Trail as part of the  
29 Florida Greenways and Trails System.

30 (2) The department shall establish the initial  
31 starting and ending points, by latitude and longitude, of the

1 trail segments described in subsection (3) within 180 days  
2 after the effective date after this act. Except for the Big  
3 Bend Saltwater Paddling Trail, segment 6, the department has  
4 the exclusive authority to officially name and locate the  
5 remaining 25 trail segments. The department shall name and  
6 locate the segments based on logical geographical boundaries,  
7 safety to trail users, ease of management, desires of local  
8 communities and user groups, and other factors that assist in  
9 the overall success of the trail system. The department may  
10 adjust the location of any trail segment, give official  
11 recognition to specific sites along the trail route, publish  
12 official trail guides and literature in cooperation with other  
13 governmental entities, and resolve conflicts that may arise  
14 between competing and conflicting parties over trail issues.  
15 The Florida Greenways and Trails Council shall advise the  
16 department on all matters relating to the paddling trail. By  
17 January 1, 2008, the department shall prepare and provide to  
18 the Governor, the President of the Senate, and the Speaker of  
19 the House of Representatives a report setting forth the names  
20 and locations adopted for each trail segment.

21 (3) The Florida Circumnavigation Saltwater Paddling  
22 Trail is composed of 26 segments that start at the  
23 Florida/Alabama border on the west and end at the  
24 Florida/Georgia border on the east. The general geographic  
25 locations of the segments are:

- 26 (a) Segment 1: Pensacola/Fort Pickens.  
27 (b) Segment 2: Choctawhatchee Bay.  
28 (c) Segment 3: Panama City Beach/St. Andrews Bay.  
29 (d) Segment 4: St. Joseph Bay/Apalachicola Bay.  
30 (e) Segment 5: Alligator Harbor/Ochlockonee Bay.  
31 (f) Segment 6: Big Bend Saltwater Paddling Trail.

- 1       (q) Segment 7: Crystal Bay/St. Martin's.  
2       (h) Segment 8: Pinellas.  
3       (i) Segment 9: Tampa Bay/Longboat Key.  
4       (j) Segment 10: Sarasota/Venice.  
5       (k) Segment 11: Charlotte Harbor.  
6       (l) Segment 12: Sanibel/Estero Bay.  
7       (m) Segment 13: Rookery Bay/Ten Thousand Islands.  
8       (n) Segment 14: Everglades National Park.  
9       (o) Segment 15: Florida Keys.  
10       (p) Segment 16: Biscayne Bay.  
11       (q) Segment 17: Hollywood/Ft. Lauderdale.  
12       (r) Segment 18: Pompano Beach/Lake Worth.  
13       (s) Segment 19: Palm Beach/Loxahatchee.  
14       (t) Segment 20: Hobe Sound/Ft. Pierce.  
15       (u) Segment 21: Vero Beach/Indian River.  
16       (v) Segment 22: Merritt Island/Mosquito Lagoon.  
17       (w) Segment 23: Tomoka/Flagler.  
18       (x) Segment 24: Anastasia/Guana River.  
19       (y) Segment 25: Jacksonville/St. Johns River.  
20       (z) Segment 26: Nassau/Fort Clinch.

21       Section 9. Paragraph (c) of subsection (1) of section  
22 260.015, Florida Statutes, is amended to read:

23       260.015 Acquisition of land.--

24       (1) The department is authorized to acquire by gift or  
25 purchase the fee simple absolute title or any lesser interest  
26 in land, including easements, for the purposes of ss.

27 260.011-260.018 pursuant to the provisions of chapter 375,  
28 except that:

29       (c) Projects acquired under this chapter shall not be  
30 subject to the evaluation and selection procedures of s.  
31 259.035, regardless of the estimated value of such projects.



1 All projects shall be acquired in accordance with the  
2 acquisition procedures of chapter 259, except that the  
3 department may use the appraisal procedure used by the  
4 Department of Transportation to acquire transportation  
5 rights-of-way. ~~When a parcel is estimated to be valued at~~  
6 ~~\$100,000 or less and the department finds that the costs of~~  
7 ~~obtaining an outside appraisal are not justified, an appraisal~~  
8 ~~prepared by the department may be used.~~

9 Section 10. Subsection (1) and paragraph (a) of  
10 subsection (2) of section 260.016, Florida Statutes, are  
11 amended to read:

12 260.016 General powers of the department.--

13 (1) The department may:

14 (a) Publish and distribute appropriate maps of  
15 ~~designated~~ greenways and trails. ~~The description shall include~~  
16 ~~a generalized map delineating the area designated, location of~~  
17 ~~suitable ingress and egress sites, as well as other points of~~  
18 ~~interest to enhance the recreational opportunities of the~~  
19 ~~public.~~

20 ~~(b) Establish access routes and related public use~~  
21 ~~facilities along greenways and trails which will not~~  
22 ~~substantially interfere with the nature and purposes of the~~  
23 ~~greenway or trail.~~

24 ~~(b)(c)~~ Adopt appropriate rules to implement or  
25 interpret this act and portions of chapter 253 relating to  
26 greenways and trails, which may include, but are not limited  
27 to, rules for the following:

- 28 1. Establishing a designation process.
- 29 2. Negotiating and executing agreements with private
- 30 landowners.

