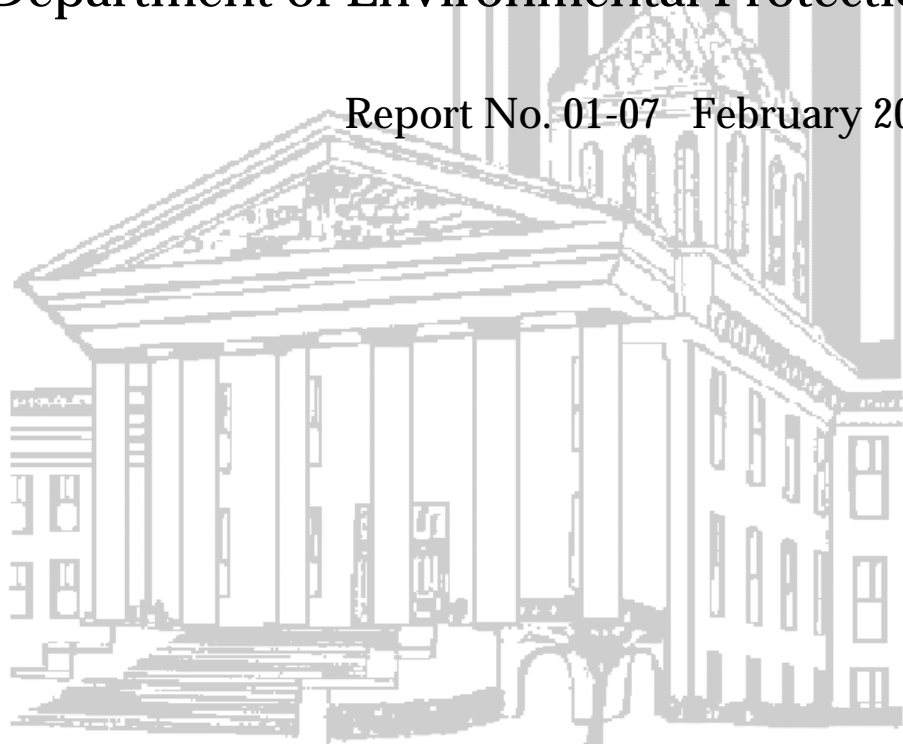


oppaga

Justification Review

State Lands Program
Florida Department of Environmental Protection

Report No. 01-07 February 2001



*Office of Program Policy Analysis
and Government Accountability*

an office of the Florida Legislature

OPPAGA provides objective, independent, professional analyses of state policies and services to assist the Florida Legislature in decision making, to ensure government accountability, and to recommend the best use of public resources. This project was conducted in accordance with applicable evaluation standards. Copies of this report in print or alternate accessible format may be obtained by telephone (850/488-0021 or 800/531-2477), by FAX (850/487-3804), in person (Claude Pepper Building, Room 312, 111 W. Madison St.), or by mail (OPPAGA Report Production, 111 W. Madison St., Tallahassee, FL 32399-1475).

The Florida Monitor: <http://www.oppaga.state.fl.us/>

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John W. Turcotte, OPPAGA Director*



The Florida Legislature

OFFICE OF PROGRAM POLICY ANALYSIS AND GOVERNMENT ACCOUNTABILITY



John W. Turcotte, Director

February 2001

The President of the Senate,
the Speaker of the House of Representatives,
and the Joint Legislative Auditing Committee

I have directed that a program evaluation and justification review be made of the State Lands Program administered by the Florida Department of Environmental Protection. The results of this review are presented to you in this report. This review was made as a part of a series of justification reviews to be conducted by OPPAGA under the Government Performance and Accountability Act of 1994. This review was conducted by Darwin Gamble, and Lyndon Rodgers under the supervision of Larry Novey.

We wish to express our appreciation to the staff of the Florida Department of Environmental Protection for their assistance.

Sincerely,

John W. Turcotte
Director

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Justification Review of the State Lands Program

Purpose

This report presents the results of our program evaluation and justification review of the State Lands Program. As required by s. 11.513, *Florida Statutes*, OPPAGA conducts a justification review of each program operating under a performance-based program budget. The State Lands Program began operating under this type of budget in Fiscal Year 1998-99. Justification reviews assess agency performance measures and standards, evaluate program performance, and identify policy alternatives for improving services and reducing costs.

Background

The state has acquired conservation and recreation lands since at least 1972 under a variety of programs. The Florida Forever Act of 1999 and its 2000 revision are the latest in a series of laws enacted by the Legislature that seek to provide public ownership of natural areas to maintain the state's unique natural resources and to provide lands for recreation. As of March 2000, state and local governments reported owning and managing more than 4.3 million acres of conservation and recreation lands, or 12.5% of the land in Florida. The State Lands Program handles all functions related to acquiring, administering, disposing, and managing conservation and recreation lands. The Department of Environmental Protection administers most state-level program activities. However, other program activities are performed by other entities, including other state agencies, the five water management districts, and local governments that own public conservation and recreation lands.

Most program funding is provided through the State Lands Division in the Department of Environmental Protection, and includes funding for water management district land acquisitions under Preservation 2000 and Florida Forever legislation. The division was appropriated \$650.3 million and employed 187 full-time equivalent (FTE) positions in Fiscal Year 2000-01. The division is supported entirely by trust funds. The trust

funds include Aquatic Plant Control, Conservation and Recreation Lands, Grants and Donations, Internal Improvement, Land Acquisitions, Water Management Lands, Forfeited Property, and Florida Forever. In addition to funding through the Division of State Lands, the Legislature makes separate appropriations for acquisition to other entities. For Fiscal Year 2000-01, these are

- the Department of Community Affairs' Florida Communities Trust for grants to local governments for land acquisition (\$66,000,000);
- the Department of Environmental Protection's Division of Recreation and Parks for inholdings and additions to the State Park System and for the division's greenways and trails program (\$9,000,000);
- the Fish and Wildlife Conservation Commission for inholdings and additions to its property, including wildlife management areas (\$4,500,000); and
- the Department of Agriculture and Consumer Services' Division of Forestry for inholdings and additions to the state forests (\$4,500,000).

Total estimated cost of the program is \$740.3 million in Fiscal Year 2000-01.

Program Benefit and Placement ---

The State Lands Program enhances the state's policy to conserve and protect its natural resources and scenic beauty. This policy has strong public support as demonstrated by constitutional amendments and legislative enactments. Protecting the state's natural resources is enhanced through public ownership of conservation and recreation lands, which precludes private development and further disturbance of natural resources. Therefore, the program should be continued. Current program placement is reasonable given the diverse missions of state agencies, local governments, and water management districts. Although some aspects of the program are privatized, additional privatization could occur, but should be carefully managed to ensure that such action would be consistent with state policies and would provide additional cost savings or program improvements.

Conclusions and Recommendations ---

Although land acquisitions during the past decade have achieved positive results, it is difficult to conclude that the state bought the best lands possible. We propose a model for land buying which could aid in these decisions. The main components of this model state lands program are land identification and acquisition, land management, and a performance

measurement system. The following recommendations are intended to implement this model.

To ensure identification of the best land to purchase, water management districts and the Acquisition and Restoration Council should employ the Florida Natural Areas Inventory's Conservation Needs Assessment methodology to establish priority land purchasing lists. Water management districts and state agencies should annually provide the inventory with sufficient data to generate the assessment. The Florida Communities Trust should provide the Inventory with sufficient data to include an urban open spaces component in the assessment. Water management districts, state agencies, and Florida Communities Trust should, whenever possible, coordinate the development of their priority lists. Also, the Board of Trustees of the Internal Improvement Trust Fund should establish in rule the procedure that agencies are to follow in identifying land for disposition.

To ensure that appropriate land management practices are implemented, land managing agencies should include the following in their land management plans as required by law: a priority schedule for conducting management activities, a cost estimate for conducting priority activities, and a cost estimate for conducting other management activities. The Acquisition and Restoration Council should ensure that agencies comply with land management plan requirements. Land management costs should be reported in the uniform accounting categories established by the Land Management Uniform Accounting Council. The Legislature may want to consider requiring that performance measures be included in land management plans in order to justify expenditures.

***Land management
priorities should be
established***

To ensure more effective and efficient use of land management funds, land management agencies should follow a standard method for identifying the priority of land management needs. To accomplish this the Legislature should amend s. 259.032(11)(c), *Florida Statutes*, to include these categories in land management plans.

- ***Immediate land management needs***, within one to two years, to prevent the threat of significant loss of natural resource values or significant increases in repair costs to capital facilities, and to provide public access on recreational lands
- ***Intermediate land management needs***, within three to four years, to prevent the threat of loss of natural resource values or the increase in repair costs to capital facilities, and to increase public access on recreational lands
- ***Long-term land management needs***, within five to six years, to prevent the eventual threat of loss of natural resource values or the eventual increase in repair costs to capital facilities, and to maintain public access to recreational lands

*Land management
funding shortfalls
predicted*

To provide adequate funding for land management activities and to prevent a projected deficit in the CARL Trust Fund, OPPAGA has identified two options the Legislature may wish to consider.

Option 1. The Legislature could retain current funding levels for the CARL Trust Fund. This will result in funding land management activities at less than 1.5% of the cumulative total of funds ever deposited in the Preservation 2000 and Florida Forever trust funds. This option will provide for the funding of an unspecified number of priority land management activities without necessitating a change in the documentary stamp tax distribution. However, this option will also preclude the funding of many other land management activities.

Option 2. The Legislature could increase the level of land management funding up to the 1.5% or adjust the percentage higher. The most obvious source of revenue for these increases is the documentary stamp tax. The Senate Committee on Natural Resources staff report suggested channeling part of the un-obligated documentary stamp from general revenue to land management as a possible way to prevent a shortfall in the CARL Trust Fund. To implement this change, the Legislature must amend s. 201.15(1), *Florida Statutes*, to provide the CARL Trust Fund with enough documentary stamp tax revenue to fully fund 1.5% (or an increase) of the cumulative total of funds ever deposited in the Preservation 2000 and Florida Forever trust funds. If these changes were made the percentage of funds remaining for other purposes would be reduced. Currently 62.63% of documentary stamp tax revenues are deposited into the Land Acquisition Trust Fund to pay debt service on Preservation 2000 and Florida Forever bonds and other purposes. The General Revenue Fund receives the remainder of the revenues.

Under Option 2, providing sufficient funding to the CARL Trust Fund in Fiscal Year 2002-03, the first year of the projected deficit, would require transferring approximately \$2.2 million additional dollars into the trust fund that would otherwise be deposited in the General Revenue Fund. This represents 0.8% of documentary stamp tax collections that year. Providing sufficient funding to the CARL Trust Fund in Fiscal Year 2007-08 would require transferring approximately \$29.7 million additional dollars into the trust fund that would otherwise be deposited in the General Revenue Fund, or 2.1% of documentary stamp tax collections that year. Although this option would provide sufficient funding for the 1.5% funding limit, it would reduce the amount of revenue available for appropriation for other purposes from the General Revenue Fund.

