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## **South Florida Ecosystem Restoration Task Force**

# **South Florida Ecosystem Restoration**

## **Land Acquisition Strategy**

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**August 29, 2007**

*This strategy document is for planning purposes only, is subject to modification, and is not legally binding on any of the South Florida Ecosystem Restoration Task Force (Task Force) members. Each Task Force member and the interest they represent retain all of their sovereign rights, authorities, and jurisdictions for implementation of the projects contained in this document.*

*Acceptance of the report by the Task Force does not imply that the Task Force or the individual Task Force members endorse each land acquisition project described in the South Florida Ecosystem Restoration Land Acquisition Strategy.*

*Land acquisition needs of the South Florida Ecosystem Restoration continue to evolve as project footprints and land acquisition program needs are refined. Moreover, the land cost estimates contained in the body of this report are preliminary planning estimates that are not intended as, and do not reflect, fair market valuations of any individual parcel of land. Acceptance of this report, therefore, does not constitute an endorsement by any Task Force member as to any parcel or land valuation.*

*This document is updated on an annual basis. The reporting period for this information is July 1, 2006 – June 30, 2007 unless otherwise noted.*

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## Glossary

**2002 Farm Bill:** The Farm Security and Rural Investment Act of 2002.

**Acceler8:** Florida's commitment to provide \$1.5 billion to accelerate the design and construction of a suite of restoration projects selected for the immediate benefits they can provide to the Everglades and the South Florida Ecosystem.

**Conservation Easement:** A legal agreement between a landowner and a government agency or nonprofit organization to protect the natural resources of a property permanently or for some designated period of time. The property still belongs to the landowner, but restrictions are placed both on the current landowner and subsequent landowners.

**CERP:** A comprehensive plan for the water resources of central and southern Florida authorized in the Water Resources Development Act of 2000. The overarching objective of this Comprehensive Everglades Restoration Plan is the restoration, preservation, and protection of the South Florida Ecosystem while providing for the other water-related needs of the region.

**Conservation and Recreation Lands (CARL):** Florida created this land acquisition program in 1979 to acquire lands to conserve and protect unique natural areas, endangered species, unusual geologic features, wetlands, and significant archaeological and historical sites. CARL projects were funded by the CARL Trust Fund and Preservation 2000. The Florida Forever - Board of Trustees program is CARL's successor.

**Fee simple acquisition:** The outright purchase of all property rights.

**Florida Forever:** The 10-year, \$3 billion program established by the Florida Legislature to conserve environmentally sensitive land, restore waterways, and preserve important cultural and historical resources. Florida Forever replaces Preservation 2000.

**Goal:** Something to be achieved. Goals can be established for outcomes (results) or outputs (efforts).

**"Graham Map":** The 1999 Everglades Ecosystem Land Acquisition State-Federal Cost Share Map requested by former Florida Senator Bob Graham. This map was produced by the Florida Department of Environmental Protection for the South Florida Ecosystem Restoration Task Force.

**Lake Okeechobee Estuary Recovery:** Plan to restore the ecological health of Lake Okeechobee and the St. Lucie and Caloosahatchee Estuaries.

**Less-than-fee simple:** The acquisition of limited property rights. The right to conserve and protect resources on the property is purchased at a lesser cost to taxpayers, while keeping the land in private ownership and on the tax roles.

**Master Implementation Sequencing Plan:** Updates the sequencing and scheduling for the implementation of all CERP projects

**Mitigation:** An action or series of actions that offset the adverse environmental impact of a permitted activity.

**Multi-Species Recovery Plan:** Plan developed by the U.S. Fish and Wildlife Service that contains information on the biology, ecology, status, trends, management, and recovery actions for 68 federally listed species found in South Florida, as well as the ecology and restoration needs of 23 natural communities in the region.

