

1                                   A bill to be entitled  
2           An act relating to state land management; providing a  
3           short title; amending s. 253.034, F.S.; requiring  
4           public hearings for all updated conservation and  
5           nonconservation land management plans; requiring the  
6           Division of State Lands of the Department of  
7           Environmental Protection to make available to the  
8           public, within a specified timeframe, electronic  
9           copies of land management plans for parcels of a  
10          certain size and for parcels located in state parks;  
11          making technical changes; amending s. 258.004, F.S.;  
12          revising the duties of the Division of Recreation and  
13          Parks of the Department of Environmental Protection;  
14          specifying requirements for the management of parks  
15          and recreational areas held by the state; defining the  
16          term "conservation-based recreational uses"; making  
17          technical changes; amending s. 258.007, F.S.;  
18          requiring the division to comply with specified  
19          provisions when granting certain privileges, leases,  
20          concessions, and permits; authorizing the division to  
21          acquire, install, or permit the installation or  
22          operation of camping cabins that meet certain  
23          requirements in state parks; prohibiting the division  
24          from authorizing certain uses or construction  
25          activities within a state park; prohibiting the

26 |       division from installing or permitting the  
 27 |       installation of any lodging establishment at a state  
 28 |       park; amending s. 259.032, F.S.; requiring that  
 29 |       individual management plans for parcels located within  
 30 |       state parks be developed with input from an advisory  
 31 |       group; requiring that the advisory group's required  
 32 |       public hearings be noticed to the public within a  
 33 |       specified timeframe; requiring the department to  
 34 |       submit a report to the Governor and the Legislature by  
 35 |       a specified date; specifying requirements for the  
 36 |       report; providing an effective date.

37 |  
 38 | Be It Enacted by the Legislature of the State of Florida:

39 |  
 40 |       **Section 1.** This act may be cited as the "State Park  
 41 | Preservation Act."

42 |       **Section 2. Subsection (5) of section 253.034, Florida**  
 43 | **Statutes, is amended to read:**

44 |       253.034 State-owned lands; uses.—

45 |       (5) Each manager of conservation lands shall submit to the  
 46 | Division of State Lands a land management plan at least every 10  
 47 | years in a form and manner adopted by rule of the board of  
 48 | trustees and in accordance with s. 259.032. Each manager of  
 49 | conservation lands shall also update a land management plan  
 50 | whenever the manager proposes to add new facilities or make

51 substantive land use or management changes that were not  
52 addressed in the approved plan, or within 1 year after the  
53 addition of significant new lands. Each manager of  
54 nonconservation lands shall submit to the Division of State  
55 Lands a land use plan at least every 10 years in a form and  
56 manner adopted by rule of the board of trustees. The division  
57 shall review each plan for compliance with the requirements of  
58 this subsection and the requirements of the rules adopted by the  
59 board of trustees pursuant to this section. All nonconservation  
60 land use plans, whether for single-use or multiple-use  
61 properties, must ~~shall~~ be managed to provide the greatest  
62 benefit to the state. Plans for managed areas larger than 1,000  
63 acres must ~~shall~~ contain an analysis of the multiple-use  
64 potential of the property which includes the potential of the  
65 property to generate revenues to enhance the management of the  
66 property. In addition, the plan must ~~shall~~ contain an analysis  
67 of the potential use of private land managers to facilitate the  
68 restoration or management of these lands and whether  
69 nonconservation lands would be more appropriately transferred to  
70 the county or municipality in which the land is located for the  
71 purpose of providing affordable multifamily rental housing that  
72 meets the criteria of s. 420.0004(3). If a newly acquired  
73 property has a valid conservation plan that was developed by a  
74 soil and water conservation district, such plan must ~~shall~~ be  
75 used to guide management of the property until a formal land use

76 plan is completed.

77 (a) State conservation lands must ~~shall~~ be managed to  
78 ensure the conservation of this state's plant and animal species  
79 and to ensure the accessibility of state lands for the benefit  
80 and enjoyment of all people of this state, both present and  
81 future. Each land management plan for state conservation lands  
82 must ~~shall~~ provide a desired outcome, describe both short-term  
83 and long-term management goals, and include measurable  
84 objectives to achieve those goals. Short-term goals must ~~shall~~  
85 be achievable within a 2-year planning period, and long-term  
86 goals must ~~shall~~ be achievable within a 10-year planning period.  
87 These short-term and long-term management goals are ~~shall be~~ the  
88 basis for all subsequent land management activities.

