

CHAPTER 98-332

Committee Substitute for House Bill No. 3671

An act relating to timber management; creating s. 253.036, F.S.; requiring the Division of Forestry of the Department of Agriculture and Consumer Services, or other qualified professional forester, to assess the feasibility of managing timber in land management plans; providing legislative intent; providing for the reimbursement of management services performed by the division; amending s. 259.035, F.S.; requiring the Land Acquisition and Management Advisory Council to consider timber management as a feasible multiple-use strategy; amending s. 373.591, F.S.; specifying circumstances under which the land managing agency must provide an explanation to the management review team concerning the management of lands; amending s. 589.04, F.S.; directing the Division of Forestry to begin certain forestation programs on certain lands; providing an appropriation; providing an effective date.

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

Section 1. Section 253.036, Florida Statutes, is created to read:

253.036 Forest management.—

(1) All land management plans described in s. 253.034(5) which are prepared for parcels larger than 1,000 acres shall contain an analysis of the multiple-use potential of the parcel, which analysis shall include the potential of the parcel to generate revenues to enhance the management of the parcel. The lead agency shall prepare the analysis, which shall contain a component or section prepared by a qualified professional forester which assesses the feasibility of managing timber resources on the parcel for resource conservation and revenue generation purposes through a stewardship ethic that embraces sustainable forest management practices if the lead management agency determines that the timber resource management is not in conflict with the primary management objectives of the parcel. For purposes of this section, practicing sustainable forest management means meeting the needs of the present without compromising the ability of future generations to meet their own needs by practicing a land stewardship ethic which integrates the reforestation, managing, growing, nurturing, and harvesting of trees for useful products with the conservation of soil, air and water quality, wildlife and fish habitat, and aesthetics. The Legislature intends that each lead management agency, whenever practicable and cost effective, use the services of the Division of Forestry of the Florida Department of Agriculture and Consumer Services or other qualified private sector professional forester in completing such feasibility assessments and implementing timber resource management. The Legislature further intends that the lead management agency develop a memorandum of agreement with the Division of Forestry to provide for full reimbursement for any services provided for the feasibility assessments or timber resource management. All

additional revenues generated through multiple-use management or compatible secondary use management shall be returned to the lead agency responsible for such management and shall be used to pay for management activities on all conservation, preservation, and recreation lands under the agency's jurisdiction. In addition, such revenue shall be segregated in an agency trust fund and shall remain available to the agency in subsequent fiscal years to support land management appropriations.

Section 2. Paragraph (d) of subsection (2) of section 259.035, Florida Statutes, is amended to read:

259.035 Advisory council; powers and duties.—

(2)

(d) Additionally, the council shall provide assistance to the Board of Trustees of the Internal Improvement Trust Fund in reviewing the recommendations and plans for state-owned lands required by s. 253.034. The council shall, in reviewing the recommendations and plans for state-owned lands required by s. 253.034, consider the optimization of multiple-use strategies to accomplish the provisions of s. 253.034 and specifically consider the management of the timber as a feasible multiple-use strategy in conformance with a timber resource management component prepared by the Division of Forestry or other qualified professional forester.

Section 3. Subsection (4) of section 373.591, Florida Statutes, is amended to read:

373.591 Management review teams.—

(4) If the land management review team finds that the lands reviewed are not being managed in accordance with their management plan, prepared in a manner and form prescribed by the governing board of the district and otherwise meeting the timber resource management requirements of s. 253.036, the land managing agency shall provide a written explanation to the management review team.

Section 4. Subsection (4) is added to section 589.04, Florida Statutes, to read:

589.04 Duties of division.—

(4) The Division of Forestry shall begin immediately an aggressive program to reforest and afforest, with appropriate tree species, lands over which the division has forest resource management responsibility.

Section 5. There is hereby appropriated to the Department of Agriculture and Consumer Services from the Incidental Trust Fund for fiscal year 1998-1999, four positions and \$159,461, to carry out the provisions of the bill.

Section 6. This act shall take effect upon becoming a law.

Became a law without the Governor's approval May 30, 1998.

Filed in Office Secretary of State May 29, 1998.