**Multi-Year Acquisition Agreement:** An agreement that allows acquisition costs to be paid out over a number of years.

**Northern Everglades:** Encompasses all projects within the SFWMD in the Lake Okeechobee, Caloosahatchee River, and St. Lucie Rive basins to capture and clean water before it enters the Southern Everglades and coastal estuaries. Key features include Kissimmee area lakes and rivers, Lake Okeechobee, and the Caloosahatchee and St. Lucie rivers and estuaries.

**Objective:** A goal expressed in specific, directly quantifiable terms.

**Payment in Lieu of Taxes:** Federal or State payments to local governments that help offset losses in property taxes due to nontaxable government owned lands within their boundaries.

**Preservation 2000:** A ten year program, initiated by the State of Florida in 1990, that raised \$300 million per year for a total of \$3 billion for environmental land acquisition.

**Restudy:** Colloquial expression for the Central and Southern Florida Project Comprehensive Review Study, authorized in 1992.

**Regional Planning Councils:** Florida planning and public policy agencies that work with public and private leadership on regional issues.

**Revenue Sharing Program:** A U.S. Fish and Wildlife Service program that authorizes payments to offset the loss of tax revenue in counties in which USFWS lands are located. These payments are funded and administered separately from other Federal revenue sharing measures such as those made under the Payment in Lieu of Taxes Act.

**Rural Lands Stewardship Program:** Florida's program to direct development in rural lands to preserve agriculture and protect the environment.

**Save Our Everglades Trust Fund:** A trust fund established in 2000 under provisions of Florida's Everglades Restoration Investment Act to provide a minimum of \$100 million per year to implement CERP. The Act authorized Florida to contribute \$2 billion to CERP over the next 10 years.

**Save Our Rivers:** This 1981 Florida program created the Water Management District Lands Trust Fund. This trust fund enables the water management districts to acquire lands necessary for water management, water supply, and the conservation and protection of water resources. Save Our Rivers projects can be jointly funded through the Water Management District Lands Trust Fund and P-2000/Florida Forever.

**South Florida Ecosystem:** An area consisting of the lands and waters within the boundaries of the South Florida Water Management District and the Multi-Species Recovery Plan, including the Kissimmee Basin, Lake Okeechobee, Everglades, the Florida Keys, and the contiguous nearshore coastal waters.

**Southern Everglades:** Encompasses all projects within the SFWMD south of the Lake Okeechobee, Caloosahatchee River, and St. Lucie Rive basins. Key features include the Water Conservation Areas, Big Cypress National Preserve, Everglades National Park, Florida Bay, and the coastal bays and estuaries south of Lake Okeechobee.

**Sustainability:** The state of having the needs of the present met without endangering the ability of future generations to be able to meet their own needs.

**Vision:** An aspiration of future conditions; in this case, the results that the South Florida Ecosystem Restoration Task Force members intend to achieve in terms of ecosystem health and quality of life for South Florida residents and visitors.

**Water Resources Development Act:** The Federal authorizing legislation for U.S. Army Corps of Engineers' water resource projects.