89 (b) Short-term and long-term management goals for state  
90 conservation lands must ~~shall~~ include measurable objectives for  
91 the following, as appropriate:

- 92 1. Habitat restoration and improvement.
- 93 2. Public access and recreational opportunities.
- 94 3. Hydrological preservation and restoration.
- 95 4. Sustainable forest management.
- 96 5. Exotic and invasive species maintenance and control.
- 97 6. Capital facilities and infrastructure.
- 98 7. Cultural and historical resources.
- 99 8. Imperiled species habitat maintenance, enhancement,  
100 restoration, or population restoration.

101 (c) The land management plan must ~~shall~~, at a minimum,  
102 contain the following elements:

103 1. A physical description of the land.

104 2. A quantitative data description of the land which  
105 includes an inventory of forest and other natural resources;  
106 exotic and invasive plants; hydrological features;  
107 infrastructure, including recreational facilities; and other  
108 significant land, cultural, or historical features. The  
109 inventory must ~~shall~~ reflect the number of acres for each  
110 resource and feature, when appropriate. The inventory must ~~shall~~  
111 be of such detail that objective measures and benchmarks can be  
112 established for each tract of land and monitored during the  
113 lifetime of the plan. All quantitative data collected must ~~shall~~  
114 be aggregated, standardized, collected, and presented in an  
115 electronic format to allow for uniform management reporting and  
116 analysis. The information collected by the Department of  
117 Environmental Protection pursuant to s. 253.0325(2) must ~~shall~~  
118 be available to the land manager and his or her assignee.

119 3. A detailed description of each short-term and long-term  
120 land management goal, the associated measurable objectives, and  
121 the related activities that are to be performed to meet the land  
122 management objectives. Each land management objective must be  
123 addressed by the land management plan, and if practicable, a  
124 land management objective may not be performed to the detriment  
125 of the other land management objectives.

126           4. A schedule of land management activities which contains  
 127 short-term and long-term land management goals and the related  
 128 measurable objective and activities. The schedule must ~~shall~~  
 129 include for each activity a timeline for completion,  
 130 quantitative measures, and detailed expense and manpower  
 131 budgets. The schedule must ~~shall~~ provide a management tool that  
 132 facilitates development of performance measures.

133           5. A summary budget for the scheduled land management  
 134 activities of the land management plan. For state lands  
 135 containing or anticipated to contain imperiled species habitat,  
 136 the summary budget shall include any fees anticipated from  
 137 public or private entities for projects to offset adverse  
 138 impacts to imperiled species or such habitat, which fees must  
 139 ~~shall~~ be used solely to restore, manage, enhance, repopulate, or  
 140 acquire imperiled species habitat. The summary budget must ~~shall~~  
 141 be prepared in such manner that it facilitates computing an  
 142 aggregate of land management costs for all state-managed lands  
 143 using the categories described in s. 259.037(3).

144           (d) Upon completion, the land management plan must be  
 145 transmitted to the Acquisition and Restoration Council for  
 146 review. Within ~~The council shall have~~ 90 days after receipt of  
 147 the plan, the council shall ~~to~~ review the plan and submit its  
 148 recommendations to the board of trustees. During the review  
 149 period, the land management plan may be revised if agreed to by  
 150 the primary land manager and the council taking into

151 consideration public input. The land management plan becomes  
152 effective upon approval by the board of trustees.

153 (e) Land management plans are to be updated every 10 years  
154 on a rotating basis. Each updated land management plan must  
155 identify any conservation lands under the plan, in part or in  
156 whole, that are no longer needed for conservation purposes and  
157 could be disposed of in fee simple or with the state retaining a  
158 permanent conservation easement.

159 (f) In developing or updating land management plans, at  
160 least one public hearing must ~~shall~~ be held in any one affected  
161 county.

