

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Agriculture, Environment, and General Government

BILL: CS/SB 80

INTRODUCER: Environment and Natural Resources Committee and Senator Harrell and others

SUBJECT: State Land Management

DATE: April 14, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Carroll</u>	<u>Rogers</u>	<u>EN</u>	<u>Fav/CS</u>
2.	<u>Reagan</u>	<u>Betta</u>	<u>AEG</u>	<u>Favorable</u>
3.	_____	_____	<u>FP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 80, the State Park Preservation Act, directs state parks and preserves to be managed for conservation-based public outdoor recreational uses, public access and related amenities, and scientific research.

The bill specifies that “conservation-based public outdoor recreational uses” do not include sports that require sporting facilities, such as golf courses, tennis courts, pickleball courts, ball fields, and other similar facilities. The bill requires the Department of Environmental Protection (DEP) to manage recreational uses in a manner that is compatible with and that ensures the conservation of the state’s natural resources by minimizing impacts to undisturbed habitat and using disturbed upland regions to the maximum extent practicable.

The bill allows for the installation or operation of camping cabins at state parks with certain constraints and it prohibits the DEP from authorizing use or construction activities within a state park that may cause significant harm to the park’s resources. It directs that any use or construction activity must, to the maximum extent practicable, be conducted to avoid impacts to a state park’s critical habitat and natural and historical resources. The bill prohibits the installation or operation of certain lodging establishments at state parks.

The bill directs the DEP to submit a report on the state park system to the Governor and the Legislature by December 1, 2025.

Regarding land management plans, the bill requires public hearings for plan updates, adds a deadline for publication of a land management plan before a public hearing, requires plans for state parks to be published by that deadline, directs plans for state parks to be developed with input from an advisory group, and adds a notice deadline for advisory group public hearings.

The bill has no fiscal impact on state revenues or expenditures. See Section V., Fiscal Impact Statement below.

The bill has an effective date of July 1, 2025.

II. Present Situation:

The Florida Park Service is one of the largest in the country and manages the state's trails, historic sites, and 175 state parks.¹ This includes over 813,000 acres and 100 miles of beach.² The Florida park system is the first four-time winner of the Gold Medal awarded by the National Recreation and Parks Association and the American Academy for Park and Recreation Administration.³

The DEP's Division of Recreation and Parks is responsible for supervising, administering, regulating, and controlling the operation of all public parks, including all monuments, memorials, sites of historic interest and value, and certain sites of archaeological interest and value.⁴ The Division of Recreation and Parks is also tasked with preserving, managing, and protecting all parks and recreational areas held by the state, as well as studying and appraising the recreation needs of the state and assembling and disseminating information relating to recreation.⁵

The Division of Recreation and Parks' policy is to:

- Promote the state park system for the use, enjoyment, and benefit of Floridians and visitors.
- Acquire typical portions of the original domain of the state, which will be accessible to the public and of such character as to emblemize the state's natural values.
- Conserve these natural values for all time.
- Administer the development, use, and maintenance of these lands and enable Floridians and visitors to enjoy these values without depleting them.
- Contribute materially to the development of a strong mental, moral, and physical fiber in the public.
- Provide for perpetual preservation of historic sites and memorials of statewide significance and interpretation of their history to the people.
- Contribute to the tourist appeal of Florida.⁶

¹ DEP, *Division of Recreation and Parks*, <https://floridadep.gov/parks> (last visited Jan. 2025).

² *Id.*

³ *Id.*; DEP, *2019 National Gold Medal Winner*, <https://www.floridastateparks.org/learn/2019-national-gold-medal-winner#:~:text=On%20Tuesday%2C%20September%2024%2C%20the%20National%20Recreation%20and,the%20nation%20to%20win%20a%20fourth%20Gold%20Medal> (last visited Jan. 2025).

⁴ Section 258.004(1), F.S.

⁵ Section 258.004(2) and (3), F.S.

