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1
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";
17 prohibiting the construction of certain facilities
18 within the boundaries of state parks for the
19 protection of certain resources; providing
20 construction; making technical changes; amending s.
21 258.007, F.S.; requiring the division to comply with
22 specified provisions when granting certain privileges,
23 leases, concessions, and permits; authorizing the
24 division to acquire, install, or permit the
25 installation or operation at state parks of campsites

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26 and cabins that meet certain requirements; prohibiting
27 the division from authorizing certain uses or
28 construction activities within a state park;
29 prohibiting the division from installing or permitting
30 the installation of any lodging establishment within
31 the boundaries of a state park; providing
32 construction; creating s. 258.152, F.S.; designating
33 the St. Marks River Preserve State Park as Ney Landrum
34 State Park; amending s. 259.032, F.S.; requiring that
35 individual management plans for parcels located within
36 state parks be developed with input from an advisory
37 group; requiring that the advisory group's required
38 public hearings be noticed to the public within a
39 specified timeframe; requiring the department to
40 submit a report to the Governor and the Legislature by
41 a specified date; specifying requirements for the
42 report; providing an effective date.

43
44 Be It Enacted by the Legislature of the State of Florida:

45
46 Section 1. This act may be cited as the "State Park
47 Preservation Act."

48 Section 2. Subsection (5) of section 253.034, Florida
49 Statutes, is amended to read:

50 253.034 State-owned lands; uses.—

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51 (5) Each manager of conservation lands shall submit to the
52 Division of State Lands a land management plan at least every 10
53 years in a form and manner adopted by rule of the board of
54 trustees and in accordance with s. 259.032. Each manager of
55 conservation lands shall also update a land management plan
56 whenever the manager proposes to add new facilities or make
57 substantive land use or management changes that were not
58 addressed in the approved plan, or within 1 year after the
59 addition of significant new lands. Each manager of
60 nonconservation lands shall submit to the Division of State
61 Lands a land use plan at least every 10 years in a form and
62 manner adopted by rule of the board of trustees. The division
63 shall review each plan for compliance with the requirements of
64 this subsection and the requirements of the rules adopted by the
65 board of trustees pursuant to this section. All nonconservation
66 land use plans, whether for single-use or multiple-use
67 properties, must ~~shall~~ be managed to provide the greatest
68 benefit to the state. Plans for managed areas larger than 1,000
69 acres must ~~shall~~ contain an analysis of the multiple-use
70 potential of the property which includes the potential of the
71 property to generate revenues to enhance the management of the
72 property. In addition, the plan must ~~shall~~ contain an analysis
73 of the potential use of private land managers to facilitate the
74 restoration or management of these lands and whether
75 nonconservation lands would be more appropriately transferred to

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76 | the county or municipality in which the land is located for the
77 | purpose of providing affordable multifamily rental housing that
78 | meets the criteria of s. 420.0004(3). If a newly acquired
79 | property has a valid conservation plan that was developed by a
80 | soil and water conservation district, such plan must ~~shall~~ be
81 | used to guide management of the property until a formal land use
82 | plan is completed.

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

95 | (b) Short-term and long-term management goals for state
96 | conservation lands must ~~shall~~ include measurable objectives for
97 | the following, as appropriate:

- 98 | 1. Habitat restoration and improvement.
- 99 | 2. Public access and recreational opportunities.
- 100 | 3. Hydrological preservation and restoration.

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4. Sustainable forest management.
 5. Exotic and invasive species maintenance and control.
 6. Capital facilities and infrastructure.
 7. Cultural and historical resources.
 8. Imperiled species habitat maintenance, enhancement, restoration, or population restoration.
- (c) The land management plan must ~~shall~~, at a minimum, contain the following elements:
1. A physical description of the land.
 2. A quantitative data description of the land which includes an inventory of forest and other natural resources; exotic and invasive plants; hydrological features; infrastructure, including recreational facilities; and other significant land, cultural, or historical features. The inventory must ~~shall~~ reflect the number of acres for each resource and feature, when appropriate. The inventory must ~~shall~~ be of such detail that objective measures and benchmarks can be established for each tract of land and monitored during the lifetime of the plan. All quantitative data collected must ~~shall~~ be aggregated, standardized, collected, and presented in an electronic format to allow for uniform management reporting and analysis. The information collected by the Department of Environmental Protection pursuant to s. 253.0325(2) must ~~shall~~ be available to the land manager and his or her assignee.
 3. A detailed description of each short-term and long-term

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land management goal, the associated measurable objectives, and the related activities that are to be performed to meet the land management objectives. Each land management objective must be addressed by the land management plan, and if practicable, a land management objective may not be performed to the detriment of the other land management objectives.

