

By Representative Sembler

1                                   A bill to be entitled  
2           An act relating to state lands; amending s.  
3           253.034, F.S.; specifying the objective of the  
4           management of the state's lands and natural  
5           resources; providing that state lands shall  
6           receive multiple-use management unless there is  
7           a compelling reason for single use; providing  
8           requirements for multiple-use land management  
9           strategies; redefining "single use"; amending  
10          s. 253.7825, F.S.; correcting a reference;  
11          amending s. 259.032, F.S.; providing that a  
12          soil and water conservation district shall be  
13          first considered as the managing agency with  
14          respect to acquisition of a less-than-fee  
15          interest in certain land through the  
16          Conservation and Recreation Lands Trust Fund;  
17          providing management objectives for lands  
18          acquired under ch. 259, F.S.; providing for  
19          multiple-use management and providing the  
20          strategy requirements therefor; increasing the  
21          percentage of funds deposited in the Florida  
22          Preservation 2000 Trust Fund that are made  
23          available for land management and capital  
24          improvements; revising the categories of land  
25          management needs; providing for buffer areas;  
26          providing for a land management needs category  
27          team to determine the categories of land  
28          management needs that exist within each  
29          acquisition; providing for recommendations to  
30          the team by managing agencies; amending s.  
31          373.139, F.S.; providing that lands acquired

1 for specified purposes by water management  
2 districts shall receive multiple-use management  
3 except under certain conditions; directing the  
4 district governing board to consult with or  
5 enter into a memorandum of agreement with  
6 specified state agencies with respect to such  
7 management; providing an effective date.

8  
9 Be It Enacted by the Legislature of the State of Florida:

10  
11 Section 1. Subsections (1) and (2) of section 253.034,  
12 Florida Statutes, are amended to read:

13 253.034 State-owned lands; uses.--

14 (1) All lands acquired pursuant to chapter 259 serve  
15 the public intent by protecting and conserving land, air,  
16 water, and the state's natural resources which contribute to  
17 the public health, welfare, and economy of the state. These  
18 lands provide for areas of natural resource-based recreation  
19 and ensure the survival of unique and irreplaceable plant and  
20 animal species and the conservation and enlightened use of the  
21 lands' renewable natural resources. The state's lands and  
22 natural resources shall be managed using a stewardship ethic  
23 that assures these resources will be available for the benefit  
24 and enjoyment of all people of the state, both present and  
25 future. To satisfy this objective, all lands the title of  
26 which is vested in the Board of Trustees of the Internal  
27 Improvement Trust Fund shall receive multiple-use management  
28 unless there is a compelling reason for single use. All such  
29 lands not described in paragraph (2)(b) as single use shall  
30 receive multiple-use management. All multiple-use land  
31 management strategies shall emphasize public access and

1 enjoyment, resource conservation and protection, ecosystem  
2 maintenance and protection, and protection of threatened and  
3 endangered species. The economic return from multiple-use  
4 lands shall be optimized, consistent with these strategies,  
5 through the management of their forestry, agricultural,  
6 wildlife, and recreational resources.

7 (2)~~(1)~~ As used in this section, the following phrases  
8 have the following meanings:

9 (a) "Multiple use" means the harmonious and  
10 coordinated management of timber, recreation, wildlife,  
11 forage, archaeological and historic sites, or water resources  
12 so that they are utilized in the combination that will best  
13 serve the people of the state, making the most judicious use  
14 of the land for some or all of these resources and giving  
15 consideration to the relative values of the various resources.

16 (b) "Single use" means management for one particular  
17 purpose to the exclusion of all other purposes. An area with  
18 unique natural features that would be destroyed if managed  
19 under a multiple-use strategy, ~~except that the using agency~~  
20 ~~shall have the option of including in its management program~~  
21 ~~compatible secondary purposes which will not detract from or~~  
22 ~~interfere with the primary management purpose. Such single~~  
23 ~~uses may include, but are not necessarily restricted to, the~~  
24 ~~use of agricultural lands for production of food and~~  
25 ~~livestock, the use of improved sites, and grounds for~~  
26 institutional purposes, an area designated to concentrate  
27 users into a specific location resulting in intense public  
28 use, and the use of lands for parks, preserves, wildlife  
29 management, archaeological or historic sites, and or  
30 ~~wilderness areas where the maintenance of essentially natural~~  
31 ~~conditions is important.~~ all submerged lands shall be

1 considered single-use lands and shall be managed primarily  
2 for the maintenance of essentially natural conditions, the  
3 propagation of fish and wildlife, and public recreation,  
4 including hunting and fishing where deemed appropriate by the  
5 managing agency.