Regardless of which option the Legislature selects, land management agencies should maximize available funding as described above by establishing priorities for immediate, intermediate, and long-term land management needs.

***Land Management
Uniform Accounting
Council should include
the water management
districts***

To provide better information about land management costs, water management districts should be members of the Land Management Uniform Accounting Council. The Legislature should amend s. 259.037, *Florida Statutes*, to include water management district representatives on this Council.

To provide adequate land management funding in the future, the Legislature may want to consider using the Land Management Uniform Accounting Council data and priorities in land management agencies' revised land management plans to adjust the 1.5% land management funding limit. Enough information from these sources will likely become available by the 2003 legislative session. The Legislature may want to consider using this information to determine if the 1.5% funding limit is insufficient, sufficient, or more than sufficient to fund land management needs.

To provide a better performance measurement system, OPPAGA makes the following three recommendations.

- The Department of Environmental Protection should work with its Office of Inspector General to improve data collection and reporting of all performance measures.
- The Florida Forever Advisory Council may want to consider adopting the comprehensive set of performance measures in Exhibit B-2 to be included in its recommendations to the Legislature for the Florida Forever Program.
- The Legislature may want to consider adopting the performance-based program budgeting performance measures for the Division of State Lands in Exhibit B-3 to be included in the Fiscal Year 2001-02 Appropriations Implementing Bill.

Agency Response

Various agencies and water management districts provided written responses to our preliminary and tentative findings and recommendations.

Copies of the responses received are included in Appendix D of this report beginning on page 70.

Introduction

Purpose

This report presents the results of our program evaluation and justification review of the State Lands Program. As required by s. 11.513, *Florida Statutes*, OPPAGA conducts a justification review of each program operating under a performance-based program budget. The State Lands Program began operating under this type of budget in Fiscal Year 1998-99. Justification reviews assess agency performance measures and standards, evaluate program performance, and identify policy alternatives for improving services and reducing costs.

This report focuses on 10 key issues related to the acquisition and management of state lands under various conservation and recreation land acquisition programs established by the Legislature.

- What increases in land holdings have occurred through Preservation 2000 funding, and how much of this land is being managed by state agencies?
- What benefits has Florida received from these land acquisitions?
- How much of acquired conservation land has been deemed surplus and has been sold or exchanged?
- How can the state better identify what lands should be acquired?
- Have state agencies spent Preservation 2000 bond proceeds in a timely manner?
- Does the public have adequate access to public conservation and recreation lands?
- What does available data indicate about the condition of state lands?
- How much are agencies currently spending to manage state lands?
- What are state land management needs, and what would it cost to address these needs?
- What options exist to address land management funding needs?

Appendix A summarizes our conclusions regarding the nine issue areas the law requires to be considered in a program evaluation and justification review.

Background

The program includes acquisition, administration, disposition and management of conservation and recreation lands

The state has acquired conservation and recreation lands since at least 1963. The Florida Forever Act of 1999 and its 2000 revision are the latest in a series of Legislative enactments that seek to provide public ownership of natural areas. (See Exhibit 1.) As of March 2000, state and local governments reported owning and managing more than 4.3 million acres of conservation and recreation lands, or 12.5% of the land in Florida. The State Lands Program handles all functions related to acquiring, administering, disposing, and managing conservation and recreation lands. Although the Department of Environmental Protection administers most state-level program activities, other state agencies, the five water management districts, and local governments perform the rest of the program's activities.

Exhibit 1

The State Has Had a Series of Major Conservation and Recreation Land Acquisition Programs

Legislation	Enacted	Purpose
Outdoor Recreation Development	1963	Authorized revenue bonds for Land Acquisition Trust Fund to acquire lands, water area, and related resources
Environmentally Endangered Lands Program (EEL)	1972	Authorized bonds to purchase environmentally endangered and outdoor recreation lands
Conservation and Recreation Lands Program (CARL) <i>The Department of Environmental Protection administers the program.</i>	1979	Dedicated revenue from phosphate severance tax and, later, documentary stamp tax for acquisition of lands to protect unique natural areas, endangered species, and historic sites. Replaced the EEL Program
Save Our Rivers Program <i>Water management districts buy and manage the land.</i>	1981	Dedicated revenue from the documentary stamp tax for water management districts to purchase environmentally sensitive land
Save Our Coast	1981	Authorized bonds to purchase coastal lands
Florida Communities Trust <i>The Department of Community Affairs administers the program.</i>	1989	Authorized grants to local governments that provide matching funds to acquire land identified in their comprehensive plans for conservation and open space
The Preservation 2000 Act <i>Increased funding for existing programs.</i>	1990	Authorized \$3 billion bond issue over 10 years for CARL, Save Our Rivers, Florida Communities Trust, state parks and trails, state forests, and wildlife management areas
The Florida Forever Act	1999 (revised in 2000)	Authorized \$3 billion bond issue over 10 years for Florida Communities Trust and land acquisition and management programs under state agencies and water management districts

Source: OPPAGA analysis of Laws of Florida and Florida Statutes.

The act shifts land acquisition emphasis to protecting water resources and natural groundwater recharge

The 1999 Florida Forever Act and its 2000 revision made several major changes in state land acquisition policies.¹ The act directed the Department of Environmental Protection to give increased priority to acquisitions that protect water resources and natural groundwater recharge. The Florida Forever Act also replaced the Land Acquisition and Management Council with the Acquisition and Restoration Council, which is to review management plans and recommend acquisition projects to the board of trustees. In addition, the act created the Florida Forever Advisory Council to make recommendations to the Legislature regarding specific goals and performance measures prior to the 2001 regular legislative session. Beginning in 2002, the council must provide the Legislature with biannual reports that recommend adjusting program goals and funding distributions established in the act.

The Florida Forever Act, as revised by the 2000 Legislature, also changed the funding formula for land acquisition programs previously funded through Preservation 2000. (See Exhibit 2.) It raised the percentages of available funding allocated for land acquisitions and capital improvements administered by water management districts, the Florida Communities Trust, and the Greenways and Trails Program. The act reduced the percentage of funding allocated to the Conservation and Recreation Lands (CARL) Program, the Recreation and Parks program, the Forestry program, and Wildlife Management Program. Finally, the act created a new funding allotment for the Recreation Development Assistance program, which is administered by the Department of Environmental Protection's Division of Recreation and Parks. This program provides grants to local governments to acquire or develop land for outdoor recreation purposes.

¹ Chapters 99-247 and 2000-170, *Laws of Florida*.

Exhibit 2

The Florida Forever Act Revised Funding Allocations for State Conservation and Recreation Lands Programs from the Prior Preservation 2000 Allocations

Land Purchasing Agency or Program	Preservation 2000	Florida Forever
Conservation and Recreation Lands [CARL] (Department of Environmental Protection)	50.0%	35.0%
Save Our Rivers (Water Management Districts)	30.0%	35.0%
Florida Communities Trust (Department of Community Affairs)	10.0%	22.0%
Recreation Development Assistance (Department of Environmental Protection)	-----	2.0%
Recreation and Parks (Department of Environmental Protection)	2.9%	1.5%
Forestry Program (Department of Agriculture and Consumer Services)	2.9%	1.5%
Wildlife Management Program (Fish and Wildlife Conservation Commission)	2.9%	1.5%
Greenways and Trails (Department of Environmental Protection)	1.3%	1.5%

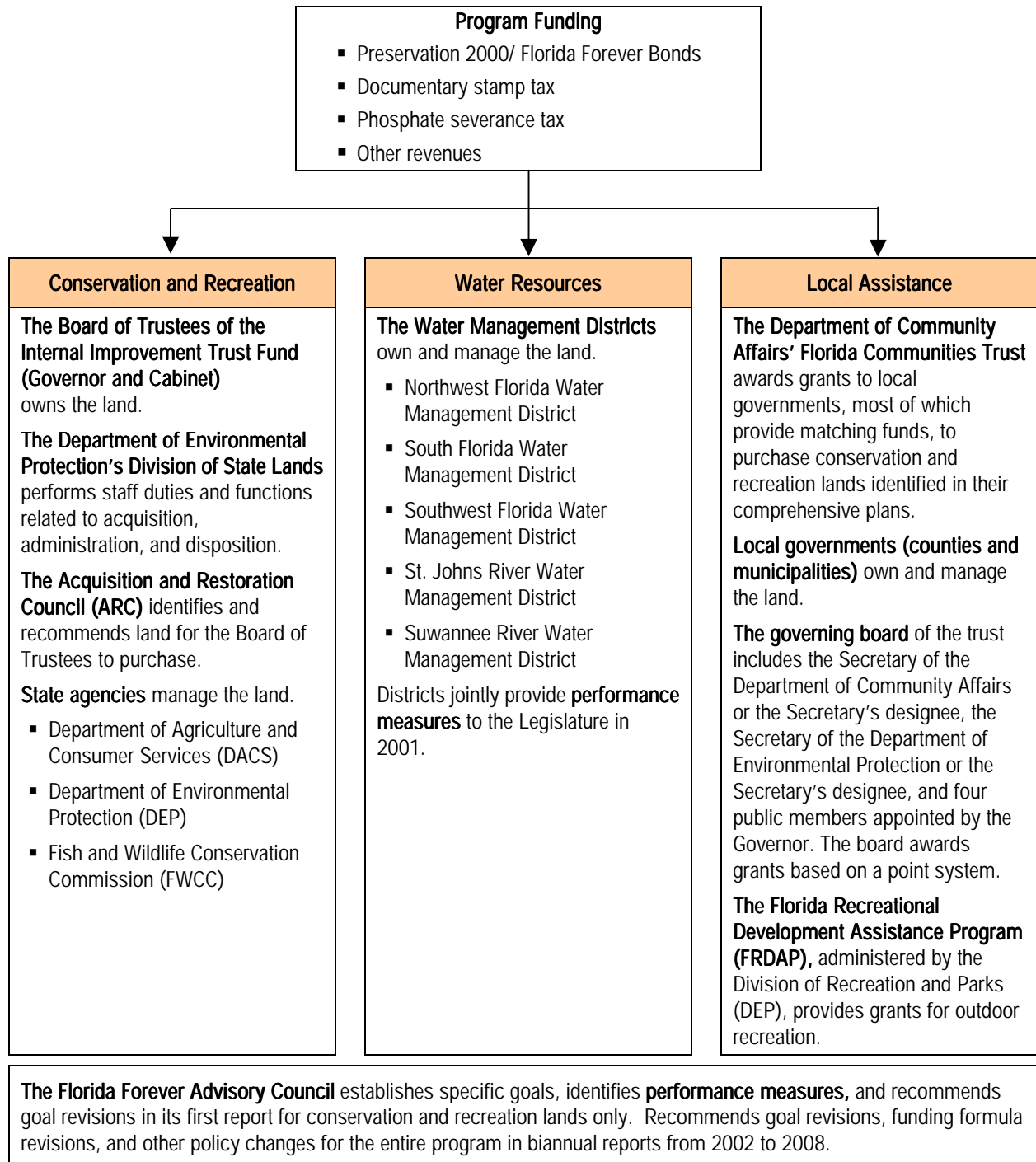
Sources: Sections 259.101(3) and 259.105(3), *F.S.*, and Ch. 2000-170, *Laws of Florida*.

