

By the Committees on General Government Appropriations;  
Environmental Preservation; and Senators Dockery and  
Argenziano

601-2242-05

1                                   A bill to be entitled  
2           An act relating to greenways and trails;  
3           requesting the Division of Statutory Revision  
4           to retitle ch. 260, F.S., as "Florida Greenways  
5           and Trails"; amending s. 110.501, F.S.;  
6           conforming a cross-reference; amending s.  
7           260.011, F.S.; clarifying the short title;  
8           amending s. 260.012, F.S.; revising legislative  
9           intent with respect to the development and  
10          completion of the Florida National Scenic  
11          Trail; transferring, renumbering, and amending  
12          s. 260.013, F.S.; revising definitions;  
13          amending s. 260.0141, F.S.; deleting provisions  
14          authorizing certain acquisitions; amending s.  
15          260.0142, F.S.; revising the powers and duties  
16          of the Florida Greenways and Trails Council;  
17          extending the terms of certain appointees;  
18          providing for reappointment of appointees;  
19          amending eligibility requirements for  
20          appointees of the trail-user community to  
21          include users of off-road highway vehicles;  
22          amending s. 260.015, F.S.; requiring the  
23          appraisal of certain property by the  
24          department; amending s. 260.016, F.S.; revising  
25          the general powers of the Department of  
26          Environmental Protection relating to greenways  
27          and trails; creating s. 260.20, F.S.; creating  
28          and specifying segments of the Florida  
29          Circumnavigation Saltwater Paddling Trail;  
30          requiring the Department of Environmental  
31          Protection to name and locate segments and

1 provide a report; authorizing the department to  
2 relocate segments and perform certain  
3 trail-management and publication functions;  
4 authorizing the Florida Greenways and Trails  
5 Council to advise the department regarding the  
6 trail; creating s. 260.021, F.S.; encouraging a  
7 partnership between various organizations and  
8 mining interests to develop recreational  
9 opportunities on mined lands; creating s.  
10 335.067, F.S.; creating the Conserve by Bicycle  
11 Program in the Department of Transportation;  
12 providing purposes of the program; directing  
13 the department to conduct a study; directing  
14 the State Pedestrian/Bicycle Coordinator,  
15 metropolitan planning organizations, the Office  
16 of Greenways and Trails of the Department of  
17 Environmental Protection, and the Department of  
18 Health to assist with the study; amending s.  
19 373.199, F.S.; requiring the water management  
20 districts to include information about the  
21 Florida National Scenic Trail in the 5-year  
22 work plans; repealing s. 378.036(6), F.S.,  
23 relating to the formation and operation of a  
24 nonprofit corporation to develop recreational  
25 opportunities on mined lands; amending s.  
26 380.507, F.S.; revising provisions relating to  
27 the acquisition or disposition of certain  
28 property under the Florida Communities Trust  
29 Program; providing an effective date.

30  
31 Be It Enacted by the Legislature of the State of Florida:

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

4           Section 2. Subsection (1) of section 110.501, Florida  
5 Statutes, is amended to read:

6           110.501 Definitions.--As used in this act:

7           (1) "Volunteer" means any person who, of his or her  
8 own free will, provides goods or services, or conveys an  
9 interest in or otherwise consents to the use of real property  
10 pursuant to chapter 260 ~~ss. 260.011-260.018~~, to any state  
11 department or agency, or nonprofit organization, with no  
12 monetary or material compensation. A person registered and  
13 serving in Older American Volunteer Programs authorized by the  
14 Domestic Volunteer Service Act of 1973, as amended (Pub. L.  
15 No. 93-113), ~~is shall~~ also ~~be~~ defined as a volunteer and shall  
16 incur no civil liability as provided by s. 768.1355. A  
17 volunteer ~~is shall be~~ eligible for payment of volunteer  
18 benefits as specified in Pub. L. No. 93-113, this section, and  
19 s. 430.204.

20           Section 3. Section 260.011, Florida Statutes, is  
21 amended to read:

22           260.011 Short title.--Chapter 260 Sections  
23 ~~260.011-260.018 shall be known and~~ may be cited as the  
24 "Florida Greenways and Trails Act."

