

Summary of State Lands Draft PCB

1. Provides legislative findings identifying the number of acres of conservation lands owned by the state compared to the entire land area of the state.
2. Requires each state agency that manages conservation land (such as DACS or FWCC) to identify the following in any updated land management plan (under current law, plans are updated every 10 years):
 - Lands that could support low-impact agricultural uses while maintaining the land's conservation purpose; and
 - Lands that are no longer needed for conservation purposes that could be disposed of entirely or with the state retaining a permanent conservation easement.

The purpose of this provision is to require the actual managers of state conservation lands to identify and inform the Division of State Lands (division) within the Department of Environmental Protection (DEP) whether any of their currently managed conservation lands could be leased for low-impact agricultural uses, such as silviculture and cattle grazing, or could be disposed of entirely or with a conservation easement amendment.

3. Requires the division to review, every 10 years, all conservation lands owned by the Board of Trustees of the Internal Improvement Trust Fund (BOT) and identify *lands that could support low impact agricultural uses* while maintaining the land's conservation purpose; requires the division to submit a list of those lands, along with additional lands identified in an updated land management plan, to the Acquisition and Restoration Council (ARC); requires ARC to review the list and provide recommendations to the division within 9 months; requires the division to offer for lease any of the lands it determines could support low impact agricultural uses while maintaining its conservation purpose; requires an affirmative vote by three of the four BOT members to approve a lease arrangement.
4. Requires the division to review, every 10 years, all conservation lands owned by the BOT and identify *lands that no longer serve a conservation purpose* and could be disposed of in fee simple or with the state retaining a permanent conservation easement; requires the division to submit a list of those lands, along with additional lands identified in an updated land management plan, to ARC; requires ARC to review the list and provide recommendations to the BOT within 9 months; requires the BOT to sell lands that it determines no longer serve a conservation purpose in fee simple or with the state retaining a conservation easement; requires an affirmative vote by three of the four BOT members to dispose of lands.

The purpose of provisions 3 and 4 is to require the division to periodically review state-owned conservation lands to ensure that the state only owns, in fee, those lands necessary for conservation purposes, and to require the BOT to consider the state retaining a permanent conservation easement when determining whether state-owned conservation lands are no longer needed for conservation purposes.

5. Allows a private party who owns lands bordering state-owned lands, which are determined by the BOT to be no longer needed for conservation purposes or are non-conservation lands, to submit a request directly to the BOT seeking an exchange that would grant the private party fee title in the

state lands (with the state retaining a permanent conservation easement) while the state obtains a permanent conservation easement over the privately held land; the permanent conservation easement must allow the private party to use the exchanged state *and* private lands for low impact agricultural purposes; in the case of land exchanges involving conservation lands, the BOT must only determine that the exchange will result in an “equal or greater conservation benefit” rather than “a net positive conservation benefit” as required under current law; requests for exchanges must be considered by the BOT within 180 days after receipt of the request; exchanges must be approved by three members of the BOT.

This provision may enable the state to increase the amount of land protected under permanent conservation easements while allowing low impact uses that do not interfere with the conservation purpose of the land. The provision also streamlines the exchange process by allowing a person to submit a petition to the BOT directly, without prior approval of ARC, and by reducing the required conservation benefit resulting from an exchange.

6. Requires DEP to add conservation lands owned by the federal government and each county and municipality to the department’s existing SOLARIS state lands database within a certain period of time. The purpose of this provision is to create one database that includes information on all the publicly owned conservation lands in Florida.
7. Requires ARC to give increased priority to proposed Florida Forever projects that may be acquired in less than fee ownership (such as a permanent conservation easement) and that either contribute to improving the quality and quantity of groundwater or the quality and flow of springs.

The purpose of this provision is to prioritize Florida Forever projects that protect and conserve the state’s natural resources while allowing the ownership and land management responsibilities to remain with a private landowner. This may allow income-producing land to remain as such, if it meets the requirements of the conservation easement, and the property to remain on the county tax rolls while providing a conservation benefit to the state.

8. Allows an applicant for funding from the Florida Forever program to appeal to the BOT a decision by ARC to exclude the applicant’s property from the Florida Forever project list, and authorizes the BOT, by an affirmative vote of three of its four members, to direct ARC to place an appealed project on the project list. This provision allows a person who wishes to have a project included on the Florida Forever project list to appeal, to a body of elected officials, ARC’s decision to omit the project from the list.
9. Requires members of the BOT that have family or business connections to a proposed project to declare the connection prior to voting (current law requires members of ARC to disclose connections). This provision may increase transparency in the project selection process.