162 (g) The Division of State Lands shall make available to  
163 the public at least 30 days before the public hearing required  
164 by paragraph (f) an electronic copy of each land management plan  
165 for parcels that exceed 160 acres in size and for parcels  
166 located within a state park. The division shall review each plan  
167 for compliance with the requirements of this subsection, the  
168 requirements of chapter 259, and the requirements of the rules  
169 adopted by the board of trustees pursuant to this section. The  
170 Acquisition and Restoration Council shall also consider the  
171 propriety of the recommendations of the managing entity with  
172 regard to the future use of the property, the protection of  
173 fragile or nonrenewable resources, the potential for alternative  
174 or multiple uses not recognized by the managing entity, and the  
175 possibility of disposal of the property by the board of

176 trustees. After its review, the council shall submit the plan,  
 177 along with its recommendations and comments, to the board of  
 178 trustees. The council shall specifically recommend to the board  
 179 of trustees whether to approve the plan as submitted, approve  
 180 the plan with modifications, or reject the plan. If the council  
 181 fails to make a recommendation for a land management plan, the  
 182 Secretary of Environmental Protection, Commissioner of  
 183 Agriculture, or executive director of the Fish and Wildlife  
 184 Conservation Commission or their designees must ~~shall~~ submit the  
 185 land management plan to the board of trustees.

186 (h) The board of trustees shall consider the land  
 187 management plan submitted by each entity and the recommendations  
 188 of the Acquisition and Restoration Council and the Division of  
 189 State Lands and shall approve the plan with or without  
 190 modification or reject such plan. The use or possession of any  
 191 such lands which ~~that~~ is not in accordance with an approved land  
 192 management plan is subject to termination by the board of  
 193 trustees.

194 (i)1. State nonconservation lands must ~~shall~~ be managed to  
 195 provide the greatest benefit to the state. State nonconservation  
 196 lands may be grouped by similar land use types under one land  
 197 use plan. Each land use plan must ~~shall~~, at a minimum, contain  
 198 the following elements:

199 a. A physical description of the land to include any  
 200 significant natural or cultural resources as well as management



201 strategies developed by the land manager to protect such  
 202 resources.

203       b. A desired development outcome.

204       c. A schedule for achieving the desired development  
 205 outcome.

206       d. A description of both short-term and long-term  
 207 development goals.

208       e. A management and control plan for invasive nonnative  
 209 plants.

210       f. A management and control plan for soil erosion and soil  
 211 and water contamination.

212       g. Measurable objectives to achieve the goals identified  
 213 in the land use plan.

214       2. Short-term goals shall be achievable within a 5-year  
 215 planning period and long-term goals shall be achievable within a  
 216 10-year planning period.

217       3. The use or possession of any such lands that is not in  
 218 accordance with an approved land use plan is subject to  
 219 termination by the board of trustees.

220       4. Land use plans submitted by a manager shall include  
 221 reference to appropriate statutory authority for such use or  
 222 uses and shall conform to the appropriate policies and  
 223 guidelines of the state land management plan.

224       **Section 3. Section 258.004, Florida Statutes, is amended**  
 225 **to read:**

226 258.004 Duties of division.—

227 (1) ~~It shall be the duty of~~ The Division of Recreation and  
 228 Parks of the Department of Environmental Protection shall:

229 (a) ~~to~~ Supervise, administer, regulate, and control the  
 230 operation of all public parks, including all monuments,  
 231 memorials, sites of historic interest and value, and sites of  
 232 archaeological interest and value which are owned~~, or which~~ may  
 233 be acquired~~, by the state, or to the operation, development,~~  
 234 ~~preservation, and maintenance of~~ which the state may have made  
 235 or may make contribution or appropriation of public funds for  
 236 their operation, development, preservation, and maintenance.

237 (b) ~~(2) The Division of Recreation and Parks shall~~  
 238 Preserve, manage, regulate, and protect all parks and  
 239 recreational areas held by the state. The Division of Recreation  
 240 and Parks ~~and~~ may provide these services by contract or  
 241 interagency agreement for any water management district when the  
 242 governing board of a water management district designates or  
 243 sets aside any park or recreation area within its boundaries.

244 1. All lands managed pursuant to this chapter must be:

245 a. Managed in a manner that will provide the greatest  
 246 combination of benefits to the public and to the land's natural  
 247 resources; and

248 b. Managed for conservation-based recreational uses;  
 249 public access and related amenities, including roads, parking  
 250 areas, walkways, and visitor centers; and scientific research,

251 including archaeology. Such uses must be managed in a manner  
252 that is compatible with and that ensures the conservation of  
253 this state's natural resources by minimizing impacts to  
254 undisturbed habitat and using disturbed upland regions to the  
255 maximum extent practicable. As used in this sub-subparagraph,  
256 the term "conservation-based recreational uses" means public  
257 outdoor recreational activities that do not significantly  
258 invade, degrade, or displace the natural resources, native  
259 habitats, or archeological or historical sites that are  
260 preserved within state parks. These activities include, but are  
261 not limited to, fishing, camping, bicycling, hiking, nature  
262 study, swimming, boating, canoeing, horseback riding, diving,  
263 birding, sailing, and jogging.