The Florida Forever Act increases the emphasis on land management

The Florida Forever Act also provides for funding capital improvements and other land management activities. The increased emphasis on land management is also reflected in the increased funding percentage allotted for water management districts. Although water management districts must use a minimum of 50% of Florida Forever funding for land acquisition, the districts may use the remaining funds for capital project expenditures such as storm water management, water resource development, water body restoration, and capital improvement projects that promote reclamation, storage, or water recovery.² After July 1, 2001, funds from the Conservation and Recreation Lands Trust Fund and the Water Management Lands Trust Fund cannot be used for land acquisition. We discuss land management issues more extensively in Chapter 4. The act and its 2000 revision established the program structure illustrated in Exhibit 3.

² See [s. 373.199\(3\)\(a\), F.S.](#)

Exhibit 3
State Lands Program Structure



Source: OPPAGA analysis.

The Department of Environmental Protection's Division of State Lands coordinates the State Lands Program. The division acquires and disposes of all state-owned lands as directed by the Board of Trustees of the Internal Improvement Trust Fund (composed of the Governor and Cabinet), which holds title for state lands.³ Legislative appropriations for Fiscal Year 2000-01 for the division were \$650,276,775 and 187 full-time equivalent positions. The Division of State Lands is made up of five bureaus and an office.

- ***The Bureau of Appraisal*** makes fee appraiser selections, executes contracts and prepares appraisal reviews for proposed state land acquisitions. The bureau also performs these efforts when title to property is vested in the Board of Trustees. The bureau also executes contracts and coordinates appraisals and appraisal reviews for proposed state land acquisitions, dispositions and for other state land activities.
- ***The Bureau of Land Acquisition*** reviews and evaluates all acquisitions for the Board of Trustees of the Internal Improvement Trust Fund. The bureau also handles land exchanges and negotiates and acquires lands for the department and other state agencies.
- ***The Bureau of Public Land Administration*** conducts activities related to disposition of surplus lands, review land management plans, maintains, markets and sells property forfeited to the state pursuant to Ch. 895, *Florida Statutes* (the Racketeer Influenced and Corrupt Organization Act), and prepares submerged land leases, uses agreements and easements for execution after applications have been processed in other DEP offices. The bureau also provides leases, subleases, easements and use agreements for management of upland properties to state, federal and local agencies, and public/private entities. In addition, the bureau prepares submerged land easements and leases for execution after applications have been processed in other Department of Environmental Protection offices.
- ***The Bureau of Invasive Plant Management*** leads the management and control of invasive plants on public lands and water bodies.
- ***The Bureau of Surveying and Mapping*** is responsible for determining land and water boundaries for land owned by the board of trustees.
- ***The Office of Environmental Services*** performs several functions central to land acquisition programs in the state. It is the primary information resource for the Acquisition and Restoration Council that selects and ranks Conservation and Recreation Lands (CARL) acquisition projects. The office works with the Florida Natural Areas Inventory to assess the biological significance of CARL proposals and

³ The division handles the acquisition and disposition of most state-owned lands, including lands purchased for conservation and recreation, as well as lands for other purposes such as state prisons, state universities, and state office building. However, the Department of Transportation acquires and disposes of land for highways and road building.

to maintain a database of conservation lands, lands of potential conservation interest, and occurrences of rare and endangered species in Florida. The bureau also supports the land management review process and the Florida Forever Advisory Council.

Program Resources

Most program funding is provided through the State Lands Division in the Department of Environmental Protection; it includes funding for water management district land acquisitions under Preservation 2000 and Florida Forever legislation. The division was appropriated \$650.3 million and employed 187 full-time equivalent (FTE) positions in Fiscal Year 2000-01. (See Exhibit 4.) The division is supported entirely by trust funds. The trust funds include Aquatic Plant Control, Conservation and Recreation Lands, Grants and Donations, Internal Improvement, Land Acquisitions, Water Management Lands, Forfeited Property, and Florida Forever.

Exhibit 4

State Lands Division Legislative Appropriations for Fiscal Years 1998-99 Through 2000-01

Legislative Appropriations	Fiscal Year		
	1998-99	1999-2000	2000-01
Funds	\$618,380,097	\$684,877,544	\$650,276,775
FTEs	182	185	187

Source: General Appropriations Act for Fiscal Years 1998-99, 1999-2000, and 2000-01.

In addition to funding through the Division of State Lands, the Legislature makes separate appropriations to other entities for acquisition as shown in Exhibit 5. For Fiscal Year 2000-01, these are

- the Department of Community Affairs' Florida Communities Trust for grants to local governments for land acquisition (\$66,000,000);
- the Department of Environmental Protection's Division of Recreation and Parks for inholdings and additions to the State Park System and for the division's greenways and trails program (\$9,000,000); ⁴
- the Fish and Wildlife Conservation Commission for inholdings and additions to its property, including wildlife management areas (\$4,500,000); and
- the Department of Agriculture and Consumer Services' Division of Forestry for inholdings and additions to the state forests (\$4,500,000).

⁴ Inholdings and additions are lands adjacent to existing state parks, forests, and wildlife management areas.

Total estimated cost of the program is \$740.3 million in Fiscal Year 2000-01. (See Exhibit 5.)

Exhibit 5

Legislative Appropriations for the State Lands Program by Agency

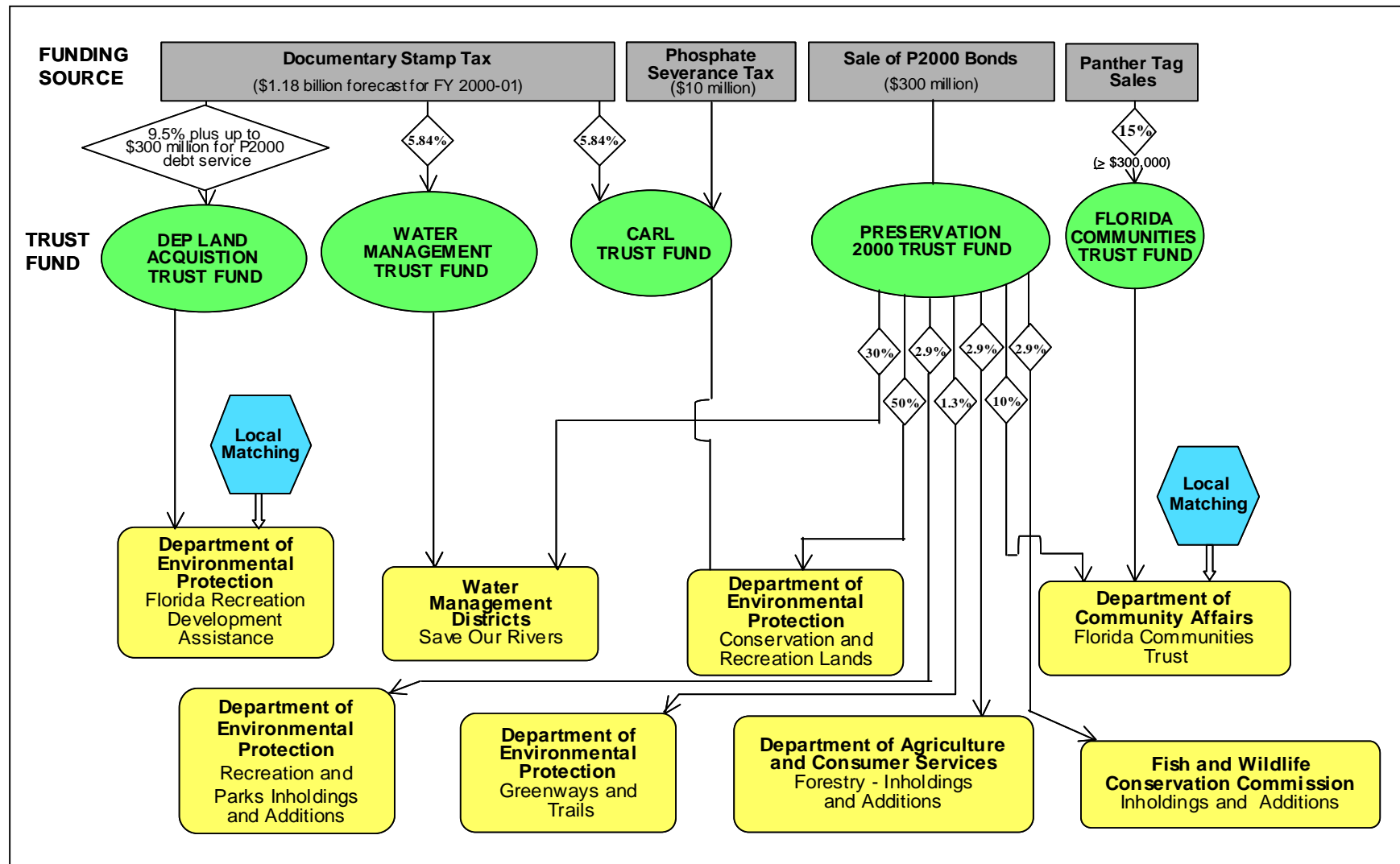
Agency	Fiscal Year	
	1999-2000	2000-01
Division of State Lands (DEP)	\$684,877,544	\$650,276,775
Florida Communities Trust (DCA)	30,000,000	66,000,000
Division of Recreation and Parks (DEP)	12,600,000	9,000,000
Fish and Wildlife Conservation Commission	8,700,000	4,500,000
Division of Forestry (DACS)	8,700,000	4,500,000
Total	\$744,877,544	\$740,276,775

Source: General Appropriations Act for Fiscal Years 1999-2000 and 2000-01.

The flow from revenue sources to trust funds to programs under the Preservation 2000 Act follows the pathways shown in Exhibit 6.

The Florida Forever Act shifts some funding from state agencies to water management districts and local governments. (See Exhibit 7.)

