

By the Committee on Agriculture and Senator Bronson

303-1763-98

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.

18

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

20

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

23

253.034 State-owned lands; uses.--

24

25 (5) Each state agency managing lands owned by the
26 Board of Trustees of the Internal Improvement Trust Fund shall
27 submit to the Division of State Lands a land management plan
28 at least every 5 years in a form and manner prescribed by rule
29 by the board. All management plans, whether for single-use or
30 multiple-use properties, shall specifically describe how the
31 managing agency plans to identify, locate, protect and
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 lead management agency determines that the timber
20 management is not in conflict with the primary management
21 objectives for the parcel. Additionally, the land management
22 plan shall contain an analysis of the potential use of private
23 land managers to facilitate the restoration or management of
24 these lands. In those cases where a newly acquired property
25 has a valid conservation plan, the plan shall be used to guide
26 management of the property until a formal land management plan
27 is completed. Unless there is in existence a memorandum of
28 agreement or other formal cooperative management agreement
29 between the Division of Forestry and the lead management
30 agency, the Division of Forestry must prepare a timber
31 resource management component to be included by the lead

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

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

31

1 (b) The Board of Trustees of the Internal Improvement
2 Trust Fund shall consider the land management plan submitted
3 by each state agency and the recommendations of the council
4 and the Division of State Lands and shall approve the plan
5 with or without modification or reject such plan. The use or
6 possession of any such lands which is not in accordance with
7 an approved land management plan is subject to termination by
8 the board.

9 Section 2. Paragraph (d) of subsection (2) of section
10 259.035, Florida Statutes, is amended to read:

11 259.035 Advisory council; powers and duties.--

12 (2)

13 (d) Additionally, the council shall provide assistance
14 to the Board of Trustees of the Internal Improvement Trust
15 Fund in reviewing the recommendations and plans for
16 state-owned lands required by s. 253.034. The council shall,
17 in reviewing the recommendations and plans for state-owned
18 lands required by s. 253.034, consider the optimization of
19 multiple-use strategies to accomplish the provisions of s.
20 253.034 and specifically consider the management of the timber
21 as a feasible multiple-use strategy in conformance with a
22 timber resource management component prepared by the Division
23 of Forestry.

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

26 373.591 Management review teams.--

27 (4) If the land management review team finds that the
28 lands reviewed are not being managed in accordance with their
29 management plan, prepared in a manner and form prescribed by
30 the governing board of the district and otherwise meeting the
31

1 requirements of s. 253.034(5), the land managing agency shall
2 provide a written explanation to the management review team.

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

5
6 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
7 COMMITTEE SUBSTITUTE FOR
8 Senate Bill 840

9 This committee substitute requires timber management
10 assessments prepared by the Division of Forestry of the
11 Department of Agriculture and Consumer Services for land
12 management plans to be consistent with the lead management
13 agency's management objectives for other resources and values,
14 as determined by the lead management agency. It also directs
15 the Land Acquisition and Management Advisory Council to
16 consider timber management as feasible multiple-use strategy
17 in conformance with a timber resource management component
18 prepared by the Division of Forestry.
19
20
21
22
23
24
25
26
27
28
29
30
31