



FLORIDA NATIVE PLANT SOCIETY

Po Box 5007
Gainesville, FL 32627-5007

February 17, 2026

Members of the Florida Senate
The Capitol
404 South Monroe Street
Tallahassee, Florida 32399-1100

SUBJECT: Florida Native Plant Society Opposition to Section 6 of SB 290 DACS

Dear Members of the Florida Senate:

The Florida Native Plant Society is appalled by a provision in SB 290 that could set the stage for a wholesale sell-off of conservation lands protected through the Florida Forever Program. Section 6 of SB 290 directs FDEP to **sell lands purchased for conservation back into private ownership** if it is determined they are suitable for “bona fide agricultural purposes”. We submit that nearly any undeveloped land in Florida could be made suitable for agricultural use; however, land that has already been acquired by the state for conservation purposes, based on the significance of its natural resource values, is already serving its highest and best use by being preserved, in perpetuity, for all the people of Florida – present and future!

We take no comfort in the legislation’s requirement that a Rural and Family Lands Protection Program (RFLPP) agricultural easement be retained over the property after it is sold back into private ownership. In contrast to the conservation easements that are purchased with Florida Forever funds, **RFLPP agricultural easements do not conserve nature!** Natural areas remaining within a RFLPP property can be converted to agricultural use at the sole discretion of the landowner. Any parts of the property in low-intensity agricultural uses, like cattle grazing or timber production, could be converted to high intensity row crops. To describe it more explicitly:



An RFLPP easement would allow this...



...to become this.

Does the photo on the right look like conservation to you?

Preserving, conserving and restoring the native plants and native plant communities of Florida

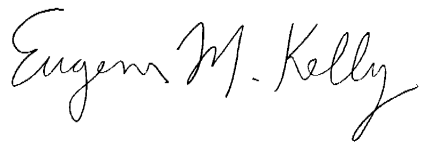
Nor do we take much comfort in State Parks, State Forests and Wildlife Management Areas being exempted from the Section 6 provisions. Those are special designations that may not be conferred until years after the initial purchase of a parcel, so it is an exemption with little, if any, future relevance. Where will the State Parks, State Forests and WMAs of the future come from?

We are not being hyperbolic when we say that Section 6 could effectively mean the end of Florida Forever – our premier, science-based, transparent and accountable land conservation program that has been the envy of the nation since its inception 25 years ago. Why would FDEP waste the time to negotiate and execute a Florida Forever purchase if the land could then just be sold back into private ownership without first determining it no longer has conservation value – as is currently required by statute before conservation land can be sold as “surplus”? Why would a landowner who wants to sell their land to the state so it can be conserved forever, rather than be developed into subdivisions or row crops, ever trust the state to live up to a commitment to conserve it “in perpetuity” after SB 290 is passed in its current form?

The existing process for declaring conservation land to be surplus, and then selling it back into private ownership for agriculture or otherwise, is working. The relative rarity of such sales is not an indication that the process doesn’t work. It is a testament to the good job FDEP and the Florida Forever program have done in identifying and acquiring the “right” lands for conservation, and already completing the assessment and sale of surplus lands as appropriate.

There is much in SB 290 that we would support; however, unless Section 6 is deleted, we must oppose this bill in its entirety. Please vote “no” on SB 290 unless you delete Section 6 first. Thank you for considering our concerns.

Respectfully,

A handwritten signature in cursive script that reads "Eugene M. Kelly". The signature is written in black ink and is positioned above the typed name.

Eugene M. Kelly, President
Florida Native Plant Society

cc: Florida House Speaker Daniel Perez