⁶ Section 258.037, F.S.

State Park Experiences and Amenities

Visitors can experience state parks through hiking, biking, swimming, boating, camping, birding, geo-seeking, fishing, horseback riding, scuba diving, and more.⁷ State parks also offer amenities including, but not limited to, boat ramps, trails, gardens, picnic pavilions, restroom facilities, parking areas, playgrounds, amphitheaters, shower stations, visitor centers, and museums.⁸ Many state parks offer overnight stays in campgrounds, glamping tents, or four- to six-person cabins.⁹ There are 19 parks that provide cabins, a majority of which offer fewer than 10.¹⁰ The park with the most cabins is Grayton Beach State Park, which has 30.¹¹ Wakulla Springs State Park in the Big Bend region of Florida is the only state park that includes a lodge, which offers 27 guest rooms among its amenities.¹² The Wakulla Springs Lodge was built in the 1930s and was already constructed when Wakulla Springs was designated a state park.¹³ William J. “Billy Joe” Rish Recreational Area in the St. Joseph Peninsula State Park is the only state park with a swimming pool.¹⁴ The Recreational Area provides recreation opportunities for people with disabilities and their families and caregivers. The park offers mobility equipment rentals and the swimming pool has a chair lift and wheelchair access ramp.¹⁵ There are 31 state parks that offer concessions or restaurants.¹⁶

The 2024-2025 Great Outdoors Initiative

On August 19, 2024, the DEP announced the 2024-2025 Great Outdoors Initiative to Increase Public Access, Recreation, and Lodging at Florida State Parks (Initiative).¹⁷ The DEP intended to “expand public access, increase outdoor activities and provide new lodging options across Florida’s state parks” by increasing the number of campsites, cabins, and lodges on park property, as well as adding amenities like pickleball courts and golf courses.¹⁸ The announcement noted that these plans will “reinforce the state’s dedication to conservation, the outdoor recreation economy and a high quality of life for Floridians.”¹⁹

⁷ DEP, *Experiences and Amenities*, <https://www.floridastateparks.org/index.php/experiences-amenities> (last visited Jan. 2025).

⁸ *Id.*

⁹ DEP, *Experiences and Amenities*.

¹⁰ *Id.*

¹¹ DEP, *Grayton Beach State Park Cabins*, <https://www.floridastateparks.org/learn/grayton-beach-state-park-cabins> (last visited Feb. 2025).

¹² DEP, *Edward Ball Wakulla Springs State Park: Experiences and Amenities*, <https://www.floridastateparks.org/parks-and-trails/edward-ball-wakulla-springs-state-park/experiences-amenities> (last visited Jan. 2025).

¹³ *Id.*

¹⁴ DEP, *William J. “Billy Joe” Rish Recreation Area*, <https://www.floridastateparks.org/parks-and-trails/william-j-billy-joe-rish-recreation-area> (last visited Jan. 2025).

¹⁵ *Id.*

¹⁶ DEP, *Find a Park: Concession and Restaurant*, <https://www.floridastateparks.org/parks-and-trails?park%5B0%5D=amenities%3A269> (last visited Jan. 2025).

¹⁷ DEP, *DEP Announces 2024-2025 Great Outdoors Initiative to Increase Public Access, Recreation, and Lodging at Florida State Parks*, <https://content.govdelivery.com/accounts/FLDEP/bulletins/3afd277> (last visited Jan. 2025).