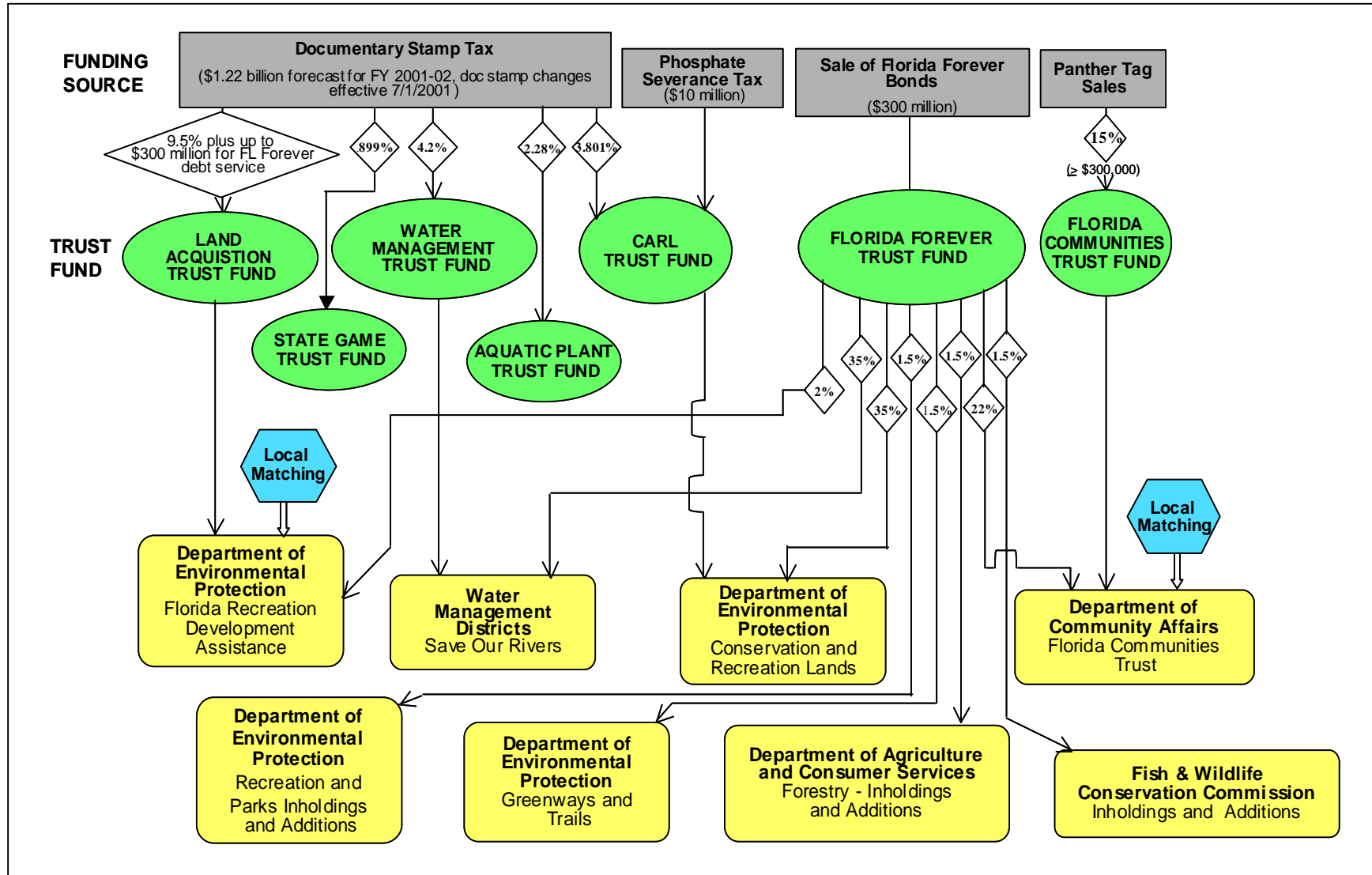
Exhibit 6
Florida Land Acquisition and Management Flow of Funds - P2000 Program



Source: OPPAGA review of Florida statutes.

Exhibit 7

Florida Land Acquisition and Management Flow of Funds - Florida Forever Program



Source: OPPAGA review of Florida statutes.

Program Benefit and Placement

The State Lands Program enhances the state's policy to conserve and protect its natural resources and scenic beauty. This policy has strong public support as demonstrated by constitutional amendments and legislative enactments. Protecting the state's natural resources is enhanced through public ownership of conservation and recreation lands, which precludes private development and further disturbance of natural resources. Therefore, the program should be continued. Current program placement is reasonable given the diverse missions of state agencies, local governments, and water management districts. Although some aspects of the program are privatized, additional privatization could occur, but should be carefully managed to ensure that such action would be consistent with state policies and would provide additional cost savings or program improvements.

Program Benefit and Impact of Abolishment

State acquisition of conservation and recreation lands has strong public support

The State Lands Program is essential for the purpose of meeting the state goal of preserving conservation and recreation lands for future generations. This goal has strong public support. Voters in 1963 and 1998 ratified amendments to the State Constitution that authorize the state to issue bonds to acquire lands for outdoor recreation, natural resources conservation, water resource development, restoration of natural systems, and historic preservation. Voters in 1998 also ratified an amendment making it the state's policy to conserve and protect its natural resources and scenic beauty.⁵ The Legislature has implemented these constitutional provisions through funding aggressive land purchasing efforts to prevent private development and degradation of natural resources. The State Lands Program is needed to coordinate this activity and to ensure that state lands are acquired in an efficient and effective manner. Therefore, the program should be continued.

Many of the program's activities are currently privatized

Many of the program's activities are currently privatized. For example, during Fiscal Year 1999-2000, private contractors performed more than \$17 million of the program's activities. These activities included invasive

⁵ [Section 7, Article 2, Constitution of the State of Florida.](#)

Program Benefit and Placement

plant control, surveying, appraisals, environmental site assessment, title work, land closing services, and wildlife and plant inventory. In addition, water management districts and the board of trustees protect some conservation and recreation lands through less-than-fee purchases, thus acquiring the right to preserve and protect resources on the property at a reduced cost while the land remains in private ownership. Less-than-fee purchases include conservation easements, land protection agreements, and rights to use property for specific purposes such as hunting.

Further privatization of the program appears possible

Although many of the program's activities are currently privatized, further privatization of the program appears possible. In response to the governor's request that state agencies reduce the number of positions by 25% during the next five years, program staff identified several activities in the department's Long-Range Program Plan that could be privatized or conducted with fewer employees. These include negotiations, closings, appraisal reviews, surplus land dispositions, billing, and coordinating and conducting land management audits.

Land acquisition responsibilities also offer opportunities for privatization. Private non-profit land acquisition organizations exist that are capable of conducting many of the land acquisition activities currently performed by state agencies. The department could determine whether conditions exist whereby these organizations could provide cost-efficient and cost-effective land acquisition for the state.

The department indicates that it has and will continue to use many non-profit organizations for acquisition assistance. Also, the department indicates that it is in the process of developing an Invitation to Negotiate so that it can expand its privatization efforts to include private real estate companies that can provide a wider range of services to the department.

Several factors should be considered in evaluating privatization. Given the limited resources available for land management, functions should generally be privatized only if private contractors can perform a task at a lower cost than state employees. Strong contract oversight is also critical to ensuring that private contractors perform tasks in an effective manner, particularly given the program's responsibility for implementing constitutional and statutory public policies. If land acquisition functions are privatized, it will be important to create strong contract provisions to prevent potential conflicts of interests that could arise from individuals or organizations that serve both public and private interests in land acquisition and management. For more information about factors that should be considered when considering privatization of state functions, see our prior report on privatization in state agency programs on OPPAGA's website at <http://www.oppaga.state.fl.us/reports/r98-64s.html>.

Program Placement

Entities that administer the State Lands Program are divided among three jurisdictions. These include state agencies that manage lands owned by the Board of Trustees of the Internal Improvement Trust Fund, the water management districts that own and manage some lands, and local governments that own and manage land that is purchased in part with funding from Florida Communities Trust.⁶ (See Exhibit 8.)

Exhibit 8
State Lands Program Administrative Structure

	State Agencies	Water Management Districts	Florida Communities Trust
Funding	50% for CARL Program and 10% for inholdings and additions from Preservation 2000; 35% for projects selected by ARC, 6% for inholdings and additions, and 2% for FRDAP from Florida Forever	30% from Preservation 2000, 35% from Florida Forever	10% from Preservation 2000; 22% from Florida Forever; matching funds are required, but small local governments are exempt.
Acquisition Process	<p>Priorities under Preservation 2000 are established by Land Acquisition and Management Advisory Council (LAMAC) by five agencies (DEP, DACS, DOS, FWCC, and DCA), which individually rank project then projects are cumulatively ranked based on agencies individual rankings. The current ranking criteria used considers environmentally unique and irreplaceable lands; areas of critical state concern; endangered and threatened species; ecosystems; landscapes and forests; water resource development; restoration of Everglades; resource-based recreation; archeological and historic sites; and urban conservation lands.</p> <p>The Acquisition and Restoration Council (ARC) replaces LAMAC under Florida Forever and includes the five agencies formerly on LAMAC and four additional members appointed by the governor.</p>	<p>Varies among the five districts.</p> <p><i>Northwest</i>—watershed approach, which considers how specific floodplain or buffer areas help satisfy, water resource and natural system protection, and other criteria</p> <p><i>Suwannee</i>—acquire as much of the 100-year floodplain of the Suwannee River and its tributaries</p> <p><i>St. Johns</i>—acquires lands to provide flood protection, protect water supplies, restore and preserve water bodies, maintain wildlife habitats and provide compatible recreational opportunities to the public</p> <p><i>Southwest</i>—use a Land Acquisition Site Identification Model based on five components</p> <ul style="list-style-type: none"> • Water quality • Water supply protection • Flood protection • Natural systems protection <p>Management and acquisition considerations</p> <p><i>South</i> - 10 parameter land evaluation matrix</p> <ul style="list-style-type: none"> • Water management • Water supply <p>Conservation and protection of water resources</p>	<p>Priorities are established through a project evaluation criteria point system based on a number of considerations including: furtherance of comprehensive plan, outdoor recreation and open space, protection of wildlife, vegetative communities, and water resources, etc.</p>

⁶ State agencies have acquisition and management partnerships with the water management districts and local governments.

Program Benefit and Placement

	State Agencies	Water Management Districts	Florida Communities Trust
	by the governor.	<ul style="list-style-type: none"> • Manageability • Habitat diversity • Species diversity • Connectedness • Rarity • Vulnerability • Public use 	
Ownership	Board of Trustees of the Internal Improvement Trust Fund and shared title with water management districts	Each of the five water management districts	Local governments that receive grants
Management	State agencies and some lands are managed by water management districts, local governments, the federal government, and non-profit organizations.	Each of the five water management districts and private property owners involved in less-than-fee purchases	Local governments that receive grants
Primary Document	CARL Annual Report (this program ends on July 1, 2001)	Save Our Rivers Annual Report (this program ends on July 1, 2001)	Florida Communities Trust Annual Report

Source: OPPAGA analysis.