31

1           3. Establishing prohibited activities or restrictions  
2 on activities to protect the health, safety, and welfare of  
3 the public.

4           4. Charging fees for use.

5           5. Providing public access.

6           6. Providing for maintenance.

7           7. Any matter necessary to the evaluation, selection,  
8 operation, and maintenance of greenways and trails.

9  
10 Any person who violates or otherwise fails to comply with the  
11 rules adopted pursuant to subparagraph 3. commits a  
12 noncriminal infraction for which a fine of up to \$500 may be  
13 imposed.

14           ~~(c)(d)~~ Coordinate the activities of all governmental  
15 units and bodies and special districts that desire to  
16 participate in the development and implementation of the  
17 Florida Greenways and Trails System.

18           ~~(d)(e)~~ Establish, develop, and publicize greenways and  
19 trails in a manner that will permit public recreation when  
20 appropriate without damaging natural resources. The Big Bend  
21 Historic Saltwater Paddling Trail from the St. Marks River to  
22 Yankeetown is hereby designated as part of the Florida  
23 Greenways and Trails System. Additions to this trail may be  
24 added by the Legislature or the department from time to time  
25 as part of the a statewide saltwater circumnavigation trail.

26           ~~(e)(f)~~ Enter into agreements with any federal, state,  
27 or local governmental agency, or any other entity for the  
28 management of greenways and trails for recreation and  
29 conservation purposes consistent with the intent of this  
30 chapter. Such entities must demonstrate their capabilities of  
31 management for the purposes defined in ss. 260.011-260.018.

1           ~~(f)(g)~~ Charge reasonable fees or rentals for the use  
2 or operation of facilities and concessions. All such fees,  
3 rentals, or other charges collected shall be deposited in the  
4 account or trust fund of the managing entity.

5           ~~(g)(h)~~ Receive or accept from any legal source, grants  
6 for the purpose of providing or improving public greenways and  
7 trails, and the department is authorized to disburse funds as  
8 pass-through grants to federal, state, or local government  
9 agencies, recognized tribal units, or to nonprofit entities  
10 created for this purpose. The department has authority to  
11 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement  
12 ~~the provisions of~~ this subsection. Such rules shall provide,  
13 but are not limited to, the following: procedures for grant  
14 administration and accountability; eligibility, selection  
15 criteria; maximum grant amounts and number of pending grants;  
16 dedication requirements; and conversion procedures and  
17 requirements.

18           (2) The department shall:

19           (a) Evaluate lands for the acquisition of greenways  
20 and trails and compile a list of suitable corridors,  
21 greenways, and trails, ranking them in order of priority for  
22 proposed acquisition. The department shall devise a method of  
23 evaluation which includes, but is not limited to, ~~the~~  
24 consideration of the importance and function of such corridors  
25 within the statewide system as reflected on the opportunity  
26 maps and by landowners' willingness to negotiate.

27           Section 11. Section 335.067, Florida Statutes, is  
28 created to read:

29           335.067 Conserve by Bicycle Program.--There is created  
30 within the Department of Transportation the Conserve by  
31 Bicycle Program.

1           (1) The purposes of the Conserve by Bicycle Program  
2 are to:

3           (a) Save energy by increasing the number of miles  
4 ridden on bicycles, thereby reducing the usage of  
5 petroleum-based fuels.

6           (b) Increase efficiency of cycling as a transportation  
7 mode by improving interconnectivity.

8           (c) Reduce traffic congestion on existing roads.

9           (d) Provide recreational opportunities for Florida  
10 residents and visitors.

11           (e) Provide healthy alternatives to help reduce the  
12 trend toward obesity and reduce long-term health costs.

13           (f) Provide safe ways for children to travel from  
14 their homes to their schools by supporting the Safe Paths to  
15 Schools Program.