25           Section 4. Subsections (1), (2), (5), and (6) of  
26 section 260.012, Florida Statutes, are amended to read:

27           260.012 Declaration of policy and legislative  
28 intent.--

29           (1) In order to recognize the benefits of the outdoor  
30 areas of Florida, and in order to conserve, develop, and use  
31 the natural resources of this state for healthful and

1 recreational purposes, it is declared to be the public policy  
2 of this state and the purpose of this chapter ~~ss.~~  
3 ~~260.011-260.018~~ to provide the means and procedures for  
4 establishing and expanding a statewide system of greenways and  
5 trails for recreational and conservation purposes which shall  
6 be designated as the "Florida Greenways and Trails System."  
7 The standards by which the greenways and trails system shall  
8 be acquired, designated, administered, maintained, used, and  
9 expanded shall be consistent with this chapter ~~the provisions~~  
10 ~~of ss. 260.011-260.018~~. It is the intent of the Legislature  
11 that these greenways and trails will serve to implement the  
12 concepts of ecosystems management while providing, where  
13 appropriate, recreational opportunities, including, but not  
14 limited to, equestrian activities ~~horseback riding~~, hiking,  
15 bicycling, canoeing, jogging, and historical and  
16 archaeological interpretation, thereby improving the health  
17 and welfare of the people.

18 (2) It is the intent of the Legislature that a  
19 statewide system of greenways and trails be established to  
20 provide open space benefiting environmentally sensitive lands  
21 and wildlife and providing people with access to healthful  
22 outdoor activities. It is also the intent of the Legislature  
23 to acquire or designate lands and waterways to facilitate the  
24 establishment of a statewide system of greenways and trails;  
25 to encourage the multiple use of public rights-of-way and use  
26 to the fullest extent existing and future scenic roads,  
27 highways, park roads, parkways, greenways, trails, and  
28 national recreational trails; to encourage the development of  
29 greenways and trails by counties, cities, ~~and~~ special  
30 districts, and nongovernmental organizations to assist in such  
31 development by any means available; to coordinate greenway and

1 trail plans and development by local governments with one  
2 another and with the state government and Federal Government;  
3 to encourage, whenever possible, the development of greenways  
4 and trails on federal lands by the Federal Government; and to  
5 encourage the owners of private lands to protect the existing  
6 ecological, historical, and cultural values of their lands,  
7 including those values derived from working landscapes.

8 (5) The planning, development, operation, and  
9 maintenance of the Florida Greenways and Trails System  
10 authorized by this chapter ~~ss. 260.011-260.018~~ is declared to  
11 be a public purpose, and the Department of Environmental  
12 Protection, together with other agencies of this state and all  
13 counties, municipalities, and special districts of this state,  
14 is authorized to spend public funds for such purposes and to  
15 accept gifts and grants of funds, property, or property rights  
16 from public or private sources to be used for such purposes.

17 (6) It is the intent of the Legislature to officially  
18 recognize the Florida National Scenic Trail as Florida's  
19 official statewide nonmotorized trail, extending from the  
20 Florida Panhandle to the Everglades and the Florida Keys, an  
21 approximate length of more than 1,400 miles. The Legislature  
22 recognizes the major contributions made to further the  
23 establishment of the Florida National Scenic Trail by the  
24 United States Government, including significant funding, and  
25 the efforts of private landowners, state government, and  
26 not-for-profit entities such as the Florida Trail Association.  
27 The Legislature also recognizes the significant economic  
28 benefit of nature-based recreation and the contributions to  
29 the state's economy which arise from the creation and  
30 completion of the trail. In order to further its commitment to  
31 the residents of this state and the United States Government

1 to complete the establishment of the trail in a permanent  
2 location, the Legislature:

3 (a) Encourages each state, regional, and local agency  
4 that acquires lands to acquire property interests in the lands  
5 over which the trail passes which are sufficient to ensure  
6 that the trail remains in a permanent location.

7 (b) Officially recognizes, for establishment and  
8 acquisition purposes, the route of the trail as determined by  
9 the U.S.D.A. Forest Service, assisted by the Florida Trail  
10 Association, in the publication entitled "Preferred Routing  
11 for the Florida National Scenic Trail."

12 (c) Encourages state land-buying agencies to consider,  
13 with the assistance of the Florida Trail Association and the  
14 office, the Florida National Scenic Trail as a single project  
15 with multiple phases for the purposes of listing property for  
16 and completing acquisitions.

17 (d) Encourages the use of private funds to supplement  
18 the state's funding for acquisition of fee or less-than-fee  
19 interests in land containing designated portions of the  
20 Florida National Scenic Trail.