Current program placement is appropriate

The Department of Environmental Protection is the appropriate entity to perform all staff duties and functions for the Board of Trustees of the Internal Improvement Trust Fund related to acquisition, administration, and disposition of state lands. The department is Florida's principal environmental and natural resource agency. In addition to protecting environmentally important lands and ecosystems, it manages marine resources, enforces pollution control laws, and manages 153 state park units. The department also has general supervisory authority over Florida's five water management districts. It is logical for the department to administer the acquisition, administration, and disposition of state-owned lands and to provide for coordination among other entities involved in the program.

The involvement of the five water management districts in the program is also appropriate. ⁷ The Legislature established the districts in 1972. Although the districts share responsibility for state water resource management with the Department of Environmental Protection, the department has delegated many of these responsibilities to the districts. These include water supply, water quality, flood protection and floodplain management, and natural systems protection. The Governor appoints a governing board to head each district. The State Constitution and statutes authorize the boards to levy ad valorem property taxes within their respective districts. Because the water management districts

⁷ These are the Northwest Florida Water Management District, the South Florida Water Management District, the Southwest Florida Water Management District, the St. Johns River Water Management District, and the Suwannee River Water Management District.

have primary responsibility for water resource management, it is logical for the districts to own and manage land acquired for this purpose.

The involvement of local governments in the program is also appropriate. The Legislature established the Florida Communities Trust in 1989. The trust provides grants from Preservation 2000 and Florida Forever funding to local governments for the purchase of conservation and recreation lands identified in their comprehensive plans that are not eligible for purchase under other state-funded land-buying programs. Local governments must match 50% of Preservation 2000 funding and 75% of Florida Forever funding on a dollar-per-dollar basis. However, a local match is not required for small cities and counties.⁸ Projects include parks, greenways, open space, and recreational trails. Because the purpose of the Florida Communities Trust is to assist local governments in the acquisition of conservation and recreation lands identified in their comprehensive plans, it is logical that local governments should own and manage this land.

Conclusions

The State Lands Program is essential for the purpose of purchasing conservation and recreation lands and should be continued. Without this program the state would be unable to meet its goal of preserving these lands for future generations. Current program placement is reasonable given the diverse missions of state agencies, local governments, and water management districts. Although some aspects of the program are privatized, additional privatization appears to be feasible, as indicated by the department's Long-Range Program Plan and through the contracting with private contractors. However, potential privatization should be carefully managed to ensure that program goals are met, cost savings occur, and potential conflicts of interest are avoided. Opportunities to improve the efficiency and effectiveness of the State Lands Program are addressed in Chapters 3, 4, and 5, and Appendix B.

⁸ This applies to municipalities with populations of 10,000 or fewer and counties with populations of 75,000 or fewer.

Land Acquisition

Acquired Conservation and Recreation Lands Benefit Florida

Given the large amount of resources dedicated to acquiring state land, the Legislature has sought information concerning the accomplishments of these efforts. Primary concerns of the Legislature have included the desire to carefully target acquisitions to critical conservation and recreation needs, spend acquisition funds as efficiently as possible, and to surplus unneeded land. To address these concerns, we examined the accomplishments of the Preservation 2000 land acquisitions. We also reviewed the efforts of land-managing agencies to surplus unneeded land and at how efficiently agencies spend acquisition funds. Our review addressed five questions.

- What increases in land holdings have occurred through Preservation 2000 funding, and how much of this land is being managed by state agencies?
- What benefits has Florida received from these land acquisitions?
- How much of acquired conservation land has been deemed surplus and has been sold or exchanged?
- How can the state better identify what lands should be acquired?
- Have state agencies spent Preservation 2000 bond proceeds in a timely manner?

We concluded that the state's efforts through the Preservation 2000 funds to acquire conservation and recreation land has provided a valuable benefit to citizens. Land purchased through those funds has increased numerous wildlife and plant species, recreational opportunities, and water resource protection. However, agencies have not yet complied with statutory requirements to identify land that should be surplus. Surplus efforts to date have been very limited, and it would appear that additional opportunities are also limited. Agencies also are not acquiring land as quickly as funds are being appropriated from bond proceeds, leaving significant balances unspent. The state could develop a stronger method for identifying the best lands for acquisition by developing a more coordinated planning and mapping system.

How much land has Preservation 2000 acquired and how much of it do state agencies manage?

A significant amount of land has been purchased under the Preservation 2000 Act since 1990. Over this period, 1,381,616 acres have been purchased at a cost of approximately \$2.7 billion (as of March 2000). Preservation 2000 acquisitions now account for more than one-fourth of all state-owned conservation and recreation lands. (See Exhibit 9.)

Exhibit 9

Significant Increase in Acres of Conservation and Recreation Lands Acquired Under Preservation 2000

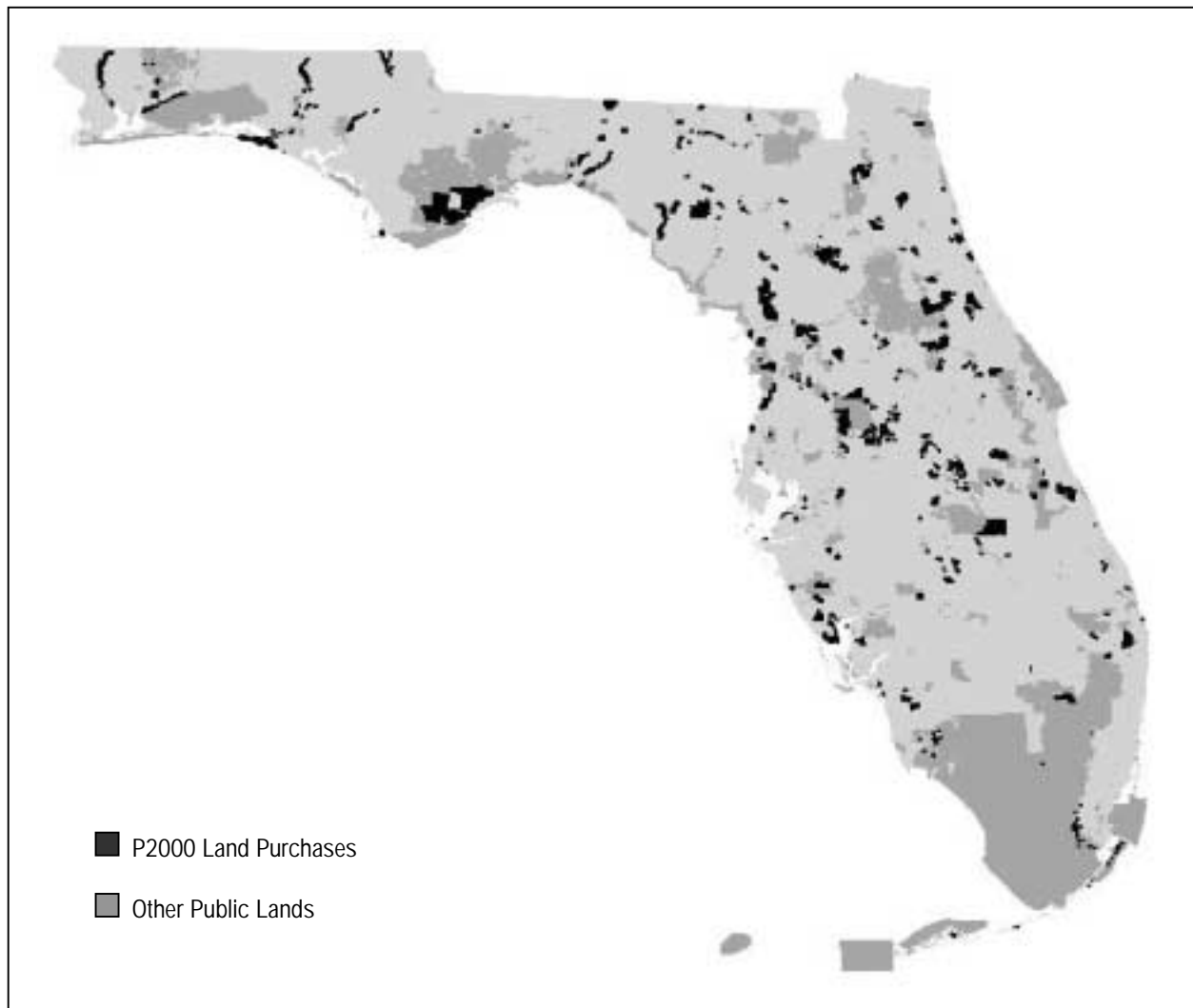
Land Area Descriptions	Area in Acres	Percentages as a Total of Conservation Lands	Percentages as a Total of State Land
Total Land in state of Florida	34,721,280		100%
Total Conservation Lands in Florida (acquired and managed by federal, state, and local governments, does not include 135,646 acres of private conservation lands)	8,380,107	100%	24.1% of total state area
State-Owned Conservation Lands acquired and managed	4,104,632	48.9% of conservation lands in state ownership	11.8% of state land
State Conservation Lands acquired and managed under P2000 program	1,381,616	34.0% of state conservation lands acquired	4.0% of state land
Local Government Conservation Lands acquired and managed	232,806	2.7%	0.7% of state land

Source: Florida Natural Areas Inventory (FNAI) and OPPAGA analysis.

Exhibit 10 shows the location of the 1.4 million acres of conservation and recreation lands have been purchased through Preservation 2000 funds. These lands are distributed across the state.

Exhibit 10

Florida Conservation Lands Have Expanded Under P2000 by 1.4 million Acres



Source: Florida Natural Areas Inventory.

The state currently owns and manages 4.1 million acres of conservation and recreation lands, or 11.8% of Florida's total land. This includes lands owned by state agencies and water management districts. The land purchased through Preservation 2000 includes endangered species habitat, water resource areas, archaeological sites and public recreation lands that meet mandated criteria. Preservation 2000 funding enabled Florida to increase state-owned conservation and recreation lands by 41%. Lands purchased by local governments under the Florida Communities Trust Program increase the amount of publicly owned conservation and recreation land by approximately 232,806 acres. (See Exhibit 11.)