6 ~~(2) All lands owned by the Board of Trustees of the~~  
7 ~~Internal Improvement Trust Fund shall be managed in a manner~~  
8 ~~that will provide the greatest combination of benefits to the~~  
9 ~~people of the state. All such lands not designated in the~~  
10 ~~land-management plan required by subsection (4) for a specific~~  
11 ~~single use shall receive multiple-use management.~~

12 Section 2. Subsection (1) of section 253.7825, Florida  
13 Statutes, is amended to read:

14 253.7825 Recreational uses.--

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

1 launches, and other user-oriented facilities to be developed  
2 and maintained by local governments.

3 Section 3. Subsections (9) and (11) of section  
4 259.032, Florida Statutes, 1996 Supplement, are amended to  
5 read:

6 259.032 Conservation and Recreation Lands Trust Fund;  
7 purpose.--

8 (9)(a) All lands managed under this section shall be:

9 1. Managed in a manner that will provide the greatest  
10 combination of benefits to the public and to the resources.

11 2. Managed for public outdoor recreation which is  
12 compatible with the conservation and protection of public  
13 lands.

14 3. Managed for the purposes for which the lands were  
15 acquired, consistent with paragraph (11)(a).

16

17 Management may include the following public uses: fishing,  
18 hunting, camping, bicycling, hiking, nature study, swimming,  
19 boating, canoeing, horseback riding, diving, birding, sailing,  
20 jogging, and other related outdoor activities.

21 (b)1. Concurrent with its adoption of the annual  
22 Conservation and Recreational Lands list of acquisition  
23 projects pursuant to s. 259.035, the board of trustees shall  
24 adopt a management prospectus for each project. The management  
25 prospectus shall delineate: the management goals for the  
26 property; the conditions that will affect the intensity of  
27 management; an estimate of the revenue-generating potential of  
28 the property, if appropriate; a timetable for implementing the  
29 various stages of management and for providing access to the  
30 public, if applicable; provisions for protecting existing  
31 infrastructure and for ensuring the security of the project

1 upon acquisition; the anticipated costs of management and  
2 projected sources of revenue, including legislative  
3 appropriations, to fund management needs; recommendations as  
4 to how many employees will be needed to manage the property;  
5 and recommendations as to whether local governments, volunteer  
6 groups, the former landowner, or other interested parties can  
7 be involved in the management.

8           2. Concurrent with the approval of the acquisition  
9 contract pursuant to s. 259.041(3)(c) for any interest in  
10 lands, the board of trustees shall designate an agency or  
11 agencies to manage such lands and shall evaluate and amend, as  
12 appropriate, the management policy statement for the project  
13 as provided by s. 259.035, consistent with the purposes for  
14 which the lands are acquired. For any acquisition of a  
15 less-than-fee interest in land that is or will be used for  
16 agricultural purposes, the Board of Trustees of the Internal  
17 Improvement Trust Fund shall first consider having a soil and  
18 water conservation district created pursuant to chapter 582  
19 manage and monitor such interests.

20           3. Immediately following the acquisition of any  
21 interest in lands under this section, the Department of  
22 Environmental Protection, acting on behalf of the board of  
23 trustees, may issue to the lead managing entity an interim  
24 assignment letter to be effective until the execution of a  
25 formal lease.

26           (11)(a) The Legislature recognizes that acquiring  
27 lands pursuant to this chapter serves the public interest by  
28 protecting land, air, and water resources which contribute to  
29 the public health and welfare and the economy of the state.  
30 These lands provide, ~~providing~~ areas for natural resource  
31 based recreation, and ensure ~~ensuring~~ the survival of unique