21 (e) Encourages private landowners to continue to allow  
22 the use of their property for purposes of the Florida National  
23 Scenic Trail by providing limited liability protection and  
24 encouraging provision of additional incentives for such  
25 landowners.

26 (f) Encourages state and local agencies having  
27 economic and ecotourism development responsibilities to  
28 recognize the importance of the Florida National Scenic Trail  
29 in bringing nature-based tourism to communities along the  
30 trail route and to support acquisition and development  
31 activities for completion of the trail in a permanent

1 ~~location. It is also the intent of the Legislature to~~  
2 ~~encourage all state, regional, and local agencies who acquire~~  
3 ~~lands to include in their land buying efforts the acquisition~~  
4 ~~of sufficient legal interest in the lands over which the trail~~  
5 ~~passes to ensure its continued existence in a permanent~~  
6 ~~location.~~

7 Section 5. Section 260.013, Florida Statutes, is  
8 transferred, renumbered as section 260.0111, Florida Statutes,  
9 and amended to read:

10 260.0111 ~~260.013~~ Definitions.--As used in this chapter  
11 ~~ss. 260.011-260.018~~, unless the context otherwise requires:

12 (1) "Board" means the Board of Trustees of the  
13 Internal Improvement Trust Fund.

14 (2) "Department" means the Department of Environmental  
15 Protection.

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

28 (4) "Greenway" means a linear open space established  
29 along either a natural corridor, such as a riverfront, stream  
30 valley, or ridgeline, or over land along a railroad  
31 right-of-way converted to recreational use, a canal, a scenic

1 road, or other route; any natural or landscaped course for  
2 pedestrian or bicycle passage; an open space connector linking  
3 parks, nature reserves, cultural features, or historic sites  
4 with each other and populated areas; or a local strip or  
5 linear park designated as a parkway or greenbelt.

6 (5) "Office" means the Office of Greenways and Trails  
7 of the Department of Environmental Protection.

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

12 Section 6. Section 260.0141, Florida Statutes, is  
13 amended to read:

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

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

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

31



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

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

8 Section 7. Section 260.0142, Florida Statutes, is  
9 amended to read:

10 260.0142 Florida Greenways and Trails Council;  
11 composition; powers and duties.--

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

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

24 (b) Three members appointed by the President of the  
25 Senate, with one member representing the trail user community  
26 and two members representing the greenway user community. ~~Of~~  
27 ~~the initial appointments, two shall be appointed for 2 year~~  
28 ~~terms and one shall be appointed for a 1 year term. Subsequent~~  
29 ~~appointments shall be for 2 year 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.~~

6  
7 Those eligible to represent the trail user community shall be  
8 chosen from, but not be limited to, paved trail users, hikers,  
9 off-road bicyclists, users of off-highway vehicles, paddlers,  
10 equestrians, disabled outdoor recreational users, and  
11 commercial recreational interests. Those eligible to represent  
12 the greenway user community shall be chosen from, but not be  
13 limited to, conservation organizations, nature study  
14 organizations, and scientists and university experts.

15 (d) The 10 remaining members shall include:

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

1 identify the appropriate federal agency and request  
2 designation of a representative from the agency to serve on  
3 the council;

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

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

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

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

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

31

1           ~~(3)(4)~~ The duties of the council ~~shall include, but~~  
2 ~~not be limited to,~~ the following:

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

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

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

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

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

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

31

1            (d)~~(g)~~ Review designation proposals for inclusion in  
2 the Florida Greenways and Trails System.;  
3            ~~(h) Provide advocacy and education to benefit the~~  
4 ~~statewide system of greenways and trails by encouraging~~  
5 ~~communication and conferencing;~~  
6            (e)~~(i)~~ Encourage public-private partnerships to  
7 develop and manage greenways and trails.;  
8            (f)~~(j)~~ Review progress toward meeting established  
9 benchmarks and recommend appropriate action.;  
10           (g)~~(k)~~ Make recommendations for updating and revising  
11 the implementation plan for the Florida Greenways and Trails  
12 System.;  
13           ~~(l) Advise the Land Acquisition and Management~~  
14 ~~Advisory Council or its successor to ensure the incorporation~~  
15 ~~of greenways and trails in land management plans on lands~~  
16 ~~managed by the Department of Environmental Protection, the~~  
17 ~~Fish and Wildlife Conservation Commission, the Division of~~  
18 ~~Historical Resources of the Department of State, and the~~  
19 ~~Division of Forestry of the Department of Agriculture and~~  
20 ~~Consumer Services;~~  
21           ~~(m) Provide advice and assistance to the Department of~~  
22 ~~Transportation and the water management districts regarding~~  
23 ~~the incorporation of greenways and trails into their planning~~  
24 ~~efforts;~~  
25           ~~(n) Encourage land use, environmental, and coordinated~~  
26 ~~linear infrastructure planning to facilitate the~~  
27 ~~implementation of local, regional, and statewide greenways and~~  
28 ~~trails systems;~~  
29           (h)~~(o)~~ Promote greenways and trails support  
30 organizations.; and  
31