16           (2) In order to help accomplish these purposes, the  
17 department shall conduct a Conserve by Bicycle study, which  
18 shall include a determination of:

19           (a) Where energy savings can be realized by the  
20 creation of additional or safer bicycle facilities, such as  
21 bicycle paths, bicycle lanes, and other safe locations for  
22 bicycle use, which reduce the use of motor vehicles in the  
23 area.

24           (b) Geographic areas and other market segments where  
25 the use of education and marketing programs can covert motor  
26 vehicle trips into bicycle trips.

27           (c) How and under what circumstances the construction  
28 of bicycling facilities can provide more opportunities for  
29 recreation and how exercise can lead to a reduction of health  
30 risks associated with a sedentary lifestyle.

31

1           (d) How the Safe Paths to Schools Program and other  
2 similar programs can reduce school-related commuter traffic,  
3 which will result in energy and roadway savings as well as  
4 improve the health of children throughout the state.

5           (e) How partnerships can be created among interested  
6 parties in the fields of transportation, law enforcement,  
7 education, public health, environmental restoration and  
8 conservation, and energy conservation to achieve a better  
9 possibility of success for the Conserve by Bicycle Program.

10           (3) The study must produce measurable criteria that  
11 can be used by the department to determine where and under  
12 what circumstances the construction of bicycling facilities  
13 will produce energy savings and reduce the need for and cost  
14 of roadway capacity as well as realize the associated health  
15 benefits.

16           (4) The department shall conduct the study with the  
17 assistance of the State Pedestrian/Bicycle Coordinator,  
18 metropolitan planning organizations, the Office of Greenways  
19 and Trails of the Department of Environmental Protection, and  
20 the Department of Health.

21           (5) By July 1, 2007, if sufficient funds are available  
22 in the department's budget or from the Federal Government, the  
23 study shall be completed and shall be submitted to the  
24 Governor, the President of the Senate, the Speaker of the  
25 House of Representatives, the Secretary of Transportation, the  
26 Secretary of Environmental Protection, and the Secretary of  
27 Health.

28           Section 12. Paragraph (k) of subsection (4) of section  
29 373.199, Florida Statutes, is amended to read:

30           373.199 Florida Forever Water Management District Work  
31 Plan.--

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

3           (k) An identification of the proposed public access  
4 for projects with land acquisition components, including the  
5 Florida National Scenic Trail.

6           Section 13. Subsection (4) of section 380.507, Florida  
7 Statutes, is amended to read:

8           380.507 Powers of the trust.--The trust shall have all  
9 the powers necessary or convenient to carry out the purposes  
10 and provisions of this part, including:

11           (4) To acquire and dispose of real and personal  
12 property or any interest therein when necessary or appropriate  
13 to protect the natural environment, provide public access or  
14 public recreational facilities including the Florida National  
15 Scenic Trail, preserve wildlife habitat areas, provide access  
16 for managing acquired lands, or otherwise carry out the  
17 purposes of this part. If the trust acquires land for  
18 permanent state ownership, title to such land shall be vested  
19 in the Board of Trustees of the Internal Improvement Trust  
20 Fund; otherwise, title to property acquired in partnership  
21 with a county or municipality shall vest in the name of the  
22 local government. Notwithstanding any other provision of law,  
23 the trust may enter into an option agreement to purchase lands  
24 included in projects approved according to this part, when  
25 necessary to reserve lands during the preparation of project  
26 plans and during acquisition proceedings. The consideration  
27 for an option shall not exceed \$100,000.

28           Section 14. This act shall take effect upon becoming a  
29 law.

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SENATE SUMMARY

Supports and encourages development and completion of the Florida National Scenic Trail. Requires the Department of Environmental Protection to secure written authorization before permitting public access to private land that the landowner has agreed to designate as part of the state's greenways and trail system. Requires the department to provide notice of a meeting at which it intends to designate such private land. Disallows certain acquisitions. Revises powers, duties, and membership of the Florida Greenways and Trails Council. Removes provisions for appraisal of certain property by the Department of Environmental Protection. Revises the department's powers relating to greenways and trails. Creates and generally specifies segments of the Florida Circumnavigation Saltwater Paddling Trail. Requires the Department of Environmental Protection to name, locate, publicize, report on, and perform certain trail managerial functions. Requires the Florida Greenways and Trails Council to provide advice regarding the trail. Creates the Conserve by Bicycle Program in the Department of Transportation. Requires the department, with assistance from specified organizations, the State Pedestrian/Bicycle Coordinator, metropolitan planning organizations, and the Department of Environmental Protection, to conduct a Conserve by Bicycle study. Requires submittal of the study to the secretaries of Transportation, Environmental Protection, and Health under certain circumstances. Revises provisions relating to acquisition or disposition of certain property under the Florida Communities Trust Program. (See bill for details.)