¹⁸ *Id.*

¹⁹ *Id.*

State parks that were included in the Initiative were Anastasia, Camp Helen, Dr. Von. D Mizell Eula Johnson, Grayton Beach, Hillsborough River, Honeymoon, Jonathan Dickinson, Oleta River, and Topsail Hill Preserve State Parks.²⁰

Following strong bipartisan opposition, the Initiative was withdrawn.²¹

Land Management Plans

Conservation²² and non-conservation land managers must submit land management plans to the DEP's Division of State Lands and update those plans at least every 10 years.²³ However, there are additional requirements for updating the land management plans for conservation lands. For conservation lands, managers must update land management plans if the manager proposes to add new facilities or make substantive land use or management changes that were not addressed in the approved plan, or within one year after the addition of significant new lands.²⁴

State conservation lands must be managed to ensure conservation of the state's plant and animal species and to ensure the accessibility of state lands for the benefit and enjoyment of Florida's residents and visitors.²⁵ To meet these goals, land management plans must address the following topics, as appropriate: habitat restoration and improvement, public access and recreational opportunities, hydrological preservation and restoration, sustainable forest management, exotic and invasive species maintenance and control, capital facilities and infrastructure, cultural and historical resources, and imperiled species habitat maintenance, enhancement, restoration, or population restoration.²⁶

At least one public hearing to be held in any one affected county during the development of land management plans for both conservation and non-conservation lands.²⁷ If a parcel exceeds 160 acres in size, the Division of State Lands must make an electronic copy of the land management plan available to the public.²⁸ Land management plans for parcels over 160 acres must be developed with input from an advisory group.²⁹ The advisory group's membership includes, at a

²⁰ DEP, *Public Participation – Draft Unit Management Plans*, <https://floridadep.gov/parks/public-participation> (last visited Jan. 2025).

²¹ *Id.*; Max Chesnes, *Florida agency says group behind state park golf course is withdrawing plan*, Tampa Bay Times, Aug. 25, 2024, <https://www.tampabay.com/news/environment/2024/08/25/florida-agency-says-group-behind-state-park-golf-course-is-withdrawing-plan/>.

²² “Conservation lands” are defined in statute to mean “lands that are currently managed for conservation, outdoor resource-based recreation, or archaeological or historic preservation, except those lands that were acquired solely to facilitate the acquisition of other conservation lands. Lands acquired for uses other than conservation, outdoor resources-based recreation, or archaeological or historic preservation...shall include, but not be limited to, the following: correction and detention facilities, military installations and facilities, state office buildings, maintenance yards, state university or Florida College System institution campuses, agricultural field stations or offices, tower sites, law enforcement and license facilities, laboratories, hospitals, clinics, and other sites that do not possess significant natural or historical resources.” Section 253.034(2)(c), F.S.

²³ Section 253.034(5), F.S.

²⁴ *Id.*

²⁵ Section 253.034(5)(a), F.S.

²⁶ Section 253.034(5)(b), F.S.

²⁷ Section 253.034(f), F.S.

²⁸ Section 253.034(g), F.S.

²⁹ Section 259.032(8)(b), F.S.

minimum, representatives of the lead land managing agency, comanaging entities, local private property owners, the appropriate soil and water conservation district, a local conservation organization, and a local elected official. There are further requirements for membership if habitat or potentially restorable habitat for imperiled species is located on the lands included in the management plan.³⁰

The advisory group must conduct at least one public hearing within the county in which the parcel or project is located.³¹ If the parcel or parcels are within more than one county, at least one areawide public hearing must be conducted in the county where the core parcels are located and the lead managing agency must invite a local elected official from each county. Notice of the hearing must 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.³²

III. Effect of Proposed Changes:

Section 1 titles this act the “State Park Preservation Act.”

Section 2 amends s. 253.034, F.S., to require at least one public hearing when conservation and nonconservation land management plans are *updated*. Current law only requires a public hearing when a land management plan is in development.

The bill also adds a deadline of at least 30 days before the public hearing by which the DEP’s Division of State Lands must make an electronic copy of certain land management plans available to the public. The bill requires an electronic copy to be available for parcels located within a state park, amending the current requirement that the electronic copy be available only for parcels that exceed 160 acres in size.

