

## CHAPTER 2025-76

### Committee Substitute for Committee Substitute for House Bill No. 209

An act relating to state land management; providing a short title; amending s. 253.034, F.S.; requiring public hearings for all updated conservation and nonconservation land management plans; requiring the Division of State Lands of the Department of Environmental Protection to make available to the public, within a specified timeframe, electronic copies of land management plans for parcels of a certain size and for parcels located in state parks; making technical changes; amending s. 258.004, F.S.; revising the duties of the Division of Recreation and Parks of the Department of Environmental Protection; specifying requirements for the management of parks and recreational areas held by the state; defining the term “conservation-based recreational uses”; prohibiting the construction of certain facilities within the boundaries of state parks for the protection of certain resources; providing construction; making technical changes; amending s. 258.007, F.S.; requiring the division to comply with specified provisions when granting certain privileges, leases, concessions, and permits; authorizing the division to acquire, install, or permit the installation or operation at state parks of campsites and cabins that meet certain requirements; prohibiting the division from authorizing certain uses or construction activities within a state park; prohibiting the division from installing or permitting the installation of any lodging establishment within the boundaries of a state park; providing construction; creating s. 258.152, F.S.; designating the St. Marks River Preserve State Park as Ney Landrum State Park; amending s. 259.032, F.S.; requiring that individual management plans for parcels located within state parks be developed with input from an advisory group; requiring that the advisory group’s required public hearings be noticed to the public within a specified timeframe; requiring the department to submit a report to the Governor and the Legislature by a specified date; specifying requirements for the report; providing an effective date.

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

Section 1. This act may be cited as the “State Park Preservation Act.”

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

253.034 State-owned lands; uses.—

(5) Each manager of conservation lands shall submit to the Division of State Lands a land management plan at least every 10 years in a form and manner adopted by rule of the board of trustees and in accordance with s. 259.032. Each manager of conservation lands shall also update a land management plan whenever 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 1 year after the addition of significant new lands. Each manager of nonconservation lands shall submit to the Division of State Lands a land use plan at least every 10 years in a form and manner adopted by rule of the board of trustees. The division shall review each plan for compliance with the requirements of this subsection and the requirements of the rules adopted by the board of trustees pursuant to this section. All nonconservation land use plans, whether for single-use or multiple-use properties, must ~~shall~~ be managed to provide the greatest benefit to the state. Plans for managed areas larger than 1,000 acres must ~~shall~~ contain an analysis of the multiple-use potential of the property which includes the potential of the property to generate revenues to enhance the management of the property. In addition, the plan must ~~shall~~ contain an analysis of the potential use of private land managers to facilitate the restoration or management of these lands and whether nonconservation lands would be more appropriately transferred to the county or municipality in which the land is located for the purpose of providing affordable multifamily rental housing that meets the criteria of s. 420.0004(3). If a newly acquired property has a valid conservation plan that was developed by a soil and water conservation district, such plan must ~~shall~~ be used to guide management of the property until a formal land use plan is completed.

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

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

1. Habitat restoration and improvement.
2. Public access and recreational opportunities.
3. Hydrological preservation and restoration.
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 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 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 Acquisition and Restoration Council shall also consider the propriety of the recommendations of the managing entity with regard to the future use of the property, the protection of fragile or nonrenewable resources, the potential for alternative or multiple uses not recognized by the managing entity, and the possibility of disposal of the property by the board of trustees. After its review, the council shall submit the plan, along with its recommendations and comments, to the board of trustees. The council shall specifically recommend to the board of trustees whether to approve the plan as submitted, approve the plan with modifications, or reject the plan. If the council fails to make a recommendation for a land management plan, the Secretary of Environmental Protection, Commissioner of Agriculture, or executive director of the Fish and Wildlife Conservation Commission or their designees must shall submit the land management plan to the board of trustees.

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

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

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

- b. A desired development outcome.
  - c. A schedule for achieving the desired development outcome.
  - d. A description of both short-term and long-term development goals.
  - e. A management and control plan for invasive nonnative plants.
  - f. A management and control plan for soil erosion and soil and water contamination.
  - g. Measurable objectives to achieve the goals identified in the land use plan.
2. Short-term goals shall be achievable within a 5-year planning period and long-term goals shall be achievable within a 10-year planning period.
  3. The use or possession of any such lands that is not in accordance with an approved land use plan is subject to termination by the board of trustees.
  4. Land use plans submitted by a manager shall include reference to appropriate statutory authority for such use or uses and shall conform to the appropriate policies and guidelines of the state land management plan.

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

258.004 Duties of division.—

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

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

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

1. All lands managed pursuant to this chapter must be 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 sporting facilities, may not be constructed within the boundaries of state parks. This subparagraph may not be construed to prohibit the continued operation, maintenance, or repair of any such sporting facilities, or other facilities, existing within a state park.

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

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

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

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

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

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

~~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 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.

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

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

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

259.032 Conservation and recreation lands.—

(8)

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

1. Members of ~~the~~ this advisory group shall include, at a 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. If habitat or potentially restorable habitat for imperiled species is located on state lands, the Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services ~~must shall~~ be included on any advisory group required under chapter 253, and the short-term and long-term management goals required under chapter 253 must advance the goals and objectives of imperiled species management without restricting 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~~ 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, 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 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.

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

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

Approved by the Governor May 22, 2025.

Filed in Office Secretary of State May 22, 2025.