264 2. To ensure the protection of state park resources,  
265 sporting facilities that cause substantial harm to the natural  
266 resources, native habitats, or archeological or historical sites  
267 within state parks, including, but not limited to, golf courses,  
268 tennis courts, pickleball courts, ball fields, or other similar  
269 facilities may not be constructed in state parks.

270 (c)(3) The Division of Recreation and Parks shall Study  
271 and appraise the recreational ~~recreation~~ needs of the state and  
272 assemble and disseminate information relative to recreation.

273 (d)(4) The Division of Recreation and Parks shall Provide  
274 consultation assistance to local governing units as to the  
275 protection, organization, and administration of local recreation

276 systems and the planning and design of local recreational  
 277 ~~recreation~~ areas and facilities.

278 ~~(e)-(5) The Division of Recreation and Parks shall~~ Assist  
 279 in recruiting, training, and placing recreation personnel.

280 ~~(f)-(6) The Division of Recreation and Parks shall~~ Sponsor  
 281 and promote recreation institutes, workshops, seminars, and  
 282 conferences throughout this ~~the~~ state.

283 ~~(g)-(7) The Division of Recreation and Parks shall~~  
 284 Cooperate with state and federal agencies, private  
 285 organizations, and commercial and industrial interests in the  
 286 promotion of a state recreation program.

287 ~~(2)-(8) This part shall be enforced by~~ The Division of Law  
 288 Enforcement of the Department of Environmental Protection and  
 289 its officers and ~~by~~ the Division of Law Enforcement of the Fish  
 290 and Wildlife Conservation Commission and its officers shall  
 291 enforce this part.

292 **Section 4. Present subsection (5) of section 258.007,**  
 293 **Florida Statutes, is redesignated as subsection (7), subsection**  
 294 **(3) of that section is amended, and a new subsection (5) and**  
 295 **subsection (6) are added to that section, to read:**

296 258.007 Powers of division.—

297 (3) (a) The division may, as consistent with s. 258.004,  
 298 grant privileges, leases, concessions, and permits for the use  
 299 of land for the accommodation of visitors in the various parks,  
 300 monuments, and memorials in accordance with all of the following

301 provisions:

302 1. ~~provided no~~ Natural curiosities or objects of  
303 interest may not ~~shall~~ be granted, leased, or rented on ~~such~~  
304 terms that ~~as shall~~ deny or interfere with free access to them  
305 by the public.~~;~~

306 2. ~~provided further,~~ Such grants, leases, and permits may  
307 be made and given without advertisement or securing competitive  
308 bids.~~;~~ and

309 3. ~~provided further, that no~~ Such grants, leases, and  
310 permits may not ~~grant, lease, or permit~~ shall be assigned or  
311 transferred by any grantee without consent of the division.

312 (b) Notwithstanding paragraph (a), ~~after May 1, 2014,~~ the  
313 division may not grant new concession agreements for the  
314 accommodation of visitors in a state park that provides beach  
315 access and contains less than 7,000 feet of shoreline if the  
316 type of concession is available within 1,500 feet of the park's  
317 boundaries. This paragraph does not apply to concession  
318 agreements for accommodations offered at a park on or before May  
319 1, 2014. ~~This paragraph shall take effect upon this act becoming~~  
320 ~~a law.~~

321 (5) The division may acquire, install, or permit the  
322 installation or operation in state parks of camping cabins that  
323 have a maximum occupancy of six guests. The installation and  
324 operation of camping cabins must be compatible with the state  
325 park's land management plan and must be approved pursuant to s.

326 253.034(5). Camping cabins must, to the maximum extent  
 327 practicable, be sited to avoid impacts to a state park's  
 328 critical habitat and natural and historical resources.

329 (6) The division may not authorize uses or construction  
 330 activities, including the building or alteration of structures,  
 331 within a state park which may cause significant harm to the  
 332 resources of the state park. Any use or any construction  
 333 activity must, to the maximum extent practicable, be conducted  
 334 in a manner that avoids impacts to a state park's critical  
 335 habitat and natural and historical resources. The division may  
 336 not install or permit the installation at state parks of any  
 337 lodging establishment as defined in s. 509.242.