Section 3 amends s. 258.004, F.S., to require all lands managed pursuant to the laws on state parks and preserves (ch. 258, F.S.) to be managed for the greatest combination of benefits to the public and to the lands’ natural resources. The bill also requires lands to be managed for:

- Conservation-based public outdoor recreational uses;
- Public access and related amenities, including roads, parking areas, walkways, and visitor centers; and
- Scientific research, including archaeology.

The bill defines “conservation-based public outdoor recreational uses” to include fishing, camping, bicycling, hiking, nature study, swimming, boating, canoeing, horseback riding, diving, birding, sailing, jogging, and similar, conservation-based public recreational uses. The bill specifies that the term does not include sports that require sporting facilities, such as golf courses, tennis courts, pickleball courts, ball fields, and other similar facilities.

³⁰ *Id.*

³¹ *Id.*

³² *Id.*

The bill requires the DEP to manage these uses in a manner that is compatible with and that ensures the conservation of the state's natural resources by minimizing impacts to undisturbed habitat and using disturbed upland regions to the maximum extent practicable.

Section 4 amends s. 258.007, F.S., to highlight that the DEP's Division of Recreation and Parks may 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 certain provisions *in a manner that is consistent with s. 258.004, F.S.*, which is amended by Section 3 of this bill.

The bill authorizes the Division of Recreation and Parks to acquire, install, or permit the installation or operation of camping cabins that have a maximum occupancy of six guests at state parks. The installation and operation of any camping cabin in a state park must be compatible with the park's land management plan and must be approved pursuant to the statutory requirements for land management plan approval.³³ The bill also requires that camping cabins must, to the maximum extent practicable, be sited to avoid impacts to a state park's critical habitat and natural and historical resources.

The bill prohibits the Division of Recreation and Parks from authorizing uses or construction activities within a state park that may cause significant harm to the resources of the state park. This includes building or altering structures. The bill directs that any use or construction activity must, to the maximum extent practicable, be conducted to avoid impacts on a state park's critical habitat and natural and historical resources. The bill further prohibits the Division of Recreation and Parks from installing or permitting the installation at state parks of any lodging establishment.³⁴

Section 5 amends s. 259.032, F.S., to require individual land management plans for parcels within a state park to be developed with input from an advisory group.

Current law requires the advisory group to hold at least one public hearing within the county in which the parcel or project is located and contains notice requirements for such hearing. The bill adds to the notice requirements that the public hearing must be noticed at least 30 days before it is held.

The bill also requires that individual land management plans for parcels within a state park must be updated with input from an advisory group.

Section 6 directs the DEP to submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1, 2025, which includes the following information regarding the state park system:

- The number of state parks with amenities or areas that have limited use or are temporarily closed due to needed repairs or inadequate infrastructure necessary to support conservation-based public recreation uses.

³³ These requirements are amended by Section 2 of this bill.

³⁴ Lodging establishments are defined in s. 509.242, F.S., in which they are classified as a hotel, nontransient apartment, transient apartment, bed and breakfast inn, timeshare project, or vacation rental if the establishment satisfies listed criteria.

- The system's estimated budget allocation expenditures for the 2023-2024 fiscal year, broken down by salaries and benefits, equipment costs, and contracting costs for the following categories: operations, maintenance and repair, park improvement, and administrative overhead.
- The estimated costs associated with the facility maintenance backlog by each state park, including a plan to reduce or eliminate the backlog for the state park system by July 1, 2035, to ensure access to and the safe enjoyment of such public lands for Florida residents and visitors.

Section 7 provides an effective date of July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 253.034, 258.004, 258.007, and 259.032.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Environment and Natural Resources on February 11, 2025:

- Removes language that might prevent the operation of Wakulla Lodge or prevent the state from acquiring properties with preexisting lodging establishments.
- Requires input from an advisory group when land management plans for parcels within a state park are updated. The underlying bill only requires input from an advisory group during the development of land management plans for parcels within a state park.
- Fixes a drafting error by restoring flush left language.

B. Amendments:

None.