1 and irreplaceable plant and animal species and the  
2 conservation and enlightened use of the lands' renewable  
3 resources. The Legislature intends for these lands and  
4 natural resources to be managed using a stewardship ethic that  
5 assures these lands and resources will be available to the  
6 people of the state, both present and future. To satisfy this  
7 objective all lands the title of which is vested in the Board  
8 of Trustees of the Internal Improvement Trust Fund shall  
9 receive multiple-use management unless there is a compelling  
10 reason for single use as defined in s. 253.034(2)(b). All  
11 such lands not described as single use in s. 253.034(2)(b)  
12 shall receive multiple-use management. All multiple-use land  
13 management strategies shall emphasize public access and  
14 enjoyment, resource conservation and protection, ecosystem  
15 maintenance and protection, and protection of threatened and  
16 endangered species. The economic return from multiple-use  
17 lands shall be optimized, consistent with these strategies,  
18 through the management of forestry, agricultural, wildlife,  
19 and recreational resources.~~and maintained for the purposes~~  
20 ~~for which they were acquired and for the public to have access~~  
21 ~~to these lands where it is consistent with acquisition~~  
22 ~~purposes and would not harm the resources the state is seeking~~  
23 ~~to protect on the public's behalf~~.

24 (b) An amount equal to 1.5 ~~±~~ percent of the cumulative  
25 total of funds ever deposited into the Florida Preservation  
26 2000 Trust Fund shall be made available for the purposes of  
27 management, maintenance, and capital improvements, and for  
28 associated contractual services, for lands acquired pursuant  
29 to this section and s. 259.101 to which title is vested in the  
30 board of trustees. Each agency with management  
31 responsibilities shall annually request from the Legislature

1 funds sufficient to fulfill such responsibilities. Capital  
2 improvements shall include, but need not be limited to,  
3 perimeter fencing, signs, firelanes, access roads and trails,  
4 and minimal public accommodations, such as primitive  
5 campsites, garbage receptacles, and toilets.

6 (c) In requesting funds provided for in paragraph (b)  
7 for long-term management of all acquisitions pursuant to this  
8 chapter and for associated contractual services, the managing  
9 agencies shall recognize the following categories of land  
10 management needs:

11 1. Preserve.--An area with unique natural features  
12 that would be destroyed if managed under a multiple-use  
13 strategy.~~Lands which are low-need tracts, requiring basic~~  
14 ~~resource management and protection, such as state reserves,~~  
15 ~~state preserves, state forests, and wildlife management areas.~~  
16 ~~These lands generally are open to the public but have no more~~  
17 ~~than minimum facilities development.~~

18 2. High-intensity use.--An area with historic or  
19 archeological significance, or an area designed to concentrate  
20 users into a specific location resulting in intense public  
21 use.~~Lands which are moderate-need tracts, requiring more than~~  
22 ~~basic resource management and protection, such as state parks~~  
23 ~~and state recreation areas. These lands generally have extra~~  
24 ~~restoration or protection needs, higher concentrations of~~  
25 ~~public use, or more highly developed facilities.~~

26 3. Multiple use.--All remaining lands that can be  
27 managed, under a multiple-use strategy, to optimize the  
28 economic return from such lands through the management of  
29 their forestry, agricultural, wildlife, and recreational  
30 resources consistent with management strategies that emphasis  
31 public access and enjoyment, resource conservation and



1 protection, total system maintenance and protection, and  
2 protection of threatened and endangered species. Buffers may  
3 be formed around any preserve or high-intensity use areas, but  
4 shall not exceed one-half the size of the preserve or  
5 high-intensity use area's acreage. Multiple use within the  
6 buffer areas may be restricted to provide the necessary  
7 buffering effect desired.~~Lands which are high-need tracts,~~  
8 ~~with identified needs requiring unique site-specific resource~~  
9 ~~management and protection. These lands generally are sites~~  
10 ~~with historic significance, unique natural features, or very~~  
11 ~~high intensity public use, or sites that require extra funds~~  
12 ~~to stabilize or protect resources.~~

13 (d) A land management needs category team consisting  
14 of the director of the Division of Forestry of the Department  
15 of Agriculture and Consumer Services, the director of the  
16 Division of Recreation and Parks of the Department of  
17 Environmental Protection, and the executive director of the  
18 Game and Fresh Water Fish Commission, or their designated  
19 representatives, representing the state; one large private  
20 land manager, mutually agreeable to the state's  
21 representatives; and the chair of the county commission, or  
22 his or her designated representative, from the county impacted  
23 the greatest by the acquisitions pursuant to this chapter  
24 shall determine the categories of land management needs that  
25 exist within each acquisition. The chair of the team shall  
26 rotate annually among the state representatives. More than  
27 one land management needs category may and generally does  
28 exist within an acquisition. Each managing agency shall  
29 recommend, to the land management needs category team, the  
30 breakdown of land management needs categories within the  
31 acquisitions for which it is the lead agency. The team shall