## Abbreviations and Acronyms

<b>ASR</b> Aquifer Storage and Recovery	<b>LOPA</b> Lake Okeechobee Protection Act
<b>CARL</b> Conservation and Recreation Lands	<b>LOPP</b> Lake Okeechobee Protection Plan
<b>C&amp;SF Project</b> Central and Southern Florida Flood Control Project	<b> LWCF</b> Land and Water Conservation Fund
<b>CERP</b> Comprehensive Everglades Restoration Plan	<b>MISP</b> Master Implementation Sequencing Plan
<b>CREW</b> Corkscrew Regional Ecosystem Watershed	<b>MSRP</b> Multi-Species Recovery Plan
<b>DCA</b> Florida Department of Community Affairs	<b>NPS</b> National Park Service
<b>DOF</b> Division of Forestry	<b>NRCS</b> Natural Resources Conservation Service
<b>DSL</b> Division of State Lands	<b>NWR</b> National Wildlife Refuge
<b>EAA</b> Everglades Agricultural Area	<b>OGT</b> Office of Greenways and Trails
<b>ECP</b> Everglades Construction Project	<b>OPE</b> Other Project Element
<b>EEL</b> Environmentally Endangered Lands	<b>P-2000</b> Preservation 2000
<b>Farm Bill</b> The Farm Security and Rural Investment Act	<b>PIR</b> Project Implementation Report
<b>FDACS</b> Florida Department of Agriculture and Consumer Services	<b>PILT</b> Payment in Lieu of Taxes
<b>FDEP</b> Florida Department of Environmental Protection	<b>Restudy</b> C&SF Project Comprehensive Review Study
<b>FF</b> Florida Forever	<b>SCG</b> Science Coordination Group
<b>FNAI</b> Florida Natural Areas Inventory	<b>SWMD</b> South Florida Water Management District
<b>FRPP</b> Farm and Ranch Land Protection Program	<b>SOETF</b> Save Our Everglades Trust Fund
<b>FWC</b> Florida Fish and Wildlife Conservation Commission	<b>SOR</b> Save Our Rivers
<b>FY</b> Fiscal Year	<b>STA</b> Stormwater Treatment Area
<b>GAO</b> Government Accountability Office (formerly the General Accounting Office)	<b>Task Force</b> South Florida Ecosystem Restoration Task Force
<b>IRL</b> Indian River Lagoon	<b>USACE</b> United States Army Corps of Engineers
<b>LAS</b> Land Acquisition Strategy	<b>USDA</b> United States Department of Agriculture
<b>LATT</b> Land Acquisition Task Team	<b>USDOI</b> United States Department of the Interior
<b>LOER</b> Lake Okeechobee Estuary Recovery	<b>USFWS</b> United States Fish and Wildlife Service
	<b>WCA</b> Water Conservation Area
	<b>WRAC</b> Water Resources Advisory Commission
	<b>WRDA</b> Water Resources Development Act
	<b>WRP</b> Wetlands Reserve Program

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## Executive Summary

Land acquisition is critical to South Florida Ecosystem restoration efforts. Land is needed to preserve habitat for native plants and animals, to act as a buffer to existing natural areas, and to provide opportunities for recreational pursuits. Land is also needed for water quality treatment areas, water storage reservoirs, and aquifer recharge areas that will help restore natural hydrology.

The purpose of the *South Florida Ecosystem Restoration Land Acquisition Strategy* (LAS) is to describe the land acquisition needed for ecosystem restoration projects that are either wholly Federally funded or jointly funded by Federal and non-Federal agencies—and, with its appendices, provide a broad picture of all land acquisition initiatives that contribute to the restoration. This document updates and replaces the LAS accepted by the South Florida Ecosystem Restoration Task Force (Task Force) in September 2006.

The LAS addresses land acquisition needed to achieve the three strategic goals for South Florida Ecosystem restoration as adopted by the Task Force:

Goal 1: Get the water right

Goal 2: Restore, preserve, and protect habitats and species

Goal 3: Foster compatibility of the built and natural systems

The LAS provides an update on how these restoration goals will be accomplished through the use of land acquisition strategies designed to ensure that only those private property rights necessary to accomplish the restoration goals will be acquired. It also measures and reports the acquisition of identified lands. The LAS presents an overall land acquisition picture for those responsible for South Florida Ecosystem restoration activities and funding. It also provides cooperating agencies with a perspective on how their current and potential land acquisition projects relate and contribute to the vision of the Task Force.