338 **Section 5. Paragraphs (b) and (c) of subsection (8) of**  
 339 **section 259.032, Florida Statutes, are amended to read:**

340 259.032 Conservation and recreation lands.—

341 (8)

342 (b) Individual management plans required by s. 253.034(5),  
 343 for parcels over 160 acres and for parcels located within a  
 344 state park, must ~~shall~~ be developed with input from an advisory  
 345 group.

346 1. Members of the ~~this~~ advisory group shall include, at a  
 347 minimum, representatives of the lead land managing agency,  
 348 comanaging entities, local private property owners, the  
 349 appropriate soil and water conservation district, a local  
 350 conservation organization, and a local elected official. If

351 habitat or potentially restorable habitat for imperiled species  
352 is located on state lands, the Fish and Wildlife Conservation  
353 Commission and the Department of Agriculture and Consumer  
354 Services must ~~shall~~ be included on any advisory group required  
355 under chapter 253, and the short-term and long-term management  
356 goals required under chapter 253 must advance the goals and  
357 objectives of imperiled species management without restricting  
358 other uses identified in the management plan.

359 2. The advisory group shall conduct at least one public  
360 hearing within the county in which the parcel or project is  
361 located. For those parcels or projects ~~that are~~ within more than  
362 one county, at least one areawide public hearing is ~~shall be~~  
363 acceptable and the lead managing agency shall invite a local  
364 elected official from each county. The areawide public hearing  
365 must ~~shall~~ be held in the county in which the core parcels are  
366 located. At least 30 days before the public hearing, notice of  
367 the ~~such public~~ hearing must ~~shall~~ be posted on the parcel or  
368 project designated for management, advertised in a paper of  
369 general circulation, and announced at a scheduled meeting of the  
370 local governing body ~~before the actual public hearing.~~

371 3. The management prospectus required pursuant to  
372 paragraph (7) (b) must ~~shall~~ be available to the public for a  
373 period of 30 days before the public hearing.

374 (c) Once a plan is adopted, the managing agency or entity  
375 shall update the plan at least every 10 years in a form and

376 manner adopted by rule of the board. Such updates, for parcels  
 377 over 160 acres and for parcels located within a state park, must  
 378 ~~shall~~ be developed with input from an advisory group. Such plans  
 379 may include transfers of leasehold interests to appropriate  
 380 conservation organizations or governmental entities designated  
 381 by the council for uses consistent with the purposes of the  
 382 organizations and the protection, preservation, conservation,  
 383 restoration, and proper management of the lands and their  
 384 resources. Volunteer management assistance is encouraged,  
 385 including, but not limited to, assistance by youths  
 386 participating in programs sponsored by state or local agencies,  
 387 by volunteers sponsored by environmental or civic organizations,  
 388 and by individuals participating in programs for committed  
 389 delinquents and adults.

390  
 391 By July 1 of each year, each governmental agency and each  
 392 private entity designated to manage lands shall report to the  
 393 Secretary of Environmental Protection on the progress of  
 394 funding, staffing, and resource management of every project for  
 395 which the agency or entity is responsible.

396 **Section 6.** By December 1, 2025, the Department of  
 397 Environmental Protection shall submit a report to the Governor,  
 398 the President of the Senate, and the Speaker of the House of  
 399 Representatives which includes all of the following information  
 400 regarding the state park system:



401 (1) The number of state parks with amenities or areas that  
402 have limited use or are temporarily closed due to needed repairs  
403 or inadequate infrastructure necessary to support conservation-  
404 based recreational uses.

405 (2) The system's estimated budget allocation expenditures  
406 for the 2023-2024 fiscal year, broken down by salaries and  
407 benefits, equipment costs, and contracting costs for the  
408 following categories: operations, maintenance and repair, park  
409 improvement, and administrative overhead.

410 (3) The estimated costs associated with the facility  
411 maintenance backlog by each state park, including a plan to  
412 reduce or eliminate the facility maintenance backlog for the  
413 state park system by July 1, 2035, to ensure access to and the  
414 safe enjoyment of such public lands for the residents of this  
415 state and its visitors.

416 **Section 7.** This act shall take effect July 1, 2025.