1 consider these recommendations in making a final  
2 determination. Land managing agencies may request a review of  
3 the land management needs categories for lands for which they  
4 are the lead agency, if there is a compelling reason for a  
5 change in such categories, such as increased usage by the  
6 public or an increased impact on, or threat to, threatened or  
7 endangered species or the land's natural resources.

8 (e)~~(d)~~1. Up to one-fifth of the funds provided for in  
9 paragraph (b) shall be reserved by the board of trustees for  
10 interim management of acquisitions and for associated  
11 contractual services, to ensure the conservation and  
12 protection of natural resources on project sites and to allow  
13 limited public recreational use of lands. Interim management  
14 activities may include, but not be limited to, resource  
15 assessments, control of invasive exotic species, habitat  
16 restoration, fencing, law enforcement, controlled burning, and  
17 public access consistent with preliminary determinations made  
18 pursuant to paragraph (9)(b). The board of trustees shall  
19 make these interim funds available immediately upon purchase.

20 2. For the 1995-1996 fiscal year only, funds in the  
21 Conservation and Recreation Lands Trust Fund that are not  
22 specifically appropriated for the interim management of public  
23 lands pursuant to subparagraph 1. may be appropriated for the  
24 control and eradication of nuisance aquatic plants in public  
25 water bodies. This subparagraph is repealed on July 1, 1996.

26 (f)~~(e)~~ The department shall set long-range and annual  
27 goals for the control and removal of nonnative, upland,  
28 invasive plant species on public lands. Such goals shall  
29 differentiate between aquatic plant species and upland plant  
30 species. In setting such goals, the department may rank, in  
31 order of adverse impact, species which impede or destroy the

1 functioning of natural systems. Notwithstanding paragraph (a),  
2 up to one-fourth of the funds provided for in paragraph (b)  
3 shall be reserved for control and removal of nonnative,  
4 upland, invasive species on public lands.

5 Section 4. Subsection (5) of section 373.139, Florida  
6 Statutes, 1996 Supplement, is amended to read:

7 373.139 Acquisition of real property.--

8 (5) Lands acquired for the purposes enumerated in  
9 subsection (2) shall receive multiple-use management and be  
10 open to the general public unless such management and public  
11 access is shown to be detrimental to the water resource or  
12 water management function for which the lands were purchased.  
13 The governing board of the district shall consult with the  
14 Division of Recreation and Parks of the Department of  
15 Environmental Protection, the Division of Forestry of the  
16 Department of Agriculture and Consumer Services, and the Game  
17 and Fresh Water Fish Commission in their areas of expertise  
18 and management experience when developing multiple-use  
19 strategy on these lands. Alternatively, the governing board  
20 of the district may enter into a memorandum of agreement with  
21 one or more of those agencies to achieve the multiple-use  
22 management of said lands.~~may also be used for recreational~~  
23 ~~purposes, and whenever practicable such lands shall be open to~~  
24 ~~the general public for recreational uses.~~

25 Section 5. This act shall take effect upon becoming a  
26 law.

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HOUSE SUMMARY

Specifies the objective of the management of the state's lands and natural resources. Provides that state lands shall receive multiple-use management unless there is a compelling reason for single use. Provides requirements for multiple-use land management strategies. Redefines "single use." Provides that a soil and water conservation district shall be first considered as the managing agency with respect to acquisition of a less-than-fee interest in certain land through the Conservation and Recreation Lands Trust Fund. Increases the percentage of funds deposited in the Florida Preservation 2000 Trust Fund that are made available for land management and capital improvements. Revises the categories of land management needs and provides for buffer areas. Provides for a land management needs category team to determine the categories of land management needs that exist within each acquisition and provides for recommendations to the team by managing agencies. Provides that lands acquired for specified purposes by water management districts shall receive multiple-use management except under certain conditions. Directs the district governing board to consult with or enter into a memorandum of agreement with specified state agencies with respect to such management.