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

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

(d) Upon completion, the land management plan must be

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transmitted to the Acquisition and Restoration Council for review. Within ~~The council shall have~~ 90 days after receipt of the plan, the council shall ~~to~~ review the plan and submit its recommendations to the board of trustees. During the review period, the land management plan may be revised if agreed to by the primary land manager and the council taking into consideration public input. The land management plan becomes effective upon approval by the board of trustees.

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

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

(g) The Division of State Lands shall make available to the public at least 30 days before the public hearing required by paragraph (f) an electronic copy of each land management plan for parcels that exceed 160 acres in size and for parcels located within a state park. The division shall review each plan for compliance with the requirements of this subsection, the requirements of chapter 259, and the requirements of the rules adopted by the board of trustees pursuant to this section. The

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176 Acquisition and Restoration Council shall also consider the
177 propriety of the recommendations of the managing entity with
178 regard to the future use of the property, the protection of
179 fragile or nonrenewable resources, the potential for alternative
180 or multiple uses not recognized by the managing entity, and the
181 possibility of disposal of the property by the board of
182 trustees. After its review, the council shall submit the plan,
183 along with its recommendations and comments, to the board of
184 trustees. The council shall specifically recommend to the board
185 of trustees whether to approve the plan as submitted, approve
186 the plan with modifications, or reject the plan. If the council
187 fails to make a recommendation for a land management plan, the
188 Secretary of Environmental Protection, Commissioner of
189 Agriculture, or executive director of the Fish and Wildlife
190 Conservation Commission or their designees must ~~shall~~ submit the
191 land management plan to the board of trustees.

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

200 (i)1. State nonconservation lands must ~~shall~~ be managed to

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201 provide the greatest benefit to the state. State nonconservation
202 lands may be grouped by similar land use types under one land
203 use plan. Each land use plan must ~~shall~~, at a minimum, contain
204 the following elements:

205 a. A physical description of the land to include any
206 significant natural or cultural resources as well as management
207 strategies developed by the land manager to protect such
208 resources.

209 b. A desired development outcome.

210 c. A schedule for achieving the desired development
211 outcome.

212 d. A description of both short-term and long-term
213 development goals.

214 e. A management and control plan for invasive nonnative
215 plants.

216 f. A management and control plan for soil erosion and soil
217 and water contamination.

218 g. Measurable objectives to achieve the goals identified
219 in the land use plan.

220 2. Short-term goals shall be achievable within a 5-year
221 planning period and long-term goals shall be achievable within a
222 10-year planning period.

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

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226 4. Land use plans submitted by a manager shall include
227 reference to appropriate statutory authority for such use or
228 uses and shall conform to the appropriate policies and
229 guidelines of the state land management plan.

230 Section 3. Section 258.004, Florida Statutes, is amended
231 to read:

232 258.004 Duties of division.—

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

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

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

250 1. All lands managed pursuant to this chapter must be

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managed:

a. In a manner that will provide the greatest combination of benefits to the public and to the land's natural resources; and

b. For conservation-based recreational uses and associated facilities; public access and related amenities, including roads, parking areas, walkways, and visitor centers; Florida heritage and wildlife viewing, including preservation of historical structures and activities such as glass bottom boat tours; and scientific research, including archaeology. Such uses must be managed in a manner that is compatible with and ensures the conservation of this state's natural resources by minimizing impacts to undisturbed habitat. As used in this sub-subparagraph, the term "conservation-based recreational uses" means public outdoor recreational activities that do not significantly invade, degrade, or displace the natural resources, native habitats, or archaeological or historical sites that are preserved within state parks. These activities include, but are not limited to, fishing, camping, bicycling, hiking, nature study, swimming, boating, canoeing, horseback riding, diving, birding, sailing, jogging.

2. To ensure the protection of state park resources, native habitats, and archeological and historical sites, sporting facilities, including, but not limited to, golf courses, tennis courts, pickleball courts, ball fields, or other

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276 sporting facilities, may not be constructed within the
277 boundaries of state parks. This subparagraph may not be
278 construed to prohibit the continued operation, maintenance, or
279 repair of any such sporting facilities, or other facilities,
280 existing within a state park.

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

284 (d)(4) ~~The Division of Recreation and Parks shall~~ Provide
285 consultation assistance to local governing units as to the
286 protection, organization, and administration of local recreation
287 systems and the planning and design of local recreational
288 ~~recreation~~ areas and facilities.

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

291 (f)(6) ~~The Division of Recreation and Parks shall~~ Sponsor
292 and promote recreation institutes, workshops, seminars, and
293 conferences throughout this ~~the~~ state.