Exhibit 11

Water Management Districts and Fish and Wildlife Conservation Commission Manage the Majority of State Lands

State Lands	March 2000 in Acres	January 1990 in Acres	Increase in Acres	% Increase
Water Management Districts	1,291,060	676,645	614,415	91%
Florida Fish and Wildlife Conservation Commission	1,220,000	1,083,789	136,211	13%
Department of Agriculture and Consumer Services Division of Forestry	833,714	349,526	484,188	139%
Department of Environmental Protection Recreation and Parks	441,823	389,176	52,647	14%
Coastal and Aquatic Management Areas	143,072	69,609	73,463	106%
Office of Greenways and Trails	70,204	49,512	20,692	42%
Department of Military Affairs	62,340	62,340	0	N/A
Department of Corrections	18,200	18,200	0	N/A
State Universities	12,316	2,316	0	N/A
Department of Transportation	11,903	11,903	0	N/A
Total State Managed Lands	4,104,632	2,713,016	1,381,616	51%
Local Governments Managed Lands	232,806			

Source: Florida Natural Areas Inventory and OPPAGA analysis.

Local governments' acquisitions should increase significantly under the Florida Forever Program

Florida's five water management districts collectively are the largest manager of state lands, managing 31% of the total acreage. Among the state agencies, the Fish and Wildlife Conservation Commission has the largest land management responsibility, as it manages 30% of total state lands. The water management districts' percentage of total state lands acreage may increase in the future because the Florida Forever Act increases the districts' share of bond proceeds from 30% to 35%. In addition, the share of bond proceeds for local government land acquisition will increase from 10% to 24%.⁹ Thus, the water management districts and local governments may acquire more land than state agencies under future Florida Forever funding. This reflects a shift in policy because state agencies received 60% of Preservation 2000 funding. Nevertheless, state agencies will continue to purchase conservation and recreation acreage and their land management needs will continue to grow. (See Chapter 4 for a discussion of land management issues.)

⁹ Florida Communities Trust (FCT) receives 22% and the Florida Recreation Development Assistance Program (FRDAP) receives 2%.

What benefits has Florida received from these land acquisitions?

Our previous review found acquisitions met legislative criteria, yet could not determine if funds were spent effectively

The land purchased through Preservation 2000 has produced several benefits to the state, including making more recreation lands available to the public, protecting more habitats for wildlife and endangered species, maintaining water quality and protecting aquifer recharge areas, and increasing urban green space.

In our 1997 report on Preservation 2000, we concluded that while land acquisitions generally met legislative criteria, data were not yet available to determine whether the state had bought the best lands or whether funds were spent effectively.¹⁰ Since that time, land-managing agencies and the Florida Natural Areas Inventory have provided additional information about Preservation 2000 land purchases. This enabled us to make a better determination on the beneficial effects of Preservation 2000 purchases.

Public recreation lands have increased

Florida's public recreation lands have increased significantly since the passage of the Preservation 2000 Act in 1990. Approximately 94% of all state managed lands are categorized as having recreational uses. Using Preservation 2000 funds, the Department of Environmental Protection's Division of Recreation and Parks has reported increasing the acreage of parks and recreation areas that it manages by 14% (52,647 acres), bringing the total parks and recreation areas to 441,823 acres. The department's Office of Greenways and Trails similarly reported an increase in the amount of greenways and trails it manages by 20,692 acres (42%) during this period, bringing the total to 70,204 acres.

Significant improvement evident in more endangered species habitat and increased occurrences of wildlife

The Legislature's goals for the State Lands Program include protecting and increasing the populations of plant and animal species. In cooperation with the Florida Natural Areas Inventory, OPPAGA identified the extent to which the state has purchased public lands where listed endangered and threatened species reside. Preservation 2000 has had an impact on two listings of endangered and threatened species—the federal listing of species that exist in Florida, and the Florida Fish and Wildlife Conservation Commission's listing of species that, while they may have sufficient populations nationwide, are endangered or threatened within the state. There has been an increase in the number of

¹⁰ *Review of Preservation 2000*, OPPAGA [Report No. 96-78](#), April 1997.

Element Occurrences of these species. Element Occurrences are habitats that sustain or otherwise contribute to the survival of an endangered or threatened species.

As shown in Exhibit 12, the Preservation 2000 land acquisitions resulted in significantly more Element Occurrences on state-owned conservation lands. Largely due to the land purchases, the number of Element Occurrences of federally listed endangered species increased by over 90%, while the element occurrences of endangered species listed by the Florida Fish and Wildlife Conservation Commission increased by more than 77%. ¹¹

Exhibit 12

Listed Endangered and Threatened Species Element Occurrences Have Increased Significantly Due to Preservation 2000 Land Purchases

Species Status	Element Occurrences on P2000 Purchased Lands	Element Occurrences on Total State-Owned Conservation Lands	Percentage Increase Due to P2000 Land Purchases
<i>Federal</i>			
Endangered	188	396	90.4%
Threatened	234	556	72.7%
<i>Florida Fish and Wildlife Conservation Commission</i>			
Endangered	511	1,172	77.3%
Threatened	484	1,095	79.2%

Source: Florida Natural Areas Inventory.

The Preservation 2000 land purchases provided some protection for 56 endangered or threatened species that were not found on any state lands prior to the program's creation; these species now have at least one occurrence of conservation significance protected on state lands. The number of rare species populations protected on Florida's state lands has more than doubled for 121 species. The Florida Natural Areas Inventory provided several examples of this increase which are noted below.

- Due to Preservation 2000 land acquisitions, four federally listed mollusk species, one of the nation's most endangered groups of animals, increased from zero populations on state-owned land to nine populations protected on state land.
- Scrub jay populations protected on state lands increased by 79% (from 38 to 68) through Preservation 2000 acquisitions.

¹¹ In some cases, the number of element occurrences may have increased due to reasons other than the Preservation 2000 land purchases, such as natural increases in the populations of the species that resulted in them living in additional habitat areas.

- State protection of the federally endangered Florida grasshopper sparrow grew 400% (from one population protected to five protected) through Preservation 2000.
- Florida Natural Area Inventory occurrences on state lands of the Florida black bear increased 42% through Preservation 2000 acquisitions.
- One Preservation 2000 project, the Fisheating Creek less-than-fee acquisition, provides protection for the largest pre-migratory concentration of swallow-tailed kites in North America.

Progress made in protecting Strategic Habitat Conservation Areas

The Florida Game and Fresh Water Fish Commission (now the Florida Fish and Wildlife Conservation Commission) in 1994 assessed and identified 4.82 million acres of land for conservation that would meet the long-term needs of 54 important species of wildlife and 105 rare plants.¹² The commission named these lands Strategic Habitat Conservation Areas (SHCAs). Since 1994 the state has purchased 488,406 acres (10.1 %) of these SCHAs.¹³ When added to land purchased by the federal government, about 15% of SCHAs are now under public ownership.

Water resources protected by land purchases

Lands purchased under Florida's land-buying programs may aid in maintaining and improving the quality of water resources by preventing development on these lands. The federal Environmental Protection Agency National Water-Quality Assessment Program has found that streams and ground water in basins with significant agricultural or urban development, or a mix of the uses, almost always contain complex mixtures of nutrients, pesticides, and other contaminants. In contrast, undeveloped areas contain lower levels of these contaminants. Exhibit 13 illustrates the connection between land use and surface and ground water contamination.

¹² James Cox, Randy Kautz, Maureen MacLaughlin, and Terry Gilbert, *Closing the Gaps in Florida's Wildlife Habitat Conservation System*, Office of Environmental Services, Florida Game and Fresh Water Fish Commission, 1994.

¹³ The commission conducted a follow-up to the 1994 report. See James A. Cox and Randy Kautz, *Habitat Conservation Needs of Rare and Imperiled Wildlife in Florida*, Office of Environmental Services, Florida Fish and Wildlife Conservation Commission, 2000.

Exhibit 13
Land Uses and Levels of Water Contamination

Streams				Shallow Ground Water		
Contaminants	Urban Areas	Agricultural Areas	Undeveloped Areas	Contaminants	Urban Areas	Agricultural Areas
Nitrogen	Medium	Medium-High	Low	Nitrogen	Medium	High
Phosphorous	Medium-High	Medium-High	Low	Phosphorous	Low	Low
Herbicides	Medium	Low-High	No data	Herbicides	Medium	Medium-High
Currently used insecticides	Medium	Low-Medium	No data	Currently used insecticides	Low-Medium	Low-Medium
Historically used pesticides	Medium-High	Low-High	Low	Historically used pesticides	Low-High	Low-High

Source: *The Quality of Our Nation's Waters – Nutrients and Pesticides*, United States Geological Survey, Circular 1225, 1999.

The Florida Forever program provides for increased funding for land acquisitions that would aid in water resource protection, which should help improve water quality in the state. The percentage of funding allocated to Florida's five water management districts will increase from 30% to 35% under the Florida Forever Act. (The districts also receive supplemental funds for the Save Our Rivers program.)¹⁴ The water management districts now report managing approximately 1.3 million acres of land in Florida. Our assessment of the year 2000 Land Acquisition and Management Plans of the five districts indicates that their land purchases have concentrated around Florida rivers and surrounding basin areas. Exhibit 14 identifies Preservation 2000 land acquisitions that the districts believe were significant to water resource protection and development.

¹⁴ The Legislature in 1981 dedicated revenue from the documentary stamp tax for water management districts to purchase environmentally sensitive land. This is called the Save Our Rivers Program which ends on July 1, 2001.

Exhibit 14**Water Management Districts Made Significant Purchases to Protect Water Quality Under Preservation 2000**

Water Management Districts	Acres Managed (as of March 2000)	Significant Purchases Under Preservation 2000
Northwest Florida	178,929	Acquired more than 85% of the floodplains of the Escambia and Choctawhatchee Rivers and Econfina Creek
Suwannee River	128,936	47,000 acres of floodplain and riparian lands and 125 miles of river frontage on the Suwannee River protected
St. Johns River	397,981	34,798 acres in the Lake George Basin
Southwest Florida	267,096	188,875 acres purchased in the Hillsborough, Peace, Withlacoochee River Watersheds impacting the Green Swamp area
South Florida	318,118	50,000 acres south of Lake Okeechobee in Palm Beach County vital to the Everglades Construction Project
Total	1,291,060	

Source: Water Management Districts Land Acquisition and Management plans and Florida Natural Areas Inventory.

The 2000 Legislature required the Water Management Districts to jointly provide a report by December 15, 2000, to the Secretary of the Department of Environmental Protection. This report must establish specific goals and performance measures that may be used to analyze district activities funded under Florida Forever. These performance measures should provide the Legislature with an important source of information regarding the impacts of future district land acquisitions on protecting Florida's water resources.

Urban green space increased through land acquisitions

The preservation of urban green space, including parks, open space, beaches and natural areas, is an important factor in creating livable communities. The Legislature created the Florida Communities Trust in 1989 to help local governments meet this need by authorizing grants to acquire land identified in their comprehensive plans for conservation and open space. This program, which received funding through Preservation 2000 and will now be funded through Florida Forever, focuses on locally important acquisition projects. The program makes grants and loans each year to local governments to buy coastal, conservation, and recreation and open space lands that have been identified in local comprehensive plans.