1           ~~(i)(p)~~ Support the Florida Greenways and Trails System  
2 through intergovernmental coordination, budget  
3 recommendations, advocacy, education, and in any other  
4 appropriate way.

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

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

20           ~~(6)(7)~~ Members of the council may ~~shall~~ not receive  
21 any compensation for their services but are ~~shall be~~ entitled  
22 to receive reimbursement for per diem and travel expenses  
23 incurred in the performance of their duties, as provided in s.  
24 112.061.

25           Section 8. Subsections (1) and (3) of section 260.015,  
26 Florida Statutes, are amended to read:

27           260.015 Acquisition of land.--

28           (1) The department is authorized to acquire by gift or  
29 purchase the fee simple absolute title or any lesser interest  
30 in land, including easements, for the purposes of this chapter  
31

1 ~~ss. 260.011-260.018~~ pursuant to the provisions of chapter 375,  
2 except that:

3 (a) The department's power of eminent domain shall be  
4 limited to curing defects in title accepted by the board  
5 pursuant to subsection (2).

6 (b) Lists of proposed acquisitions for the Florida  
7 Greenways and Trails Program shall be prepared according to  
8 procedures adopted by the department.

9 (c) Projects acquired under this chapter shall not be  
10 subject to the evaluation and selection procedures of s.  
11 259.035, regardless of the estimated value of such projects.

12 All projects shall be acquired in accordance with the  
13 acquisition procedures of chapter 259, except that the  
14 department may use the appraisal procedure used by the  
15 Department of Transportation to acquire transportation  
16 rights-of-way. ~~When a parcel is estimated to be valued at~~  
17 ~~\$100,000 or less and the department finds that the costs of~~  
18 ~~obtaining an outside appraisal are not justified, an appraisal~~  
19 ~~prepared by the department may be used.~~

20 (3) Easements, licenses, and use agreements upon,  
21 over, under, across, or along any land, the fee title of which  
22 has been acquired for the purposes of this chapter ~~ss.~~  
23 ~~260.011-260.018~~, may be granted by the department so long as  
24 the use of the easement, license, or use agreement does not  
25 interfere with the purposes of this chapter ~~ss.~~  
26 ~~260.011-260.018~~.

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

30 260.016 General powers of the department.--

31 (1) The department may:

1 (a) Publish and distribute appropriate maps of  
2 ~~designated~~ greenways and trails. ~~The description shall include~~  
3 ~~a generalized map delineating the area designated, location of~~  
4 ~~suitable ingress and egress sites, as well as other points of~~  
5 ~~interest to enhance the recreational opportunities of the~~  
6 ~~public.~~

7 ~~(b) Establish access routes and related public use~~  
8 ~~facilities along greenways and trails which will not~~  
9 ~~substantially interfere with the nature and purposes of the~~  
10 ~~greenway or trail.~~

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

- 15 1. Establishing a designation process.
- 16 2. Negotiating and executing agreements with private  
17 landowners.
- 18 3. Establishing prohibited activities or restrictions  
19 on activities to protect the health, safety, and welfare of  
20 the public.
- 21 4. Charging fees for use.
- 22 5. Providing public access to the greatest extent  
23 possible while avoiding unnecessary impact upon sensitive  
24 environments such as wetlands or animal habitats, wherever  
25 encountered.
- 26 6. Providing for maintenance.
- 27 7. Any matter necessary to the evaluation, selection,  
28 operation, and maintenance of greenways and trails.

29  
30 Any person who violates or otherwise fails to comply with the  
31 rules adopted pursuant to subparagraph 3. commits a



1 noncriminal infraction for which a fine of up to \$500 may be  
2 imposed.

