

By Senator Harrell

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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 public outdoor recreational
17 uses"; making technical changes; amending s. 258.007,
18 F.S.; 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 at state parks of camping cabins that meet
23 certain requirements; prohibiting the division from
24 authorizing certain uses or construction activities
25 within a state park; prohibiting the division from
26 acquiring, installing, or permitting the installation
27 or operation 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

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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

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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

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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

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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

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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 the
163 public at least 30 days before the public hearing required by
164 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

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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.

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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 in
213 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 to
225 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

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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 Preserve,
238 manage, regulate, and protect all parks and recreational areas
239 held by the state. The Division of Recreation and Parks ~~and~~ may
240 provide these services by contract or interagency agreement for
241 any water management district when the governing board of a
242 water management district designates or sets aside any park or
243 recreation area within its boundaries. All lands managed
244 pursuant to this chapter must be:

245 1. 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 2. Managed for conservation-based public outdoor
249 recreational uses; public access and related amenities,
250 including roads, parking areas, walkways, and visitor centers;
251 and scientific research, including archaeology. Such uses must
252 be managed in a manner that is compatible with and that ensures
253 the conservation of this state's natural resources by minimizing
254 impacts to undisturbed habitat and using disturbed upland
255 regions to the maximum extent practicable. As used in this
256 subparagraph, the term "conservation-based public outdoor
257 recreational uses" includes fishing, camping, bicycling, hiking,
258 nature study, swimming, boating, canoeing, horseback riding,
259 diving, birding, sailing, jogging, and similar conservation-
260 based public recreational uses. The term does not include sports
261 that require sporting facilities, such as golf courses, tennis

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262 courts, pickleball courts, ball fields, and other similar
263 facilities.

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

267 ~~(d)(4) The Division of Recreation and Parks shall~~ Provide
268 consultation assistance to local governing units as to the
269 protection, organization, and administration of local recreation
270 systems and the planning and design of local recreational
271 ~~recreation~~ areas and facilities.

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

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

277 ~~(g)(7) The Division of Recreation and Parks shall~~ Cooperate
278 with state and federal agencies, private organizations, and
279 commercial and industrial interests in the promotion of a state
280 recreation program.

281 ~~(2)(8) This part shall be enforced by~~ The Division of Law
282 Enforcement of the Department of Environmental Protection and
283 its officers and ~~by~~ the Division of Law Enforcement of the Fish
284 and Wildlife Conservation Commission and its officers shall
285 enforce this part.

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

290 258.007 Powers of division.—

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

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

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

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

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

315 (5) The division may acquire, install, or permit the
316 installation or operation at state parks of camping cabins that
317 have a maximum occupancy of six guests. The installation and
318 operation of camping cabins must be compatible with the state
319 park's land management plan and must be approved pursuant to s.

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320 253.034(5). Camping cabins must, to the maximum extent
 321 practicable, be sited to avoid impacts to a state park's
 322 critical habitat and natural and historical resources.

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

333 Section 5. Paragraph (b) of subsection (8) of section
 334 259.032, Florida Statutes, is amended to read:

335 259.032 Conservation and recreation lands.—

336 (8)

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

341 1. Members of the ~~this~~ advisory group shall include, at a
 342 minimum, representatives of the lead land managing agency,
 343 comanaging entities, local private property owners, the
 344 appropriate soil and water conservation district, a local
 345 conservation organization, and a local elected official. If
 346 habitat or potentially restorable habitat for imperiled species
 347 is located on state lands, the Fish and Wildlife Conservation
 348 Commission and the Department of Agriculture and Consumer

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349 Services must ~~shall~~ be included on any advisory group required
350 under chapter 253, and the short-term and long-term management
351 goals required under chapter 253 must advance the goals and
352 objectives of imperiled species management without restricting
353 other uses identified in the management plan.

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

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

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

374 Section 6. By December 1, 2025, the Department of
375 Environmental Protection shall submit a report to the Governor,
376 the President of the Senate, and the Speaker of the House of
377 Representatives which includes all of the following information

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378 regarding the state park system:

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

383 (2) The system's estimated budget allocation expenditures
384 for the 2023-2024 fiscal year, broken down by salaries and
385 benefits, equipment costs, and contracting costs for the
386 following categories: operations, maintenance and repair, park
387 improvement, and administrative overhead.

388 (3) The estimated costs associated with the facility
389 maintenance backlog by each state park, including a plan to
390 reduce or eliminate the facility maintenance backlog for the
391 state park system by July 1, 2035, to ensure access to and the
392 safe enjoyment of such public lands for the residents of this
393 state and its visitors.

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