From 1993 through June 1999, the Florida Communities Trust and its local government partners reported purchasing 27,983 acres of land. The trust

provided more than \$145 million to acquire these lands, while the local government partners provided \$119.9 million.

Land acquisitions through the Florida Communities Trust will increase in future years. The trust received 10% of the \$300 million Preservation 2000 funding available annually. However, the Florida Forever program increases the funding allocation to the Florida Communities Trust to 22% of available funds, which will increase funding from \$30 million to \$66 million each year.

How much of acquired conservation land has been deemed surplus and sold or exchanged?

The state can acquire land that is not needed when purchasing conservation and recreation lands. This can occur because landowners may refuse to sell tracts of land that the state desires unless certain other adjoining tracts are included in the purchase. While the state could refuse to buy these additional lands and pursue the desired tracts through eminent domain condemnation, this process can be time consuming and result in a higher purchase price (particularly if the eminent domain case is decided in court). The Land Acquisition and Management Advisory Council has identified 9,819 acres of conservation land that were purchased as boundary amendments (adjoining tracts) to the initial land for acquisition. While some of these additional tracts may be desirable conservation land holdings, other tracts may have little conservation value and could be determined to be surplus and be disposed of.

Statutes require agencies to review their land holdings every three years to identify lands that are not being used for the purpose for which they were acquired.¹⁵ The board of trustees disposes of state agency managed lands while the governing boards of the water management districts dispose of surplus water management districts lands. However, state agencies have not yet completed the required review of state-owned lands to determine what land may be surplus. The Board of Trustees of the Internal Improvement Trust Fund has not yet established in rule the procedure agencies are to follow in conducting this review, although staff of the Acquisition and Restoration Council, which reviews state land management plans and recommends acquisition projects to the board of trustees, are drafting criteria for designating public conservation lands as surplus. Complete assessments of conservation lands holdings are due in the year 2002.

To date, less than 1% of the conservation lands that have been acquired under the Preservation 2000 program (11,000 of the 1.4 million acres) have

¹⁵ [Section 253.034\(6\)\(c\), F.S.](#) This requirement does not apply to the water management districts.

been declared surplus and have been disposed of. These lands can be sold or transferred to another governmental entity or private entity that can make better use of the land. Since 1990, revenue from the sale of conservation acreage has totaled approximately \$7 million.

How can the state better identify what lands should be acquired?

Although the Preservation 2000 land acquisitions have provided many benefits to the state, the program's performance might have been stronger if it had an integrated way to identify the best land to purchase. As shown in Exhibit 3 on page 5 land acquisition functions are divided among the state, the water management districts, and local governments. While each of these groups has its own system for identifying lands that it wishes to purchase, the program has not had an integrated system to coordinate conservation and recreation land acquisitions among the three groups. At the state level, the Acquisition and Restoration Council identifies and recommends land for purchase by the Board of Trustees of the Internal Improvement Trust Fund. Water management district staff make similar recommendations to their governing boards for land acquisitions, as do local government staff for their city councils/boards of county commissioners.

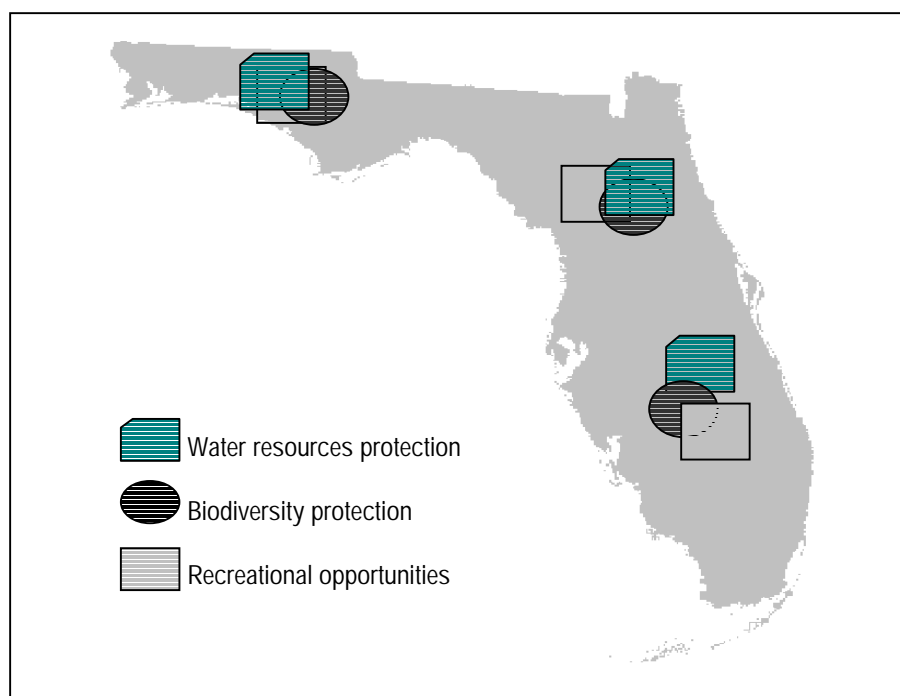
The weakness of this approach is that it can result in giving high acquisition priorities to lands that, while they provide the highest priority for any one entity, may not represent the best overall value when multiple priorities are considered. For example, water management districts may acquire lands that provide high water recharge values but little habitat protection or recreational value, and local governments may bypass lands that have important wildlife habitats and water recharge because another tract has better recreational value.

The Florida Natural Areas Inventory, as part of its work for the Florida Forever Advisory Council, has developed a Conservation Needs Assessment methodology for identifying lands that have the highest resource values. This methodology could be used to develop an integrated conservation needs map. The various stakeholder agencies, including water managements districts, the Fish and Wildlife Conservation Commission, the Office of Greenways and Trails, Division of Forestry, Division of Recreation and Parks, and local governments, could provide information about lands that meet their individual priorities. These data could be used to create overlay maps indicating areas that address multiple land acquisition priorities, such as historic and cultural resources, proximity to urban areas, and habitat restoration needs. The methodology is flexible and could be used to identify priority areas, determine how lands acquired contribute to Florida Forever

outcome measures, and compare alternative land acquisition scenarios. For example, the methodology could be used to develop an integrated conservation needs map that identifies land where biodiversity and water resource elements overlap, as well as tracts that have high resource values as identified in local governments' comprehensive plans. The conservation needs assessment would be a continuous process and could be revised based on new acquisitions and changing priorities.

Exhibit 15 provides a hypothetical illustration of how the conservation needs assessment might work based on priority biodiversity, water resources, and recreational opportunities. In this map, the three goals are plotted separately, but shown together. The lands that have overlap between the individual resource values can represent the best acquisition values.

Exhibit 15
Hypothetical Intersection of Overlays Provide Highest Resource Values



Source: Florida Natural Areas Inventory.

Have state agencies spent Preservation 2000 bond proceeds in a timely manner?

Agencies are not acquiring land as quickly as funds are being appropriated from bond proceeds for the purpose of land acquisition. As of June 30, 2000, there was a remaining cash balance of approximately \$664,908,701 that had not been spent on land acquisitions from the Preservation 2000 Trust Fund. If encumbered funds for approved commitments are deducted (\$270,381,795), then the cash balance would equal \$394,526,906. Annual cash balances less encumbrances have averaged \$319 million over the last five years. Currently, the unspent balance of \$394.5 million is equivalent to a year and a third of bond issues (at approximately \$300 million a year).

Program staff gave two reasons for the unspent balances. First, the program received funding from the first year's bond issue before the land acquisition procedures were in place to spend such a large amount of money. Second, the land acquisition process is lengthy, and it often takes up to three years to convince landowners to sell their property.

Available cash in excess of available appropriations have enabled the state to earn approximately \$35 million in interest (as of June 30, 2000), which has been appropriated to the Save Our Everglades Trust Fund for restoration work on the Everglades. The state may invest bond-unencumbered balances, but because the bonds are tax-exempt, the Internal Revenue Service places a cap on the interest percentage return. Under this arbitrage cap, the Internal Revenue Service could, for example, place a cap of 5.5% on interest earnings on unencumbered bond proceeds that were borrowed at a 5% interest rate.¹⁶ If at the end of five years the state's interest return is above the arbitrage cap, the state must pay the federal government an arbitrage rebate on the difference. To date, the state has reported paying \$5.9 million in arbitrage rebates on Preservation 2000 bond proceeds, including \$425,800 on the 1991 bond issue, \$3.4 million on the 1994 issue, and \$2.1 million on 1995 bond issue. Florida will not determine whether it will have to pay an arbitrage rebate on the 1996 Preservation 2000 bond issue until 2001.

The State Board of Administration (SBA) recommends that the state not maintain large bond cash balances and that bonds be issued to more closely cover the funds needed for acquisitions. This could be accomplished by either delaying bond sales until the cash is needed or to issue multiple smaller bond issues throughout the year. The SBA indicates that the increased cost of issuing multiple bonds is marginal.

¹⁶ Actual interest rates and caps vary depending on the bond issue.

To schedule multiple bond sales, agencies could be required to provide quarterly requests for funds needed for acquisition. However, a constraint on this option is that the Legislature has limited bond issues to \$300 million in any given year. Accordingly, the state could not issue more than \$300 million in any year to make up for previous years' smaller or delayed bond issues.

Unspent cash balances should decline in the future because the Florida Forever program authorizes a portion of the bond proceeds to be spent on land management functions which are limited to capital expenditures. Also, the state may be able to speed the land acquisition process through better coordination between land purchasing entities, as discussed below.

Conclusions and Recommendations —————

The state's efforts through the Preservation 2000 funds to acquire conservation and recreation land has provided valuable benefits to citizens. The 1.4 million acres of land purchased through those funds has increased numerous wildlife and plant species, recreational opportunities, and water resource protection. While the state at times is forced to include additional tracts in its land purchases, relatively few of these tracts have been found to be surplus. Agencies must complete a review of acquired lands and identify surplus lands by 2002. The state has maintained a large cash balance of Preservation 2000 funds due to delays in completing land purchases. The state could develop a stronger method for identifying the best lands for acquisition by developing a more coordinated planning and mapping system.

We recommend that the State Lands Program adopt a methodology that identifies land with the highest resource values that meet legislative goals for the state. As part of this process, the Florida Forever Advisory Council should collect data from state agencies, the water management districts, and local governments that receive Florida Communities Trust land acquisition funding regarding their land purchase priorities. The council should use these data to create maps that show overlays between the priorities of the various groups and identify lands that meet a variety of priorities, such as water resource protection, biodiversity protection, and recreation values. It should then use these maps to work with the districts and local governments to coordinate land acquisitions to maximize value to Florida's citizens.

The Board of Trustees of the Internal Improvement Trust Fund should establish in rule the procedure that agencies are to follow in identifying land for disposition.