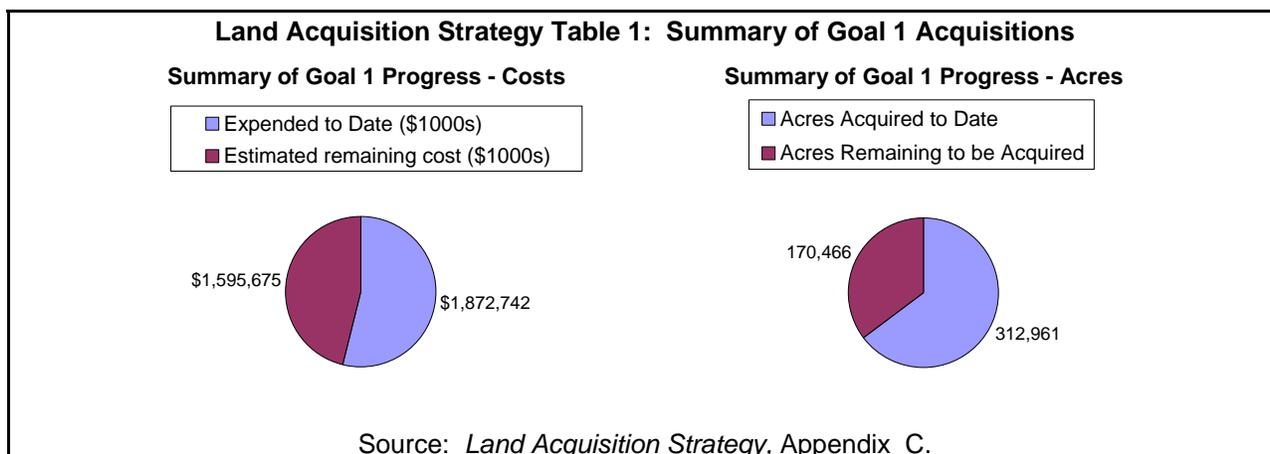
This edition of the LAS reflects data from July 1, 2006 through June 30, 2007. The Task Force's Land Acquisition Task Team (LATT) will update the LAS annually to track land acquisition progress and foster cooperation among member agencies on this important component of South Florida Ecosystem restoration.

### Acquisition Status by Strategic Goal

The LAS summarizes projects identified as necessary for accomplishing the Task Force strategic goals. Land acquisition is also summarized for a few key restoration initiatives, including the Comprehensive Everglades Restoration Plan (CERP). A summary of the estimated lands needed to accomplish the strategic goals and other South Florida Ecosystem restoration initiatives follows.

## **Goal 1: Get the Water Right**

There are 51 projects identified for acquisition to achieve Goal 1. This goal area includes projects needed to restore the quantity, distribution, and timing of water within the ecosystem, as well as projects to improve water quality. Therefore, this goal area includes lands needed for the CERP, other projects modifying the current Central and Southern Florida (C&SF) water distribution system, and water quality improvements. Land acquisition estimates for the Goal 1 projects total 483,427 acres with 312,961 acres (65%) acquired to date. The total estimated cost of these lands is \$3,468,417,000 with an estimated \$1,595,675,000 needed to complete acquisition of these parcels.<sup>1</sup>



## **Goal 2: Restore, Preserve, and Protect Natural Habitats and Species**

There are 13 projects identified for acquisition to achieve Goal 2. Achievement of this goal includes acquisition of lands needed for CERP and other habitat improvement projects that supplement and complement the existing network of publicly held parks, preserves, and refuges.

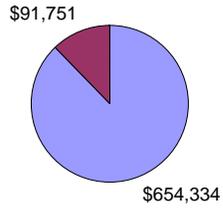
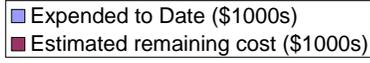
To date, 1,702,828 acres are estimated to be needed to achieve the targets established for this goal with 1,687,875 acres acquired (99%). The total estimated cost of these lands is approximately \$746,085,000 with an estimated \$91,751,000 needed to complete acquisition of these parcels.<sup>2</sup>

<sup>1</sup> Cost estimates for remaining acres for the Modified Water Deliveries projects are the estimated fair market value. The Kissimmee River restoration estimates are 2006 estimates to close all contracts and include engineering solutions in lieu of acquisition. For those CERP projects with either a Final Feasibility Study or Project Implementation Report, the Real Estate Plan estimates in those documents have been adjusted to 2006 dollars. For CERP projects that do not have an authorization document, the 1999 Restudy real estates estimates have been adjusted to 2006 dollars.