3 ~~(c)(d)~~ Coordinate the activities of all governmental  
4 units and bodies and special districts that desire to  
5 participate in the development and implementation of the  
6 Florida Greenways and Trails System.

7 ~~(d)(e)~~ Establish, develop, and publicize greenways and  
8 trails in a manner that will permit public recreation when  
9 appropriate without damaging natural resources while avoiding  
10 unnecessary impact upon sensitive environments such as  
11 wetlands or animal habitats, wherever encountered. The Big  
12 Bend Historic Saltwater Paddling Trail from the St. Marks  
13 River to Yankeetown is hereby designated as part of the  
14 Florida Greenways and Trails System. Additions to this trail  
15 may be added by the Legislature or the department from time to  
16 time as part of the Florida a statewide saltwater  
17 Circumnavigation Saltwater Paddling Trail created in s.  
18 260.20.

19 ~~(e)(f)~~ Enter into agreements with any federal, state,  
20 or local governmental agency, or any other entity for the  
21 management of greenways and trails for recreation and  
22 conservation purposes consistent with the intent of this  
23 chapter. Such entities must demonstrate their capabilities of  
24 management for the purposes defined in this chapter ~~ss.~~  
25 ~~260.011-260.018~~.

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

30 ~~(g)(h)~~ Receive or accept from any legal source, grants  
31 for the purpose of providing or improving public greenways and

1 | trails, and the department is authorized to disburse funds as  
2 | pass-through grants to federal, state, or local government  
3 | agencies, recognized tribal units, or to nonprofit entities  
4 | created for this purpose. The department has authority to  
5 | adopt rules pursuant to ss. 120.536(1) and 120.54 to implement  
6 | ~~the provisions of~~ this subsection. Such rules shall provide,  
7 | but are not limited to, the following: procedures for grant  
8 | administration and accountability; eligibility, selection  
9 | criteria; maximum grant amounts and number of pending grants;  
10 | dedication requirements; and conversion procedures and  
11 | requirements.

12 |         (2) The department shall:

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

21 |         Section 10. Section 260.20, Florida Statutes, is  
22 | created to read:

23 |         260.20 Florida Circumnavigation Saltwater Paddling  
24 | Trail.--

25 |         (1) The Legislature creates the Florida  
26 | Circumnavigation Saltwater Paddling Trail as part of the  
27 | Florida Greenways and Trails System. For purposes of this  
28 | section, "trail" means the Florida Circumnavigation Saltwater  
29 | Paddling Trail.

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 Florida Greenways and Trails  
10 System. The department may adjust the location of any trail  
11 segment, give official recognition to specific sites along the  
12 trail route, publish official trail guides and literature in  
13 cooperation with other governmental entities, and resolve  
14 conflicts that may arise between competing and conflicting  
15 parties over trail issues. The Florida Greenways and Trails  
16 Council shall advise the department on all matters relating to  
17 the trail. By January 1, 2008, the department shall prepare  
18 and provide to the Governor, the President of the Senate, and  
19 the Speaker of the House of Representatives a report setting  
20 forth the names 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           (g) 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 11. Section 260.021, Florida Statutes, is  
22 created to read:

23           260.021 Recreational opportunities on mined  
24 lands.--The Florida Wildlife Federation, Audubon Florida, and  
25 Rails-to-Trails Conservancy, in partnership with the phosphate  
26 industry and other mining companies, are encouraged to  
27 continue the operation of the nonprofit corporation, Florida  
28 Mining-Recreation, Inc., for the purpose of working with  
29 industry, government, and private landowners to create plans  
30 and assist in the development of recreational opportunities on  
31 mined lands in the state. These opportunities should include

1 walking, hiking, off-highway vehicle, canoeing, bicycling,  
2 equestrian, wildlife viewing, and other trails areas along  
3 with developing fishing and hunting lands. The board of  
4 directors of the corporation is encouraged to be composed of a  
5 member, or members, from the companies mining in the state; a  
6 member, or members, chosen by the Florida Wildlife Federation,  
7 Audubon Florida, and Rails-to-Trails Conservancy; and others  
8 chosen by agreement of the partners.

9 Section 12. Section 335.067, Florida Statutes, is  
10 created to read:

11 335.067 Conserve by Bicycle Program.--There is created  
12 within the Department of Transportation the Conserve by  
13 Bicycle Program.

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

16 (a) Save energy by increasing the number of miles  
17 ridden on bicycles, thereby reducing the usage of  
18 petroleum-based fuels.