294 (g)(7) ~~The Division of Recreation and Parks shall~~
295 Cooperate with state and federal agencies, private
296 organizations, and commercial and industrial interests in the
297 promotion of a state recreation program.

298 (2)(8) ~~This part shall be enforced by~~ The Division of Law
299 Enforcement of the Department of Environmental Protection and
300 its officers and ~~by~~ the Division of Law Enforcement of the Fish

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and Wildlife Conservation Commission and its officers shall
enforce this part.

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

258.007 Powers of division.—

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

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

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

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

(b) Notwithstanding paragraph (a), ~~after May 1, 2014,~~ the
division may not grant new concession agreements for the
accommodation of visitors in a state park that provides beach

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access and contains less than 7,000 feet of shoreline if the type of concession is available within 1,500 feet of the park's boundaries. This paragraph does not apply to concession agreements for accommodations offered at a park on or before May 1, 2014. ~~This paragraph shall take effect upon this act becoming a law.~~

(5) The division may acquire, install, or permit the installation or operation at state parks of campsites and cabins. The installation and operation of campsites and cabins must be compatible with the state park's land management plan and must be approved pursuant to s. 253.034(5). Campsites and cabins must be sited to avoid impacts to a state park's critical habitat and natural and historical resources.

(6) The division may not authorize uses or construction activities, including the building or alteration of structures, within a state park which may cause significant harm to the resources of the state park. Any use or any construction activity must be conducted in a manner that avoids impacts to a state park's critical habitat and natural and historical resources. The division may not install or permit the installation of any lodging establishment as defined in s. 509.242 within the boundaries of state parks. This subsection may not be construed to prohibit the continued operation, maintenance, or repair of any such public lodging establishment existing within a state park.

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351 Section 5. Section 258.152, Florida Statutes, is created
352 to read:

353 258.152 Ney Landrum State Park designation.—The St. Marks
354 River Preserve State Park, located in Leon and Jefferson
355 Counties, is renamed and designated as Ney Landrum State Park.

356 Section 6. Paragraphs (b) and (c) of subsection (8) of
357 section 259.032, Florida Statutes, are amended to read:

358 259.032 Conservation and recreation lands.—

359 (8)

360 (b) Individual management plans required by s. 253.034(5) ~~7~~
361 for parcels over 160 acres and for parcels located within a
362 state park must, ~~shall~~ be developed with input from an advisory
363 group.

364 1. Members of the ~~this~~ advisory group shall include, at a
365 minimum, representatives of the lead land managing agency,
366 comanaging entities, local private property owners, the
367 appropriate soil and water conservation district, a local
368 conservation organization, and a local elected official. If
369 habitat or potentially restorable habitat for imperiled species
370 is located on state lands, the Fish and Wildlife Conservation
371 Commission and the Department of Agriculture and Consumer
372 Services must ~~shall~~ be included on any advisory group required
373 under chapter 253, and the short-term and long-term management
374 goals required under chapter 253 must advance the goals and
375 objectives of imperiled species management without restricting

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other uses identified in the management plan.

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

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

(c) Once a plan is adopted, the managing agency or entity shall update the plan at least every 10 years in a form and manner adopted by rule of the board. Such updates, for parcels over 160 acres and for parcels located within a state park must, ~~shall~~ be developed with input from an advisory group. Such plans may include transfers of leasehold interests to appropriate conservation organizations or governmental entities designated by the council for uses consistent with the purposes of the organizations and the protection, preservation, conservation,

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restoration, and proper management of the lands and their resources. Volunteer management assistance is encouraged, including, but not limited to, assistance by youths participating in programs sponsored by state or local agencies, by volunteers sponsored by environmental or civic organizations, and by individuals participating in programs for committed delinquents and adults.

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

Section 7. By December 1, 2025, the Department of Environmental Protection shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which includes all of the following information regarding the state park system:

- (1) Park amenities or areas of state parks that:
 - (a) Have limited use or are closed due to needed repairs;
 - (b) Are in need of repair or renovation; or
 - (c) Lack the infrastructure necessary to support park purposes as provided in the park's most recent approved management plan.
- (2) The system's estimated budget allocation expenditures

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426 for the 2023-2024 fiscal year, broken down by salaries and
427 benefits, equipment costs, and contracting costs for the
428 following categories: operations, maintenance and repair, park
429 improvement, and administrative overhead.

430 (3) A plan for addressing any needs identified in
431 subsection (1), including estimated costs for opening all such
432 amenities or areas no later than July 1, 2035, to ensure access
433 to and the safe enjoyment of such public lands for the residents
434 of this state and its visitors.

435 Section 8. This act shall take effect July 1, 2025.