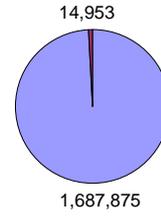
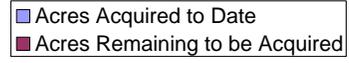
<sup>2</sup> Cost estimates for remaining acquisitions for National Wildlife Refuges and National Parks projects are based on estimated fair market value. The FDEP uses tax assessment values to estimate land costs for the Picayune Strand, Indian River Lagoon Blueway, and Henderson Creek/Belle Meade projects. The cost estimate for remaining acres for the Strazzulla Wetlands Water Preserve Area Project is the Real Estate Plan estimate in the October 2001 Water Preserve Area Feasibility Study adjusted to 2006 dollars.

**Land Acquisition Strategy Table 2: Summary of Goal 2 Acquisitions**

**Summary of Goal 2 Progress - Costs**



**Summary of Goal 2 Progress - Acres**



Source: *Land Acquisition Strategy*, Appendix C.

### **Goal 3: Foster Compatibility of the Built and Natural System**

The Farm Security and Rural Investment Act of 2002 (2002 Farm Bill) authorized several programs that provide financial incentives to private landowners to restore or enhance wetlands and improve wildlife habitat while protecting working farms or retiring marginal land from agricultural production. Two of the six programs in the 2002 Farm Bill support efforts to achieve Goal 3 land acquisition objectives through permanent conservation easements – the Wetland Reserve Program (WRP) and the Farm and Ranch Land Protection Program (FRPP). Since passage of the 2002 Farm Bill, \$20 million has been obligated to secure WRP easements on 15,370 acres and 4,265 acres have been acquired through the FRPP at a cost of \$2.7 million.

### **Acquisition Efforts by Initiative**

Key ecosystem restoration initiatives like CERP and *Acceler8* provide significant contributions toward achievement of the Task Force's three strategic goals. Additionally, many local governments within the region have land acquisition programs that significantly contribute to ecosystem restoration. The following is a discussion of these programs and associated land acquisition.

### **The Comprehensive Everglades Restoration Plan**

The Water Resources Development Act (WRDA) of 2000 authorized the CERP. Implementation of the CERP is one of the highest priorities for the Task Force because of its significant contribution to the restoration of the South Florida Ecosystem.

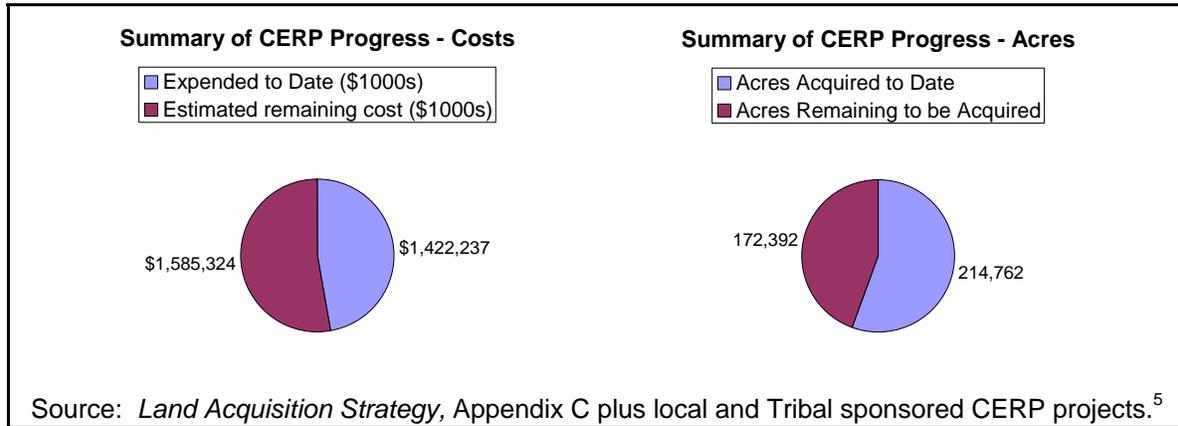
CERP land acquisition is ahead of schedule as compared to the March 2005 Master Implementation Sequencing Plan (MISP) land acquisition strategy. This is a result of the state acquiring acreage at the earliest possible time which has prevented these lands needed for restoration from being developed.