19 (b) Increase efficiency of cycling as a transportation  
20 mode by improving interconnectivity.

21 (c) Reduce traffic congestion on existing roads.

22 (d) Provide recreational opportunities for Florida  
23 residents and visitors.

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

26 (f) Provide safe ways for children to travel from  
27 their homes to their schools by supporting the Safe Paths to  
28 Schools Program.

29 (2) In order to help accomplish these goals, the  
30 department shall conduct a Conserve by Bicycle study, which  
31 shall include a determination of the following:

1           (a) Where energy savings can be realized when more and  
2 safer bicycle facilities, such as bicycle paths, bicycle  
3 lanes, and other safe locations for bicycle use, are created  
4 which reduce the use of motor vehicles in the area.

5           (b) Where the use of education and marketing programs  
6 can convert motor vehicle trips into bicycle trips.

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

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

15           (e) How partnerships can be created among interested  
16 parties in the fields of transportation, law enforcement,  
17 education, public health, environmental restoration and  
18 conservation, and energy conservation to achieve a better  
19 possibility of success for the program.

20           (3) The study shall produce measurable criteria that  
21 can be used by the department to determine where and under  
22 what circumstances the construction of bicycling facilities  
23 will reduce energy consumption and the need for and cost of  
24 roadway capacity, as well as realizing the associated health  
25 benefits.

26           (4) The department shall conduct the study with the  
27 assistance of the State Pedestrian/Bicycle Coordinator,  
28 metropolitan planning organizations, the Office of Greenways  
29 and Trails of the Department of Environmental Protection, and  
30 the Department of Health.

31

1           (5) By July 1, 2007, if sufficient funds are available  
2 in the department's budget or from the Federal Government, the  
3 study shall be completed and shall be submitted to the  
4 Governor, the President of the Senate, the Speaker of the  
5 House of Representatives, the Secretary of Transportation, the  
6 Secretary of Environmental Protection, and the Secretary of  
7 Health.

8           Section 13. Paragraph (k) of subsection (4) of section  
9 373.199, Florida Statutes, is amended to read:

10           373.199 Florida Forever Water Management District Work  
11 Plan.--

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

14           (k) An identification of the proposed public access  
15 for projects with land acquisition components, including the  
16 Florida National Scenic Trail.

17           Section 14. Subsection (6) of section 378.036, Florida  
18 Statutes, is repealed.

19           Section 15. Subsection (4) of section 380.507, Florida  
20 Statutes, is amended to read:

21           380.507 Powers of the trust.--The trust shall have all  
22 the powers necessary or convenient to carry out the purposes  
23 and provisions of this part, including:

24           (4) To acquire and dispose of real and personal  
25 property or any interest therein when necessary or appropriate  
26 to protect the natural environment, provide public access or  
27 public recreational facilities including the Florida National  
28 Scenic Trail, preserve wildlife habitat areas, provide access  
29 for managing acquired lands, or otherwise carry out the  
30 purposes of this part. If the trust acquires land for  
31 permanent state ownership, title to such land shall be vested

1 in the Board of Trustees of the Internal Improvement Trust  
2 Fund; otherwise, title to property acquired in partnership  
3 with a county or municipality shall vest in the name of the  
4 local government. Notwithstanding any other provision of law,  
5 the trust may enter into an option agreement to purchase lands  
6 included in projects approved according to this part, when  
7 necessary to reserve lands during the preparation of project  
8 plans and during acquisition proceedings. The consideration  
9 for an option shall not exceed \$100,000.

10 Section 16. This act shall take effect upon becoming a  
11 law.

12  
13 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
14 COMMITTEE SUBSTITUTE FOR  
15 CS/SB 774

16 This committee substitute:

- 17 o Encourages the continued operation of Florida  
18 Mining-Recreation, Inc., a nonprofit consortium working  
19 with industry, government, and private landholders for  
20 the development of recreational opportunities on mined  
21 lands.  
22 o Creates the Conserve by Bicycle program within the  
23 Department of Transportation.  
24 o Includes the Florida National Scenic Trail in the  
25 description of proposed public access in the Florida  
26 Forever Water Management District Work Plan's land  
27 acquisition component.  
28 o Encourages the Department of Environmental Protection to  
29 avoid unnecessary environmental impacts to wetlands or  
30 animal habitats when developing trails.  
31