

By Representative Sembler

1 A bill to be entitled
2 An act relating to timber management; amending
3 s. 253.034, F.S.; requiring the Division of
4 Forestry of the Department of Agriculture and
5 Consumer Services to assess the feasibility of
6 managing timber in land management plans;
7 providing for the reimbursement of management
8 services performed by the division; amending s.
9 259.035, F.S.; requiring the Land Acquisition
10 and Management Advisory Council to consider
11 timber management as a feasible multiple-use
12 strategy; amending s. 373.591, F.S.; specifying
13 circumstances under which the land managing
14 agency must provide an explanation to the
15 management review team concerning the
16 management of lands; providing an effective
17 date.

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

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21 Section 1. Subsection (5) of section 253.034, Florida
22 Statutes, is amended to read:

23 253.034 State-owned lands; uses.--

24 (5) Each state agency managing lands owned by the
25 Board of Trustees of the Internal Improvement Trust Fund shall
26 submit to the Division of State Lands a land management plan
27 at least every 5 years in a form and manner prescribed by rule
28 by the board. All management plans, whether for single-use or
29 multiple-use properties, shall specifically describe how the
30 managing agency plans to identify, locate, protect and
31 preserve, or otherwise use fragile nonrenewable resources,

1 such as archaeological and historic sites, as well as other
2 fragile resources, including endangered plant and animal
3 species, and provide for the conservation of soil and water
4 resources and for the control and prevention of soil erosion.
5 Land management plans submitted by an agency shall include
6 reference to appropriate statutory authority for such use or
7 uses and shall conform to the appropriate policies and
8 guidelines of the state land management plan. All land
9 management plans for parcels larger than 1,000 acres shall
10 contain an analysis of the multiple-use potential of the
11 parcel, which analysis shall include the potential of the
12 parcel to generate revenues to enhance the management of the
13 parcel. The analysis shall contain a component or section
14 prepared by the Division of Forestry of the Florida Department
15 of Agriculture and Consumer Services which assesses the
16 feasibility of managing the timber on the parcel for resource
17 conservation and revenue generation purposes through a
18 stewardship ethic that embraces sustainable forestry practices
19 if the timber management is not in conflict with the primary
20 management objectives for the parcel. Additionally, the land
21 management plan shall contain an analysis of the potential use
22 of private land managers to facilitate the restoration or
23 management of these lands. In those cases where a newly
24 acquired property has a valid conservation plan, the plan
25 shall be used to guide management of the property until a
26 formal land management plan is completed. Unless there is in
27 existence a memorandum of agreement or other formal
28 cooperative management agreement between the Division of
29 Forestry and the lead management agency, the Division of
30 Forestry must prepare a timber resource management component
31 to be included by the lead agency in the management plan for

1 any parcel suitable for timber management outlined in the
2 analysis. The component must accommodate the lead management
3 agency's management objectives for other resources and values.
4 The Division of Forestry shall manage the timber resources on
5 the parcels as provided in this section and shall be
6 reimbursed for the management services, including, but not
7 limited to, costs for planning, reforestation, insect,
8 disease, and exotic plant species control, prescribed burning,
9 and timber harvesting plus an administrative charge of 10
10 percent of all revenue generated from timber. The Division of
11 Forestry may acquire personnel positions, resources, and
12 services necessary to carry out the intent of this section.

13 (a) The Division of State Lands shall make available
14 to the public a copy of each land management plan for parcels
15 which exceed 160 acres in size. The council shall review each
16 plan for compliance with the requirements of this subsection
17 and with the requirements of the rules established by the
18 board pursuant to this subsection. The council shall also
19 consider the propriety of the recommendations of the managing
20 agency with regard to the future use of the property, the
21 protection of fragile or nonrenewable resources, the potential
22 for alternative or multiple uses not recognized by the
23 managing agency, and the possibility of disposal of the
24 property by the board. After its review, the council shall
25 submit the plan, along with its recommendations and comments,
26 to the board. The council shall specifically recommend to the
27 board whether to approve the plan as submitted, approve the
28 plan with modifications, or reject the plan.

29 (b) The Board of Trustees of the Internal Improvement
30 Trust Fund shall consider the land management plan submitted
31 by each state agency and the recommendations of the council

1 and the Division of State Lands and shall approve the plan
2 with or without modification or reject such plan. The use or
3 possession of any such lands which is not in accordance with
4 an approved land management plan is subject to termination by
5 the board.

6 Section 2. Paragraph (d) of subsection (2) of section
7 259.035, Florida Statutes, is amended to read:

8 259.035 Advisory council; powers and duties.--

9 (2)

10 (d) Additionally, the council shall provide assistance
11 to the Board of Trustees of the Internal Improvement Trust
12 Fund in reviewing the recommendations and plans for
13 state-owned lands required by s. 253.034. The council shall,
14 in reviewing the recommendations and plans for state-owned
15 lands required by s. 253.034, consider the optimization of
16 multiple-use strategies to accomplish the provisions of s.
17 253.034 and specifically consider the management of the timber
18 as a feasible multiple-use strategy.

19 Section 3. Subsection (4) of section 373.591, Florida
20 Statutes, is amended to read:

21 373.591 Management review teams.--

22 (4) If the land management review team finds that the
23 lands reviewed are not being managed in accordance with their
24 management plan, prepared in a manner and form prescribed by
25 the governing board of the district and otherwise meeting the
26 requirements of s. 253.034(5), the land managing agency shall
27 provide a written explanation to the management review team.

28 Section 4. This act shall take effect upon becoming a
29 law.

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SENATE SUMMARY

Provides the Division of Forestry of the Department of Agriculture and Consumer Services with specific authority to manage timber on all state-owned lands if it is feasible and not in conflict with primary management objectives. Directs the Land Acquisition and Management Advisory Council to consider timber management as a feasible multiple-use strategy for state-owned lands. Requires the land managing agency to provide a written explanation to the management review team concerning the management of lands under specified circumstances.