Land acquisition estimates for CERP projects total 387,154 acres.<sup>3</sup> Approximately 214,762 (55%) of the acquisition acres have been acquired to date and 172,392 acres remain to be acquired. The total estimated cost of these lands is \$3,007,562,000 with an estimated \$1,585,324,000 needed to complete acquisition for CERP.<sup>4</sup>

<b>Land Acquisition Strategy Table 3: Summary of CERP Acquisitions</b>
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<sup>3</sup> This acreage includes 2,241 acres of Tribal land and 16,470 acres of publicly owned lands, including utilities.

<sup>4</sup> The estimated costs for remaining acres for CERP projects with either a Final Feasibility Study or Project Implementation Report is based on the Real Estate Plan estimates which have been adjusted to 2006 dollars. For CERP projects that do not have an authorization document, the 1999 Restudy real estate estimates have been adjusted to 2006 dollars.



### **Acceler8**

In October 2004, Florida announced the *Acceler8* program and its commitment to provide \$1.5 billion to accelerate the design and construction of projects selected for the immediate benefits they can provide to the Everglades and the South Florida Ecosystem. The majority of *Acceler8* projects are components of CERP projects. Most of the lands for these projects are already in public ownership and were acquired with a combination of Federal and State funds.

Land acquisition estimates for *Acceler8* projects total 128,660 acres of which approximately 3,826 acres are publicly-owned lands, including utilities. Approximately 124,134 (99%) of the acquisition acres have been acquired to date with an estimated 700 acres remaining to be acquired to complete acquisition for *Acceler8*. Expenditures to date total \$760,012,000.

<sup>5</sup> The Miccosukee Water Management Plan, the Lakes Park Restoration, Seminole Tribe Big Cypress Reservation Water Conservation Plan, West Miami-Dade Reuse, South Miami-Dade Reuse, Winsberg Farms Wetland Restoration, West Miami-Dade Wastewater Reuse Pilot, and South Miami-Dade Wastewater Reuse Pilot projects are local or Tribal sponsored CERP projects.

## **Local Contributions**

Local governments also have made significant land acquisition contributions to the South Florida Ecosystem restoration goals:

- Goal 1: Local governments have contributed over \$72 million for CERP land acquisition.
- Goal 2: Local governments have contributed over \$445 million for the natural habitat lands identified in Appendix D.
- Goal 3: Counties hold title to more than 165,000 acres of lands that contribute towards the park, recreation, and open space objective of Goal 3.

## **Accomplishments**

Progress continues on land acquisition in support of South Florida Ecosystem restoration. Perhaps the most encouraging aspect of this progress is the continuation of strong partnerships at the Federal, State, and local levels to achieve restoration goals. As a result of innovative partnerships and creative approaches, several major acquisitions have been accomplished during this reporting period:

### *Examples of fee simple acquisitions:*

- 73,542 acres, the largest conservation purchase in Florida's history, to protect Babcock Ranch
- 12,000 acres to conclude the negotiated acquisitions for the Kissimmee River Restoration Project, now 99.9 percent acquired
- 45.14 acres to nearly complete *Acceler8* land acquisitions

### *Examples of less-than-fee simple acquisitions:*

- 360 acres of permanent flowage easements for the Kissimmee River Restoration Project
- 1,308-acre conservation easement on Henscratch Ranch, a SFWMD/USDA partnership

### *Example of multi-year acquisition agreements:*

- 1,282 acres for the North Palm Beach – Part 1 CERP Project of which 427 acres were acquired during this reporting period.