Land Acquisition

These recommendations along with others concerning management of state lands and related performance measures are summarized in Chapter 5.

Land Management

The State Lands Program is responsible for managing conservation and recreation lands once they have been acquired. Issues surrounding land management have been in the legislative forefront for many years. Chief among these issues are five questions.

- Does the public have adequate access to public lands?
- What does available data indicate about the condition of state lands?
- How much are agencies currently spending to manage state lands?
- What are state land management needs, and what would it cost to address these needs?
- What options exist to address land management funding needs?

We analyzed these issues and concluded that more than 94% of Florida's conservation and recreation lands are open to the public. The closures and restrictions on some lands seem reasonable given the need to protect natural resources. Limited data are available on the condition of state lands, and improvements are needed in the performance measures used to assess natural resource conditions on state lands. Identifying statewide land management needs and costs is hindered by the lack of accurate and comparable cost data among land management agencies. However, newly acquired state lands have substantial management needs, and the Conservation and Recreation Lands (CARL) Trust Fund will likely go into deficit in Fiscal Year 2002-03 if these needs are fully funded. While this shortfall could be in part alleviated through revenue generating opportunities and cutting certain expenditures such as building, maintaining, and staffing facilities, some identified needs such as exotic species removal would require substantial funding and may have to be deferred unless additional funding becomes available.

Does the public have adequate access to public land?

Public access to the state's conservation and recreation lands is generally good. Land management agencies report that more than 94.2% of Florida's 4.1 million acres of conservation and recreation lands managed by state agencies and water management districts are open to the public for a variety of activities, including nature study, hiking, fishing, camping, and hunting. However, public access on some of the property is

restricted, and 266,096 acres, or 5.83%, are closed to the public. (See Exhibit 16.)

Exhibit 16

Most State Conservation and Recreation Lands Are Open to the Public

Level of Public Access	Units	Total Acres	% of Total
High density recreation areas			
High degree of facility development			
Large number of visitors			
Paved roads and parking areas	16	10,338	0.22
General outdoor recreation areas			
Developed facilities			
Large or moderate number of visitors			
Paved or stabilized roads and parking areas	111	852,838	18.68
Natural environment areas			
Few or no developed facilities			
Dispersed rather than concentrated use			
Stabilized or maintained roads and parking	139	2,752,612	60.28
Primitive areas			
No facilities			
"Wilderness" experience			
No internal motorized access	89	684,642	15.00
Closed Areas			
Construction/project site			
Legal access not available			
Less-than-fee ownership			
Active lease area	33	266,096	5.83
Total	388	4,566,527	100.00

Source: Florida Forever Advisory Council agenda, June 5, 2000.

Of the 266,096 acres listed as closed to the public, almost all (264,233 acres, or 99.3%) are on water management district lands. Most of these lands are closed for the reasons noted below.

- Private land owners who retain control of less-than-fee purchases deny public access as a condition of those purchases.¹⁷
- Public access would interfere with construction, storm water treatment, or other land management activities.
- Some publicly owned property is surrounded by privately owned property in remote areas through which public access cannot be obtained.
- Public safety.

¹⁷ Less-than-fee purchases give buyers the right to preserve and protect resources on the property at a reduced cost while the land remains in private ownership. As of September 2000, 195,938 acres have been protected through less-than-fee purchases.

***Current public access
restrictions seem
reasonable***

Sometimes water management districts and state agencies open land to the public, but deny vehicle access in specific locations. In these cases vehicle access would either interfere with land management activities or result in damaging natural resources. For example, an agency may temporarily close an area while building facilities that will be used later for public access. In addition, vehicle traffic may impede reforestation and other restoration efforts, or endanger plant and animal life. Given the importance of properly managing public lands and protecting natural resources, current public access restrictions seem reasonable.

***What does available data indicate about the
condition of state lands?***

The state assumes ongoing responsibilities to manage conservation and recreation lands once it has acquired these tracts.¹⁸ The costs of these activities are in part dependent on the condition of the land. For example, relatively undisturbed land that will be maintained in wilderness conditions may require relatively little management, while other land may require substantial work to develop recreational facilities, remove exotic species, protect historic and cultural resources and/or reforest.

***Agencies must adopt
land management
plans***

Statutes require agencies to develop land management plans that assess the condition of lands and what needs to be done to manage them effectively for the purposes for which the lands were acquired. State agencies must update these plans every five years, while the water management districts may decide when their plans are to be updated. State agency plans must also include a priority schedule for conducting management activities, a cost estimate for conducting priority management activities, and a cost estimate for conducting other management activities. The designated managing state agency or water management district must adopt an individual management plan for each tract. The Board of Trustees of the Internal Improvement Trust Fund is authorized to approve state agency plans for parcels exceeding 160 acres after the Acquisition and Restoration Council reviews the plans.¹⁹ Water management district governing boards approve water management district plans.

Selected land management plans must also be examined by review teams that determine the extent to which the plans protect natural resources, whether the land is managed for the purposes for which it was acquired,

¹⁸ Section 253.034(1), *F.S.* These responsibilities include providing public recreation, protecting land, air, and water resources, and ensuring the survival of unique and irreplaceable plant and animal species.

¹⁹ The Land Acquisition and Management Advisory Council previously performed this function prior to passage of the Florida Forever Act.

and the degree to which management practices are in compliance with each plan.²⁰ The teams recommend changes in the plans to improve land management. The review teams must be composed of representatives from the major land management agencies, a local government, a private land manager, a local soil and water conservation district, and a conservation organization. The Water Management Districts must report review team findings to their governing boards by October 1 each year. State agency management review teams must report their findings annually to the Acquisition and Restoration Council and the Board of Trustees no later than the board's second meeting in October.

The Department of Environmental Protection's 1999 annual report to the board of trustees, based on 32 plans reviews involving 544,000 acres of land, found these lands were managed for the purposes for which they were acquired. In all but one case, the review teams found that the land was managed in compliance with the management plans.²¹ See Exhibit 17.²²

Exhibit 17

Annual Land Management Plan Review Findings for Fiscal Year 1998-99

Review Findings	Excellent	Adequate	Inadequate
Public access	6%	85%	9%
Restoration	28%	50%	22%
Prescribed fire management	31%	53%	16%
Non-native invasive plant control	22%	53%	25%
Degradation/alteration of surface or groundwater	19%	53%	28%
Listed species protection/inventories	34%	35%	31%
Law enforcement for protection of resources	9%	63%	28%
Funding for staff/equipment	0%	19%	81%

Source: Board of Trustees of the Internal Improvement Trust Fund agenda, October 26, 1999.

Review teams' cited inadequate resources

OPPAGA examined 52 review team reports involving state agency managed lands conducted during calendar years 1998 and 1999 to determine why certain items were deemed inadequate. The review teams cited missing items and deficiencies in management plans in such areas as monitoring rare or endangered species, prescribed burning, exotic weed control, and monitoring of surface and ground water quality. In most cases the plan inadequacies could be traced to review team determinations of inadequate resources being devoted to those activities.

²⁰ This requirement is in [s. 259.036, F.S.](#)

²¹ This was a single tract managed by a local government. Problems included inadequate land access, no burn plan, and no exotic plant removal.

²² Review teams score items on a checklist. For example, items scored greater than or equal to 2.5 on the field review are considered "exceptional", while items scored less than or equal to 1.5 are considered "inadequate."

Although the reviews cited funding for staff and equipment as inadequate, the reviews seldom specified what levels of funding and staffing would be adequate to correct deficiencies.

Land status data is site-specific and does not permit statewide analysis

A statewide problem in identifying the condition of state lands is that land management agencies have yet to adopt consistent performance measures or establish integrated databases that allow for statewide analysis and determination of land conditions. Data and information is generally site-or parcel-specific and not well suited to easily aggregation. Nor have agencies developed indexes that would provide simple high-level indicators for whether the resource is in good, stable, or declining condition. Suggested performance measurements for land management that will help address this problem are discussed in Chapter 5.

The individual land management plans do provide useful information on the condition of individual state lands parcels. Our review of the 22 state agency plans showed that they provided a good assessment of current conditions of the land and what activities are needed to manage the land. These plans also described the ecological value of the parcels along with what problems and challenges the agency will encounter trying to manage the property. Thus, if the state were to develop an integrated data system that aggregated the information provided in the individual land management plans, then the agencies and the legislature would be able identify statewide land conditions and management needs.

Clearer priorities and better cost data are needed

While the land management plans provide good information on land conditions, they were weaker in providing information on costs and priorities. The plans we reviewed did not include a statutorily required priority schedule for conducting management activities, a cost estimate for conducting priority management activities, and a cost estimate for conducting other management activities. Although some plans contained cost estimates for management activities, the plans did not distinguish between priority and other such activities.

A similar problem exists for land management plans developed by the water management districts. Statutes do not require water management district plans to include priority schedules for conducting management activities or cost estimates for conducting priority activities and other land management activities. None of the 12 district plans we examined included such information. We believe that the Legislature should require the districts to include this data in land management plans. Identifying land management priorities, establishing schedules for conducting these activities, and providing cost estimates for these activities would aid water management districts in directing scarce resources toward the most urgent land management needs.

Thus, while there is little aggregate information available on the condition of state conservation and recreation lands, there is data available on

individual land parcels that, if aggregated and combined with strong performance measures and cost data, can form the basis of a good statewide accountability system for state land management activities and a good basis for identifying land conditions and needs.

How much are agencies currently spending to manage state lands?

To identify the resources that agencies are currently spending to manage state lands, OPPAGA surveyed land-managing agencies during the spring of 2000. The agencies and the water management districts reported spending \$102.5 million for land management activities during Fiscal Year 1998-99. (See Exhibit 18.) The Division of Recreation and Parks spent the highest amount, \$52 million, followed by the Division of Wildlife at \$14.7 million. The five water management districts together spent a total of \$16.4 million. State agencies received most of their land management funding from seven trust funds, including the CARL Trust Fund, while the water management districts receive land management funding from the Water Management Lands Trust Fund and other sources such as land lease revenues. The specific funding sources used by each agency for their land management activities are shown in Appendix C.

Exhibit 18

State Land Management Agencies Spent \$102.5 Million for Management Activities in Fiscal Year 1998-99

Land-Managing Agency	Expenditures
Division of Recreation and Parks (DEP)	\$ 52,042,495
Division of Wildlife Management (FWCC)	14,774,219
Division of Forestry (DACS)	13,478,329
South Florida Water Management District	5,840,000
St. Johns River Water Management District	5,122,773
Coastal and Aquatic Managed Areas (DEP)	4,768,969
Southwest Florida Water Management District	2,044,813
Northwest Florida Water Management District	1,863,004
Suwannee River Water Management District	1,485,834
Office of Greenways and Trails (DEP)	1,143,917
Total	\$102,564,553

Source: OPPAGA survey of listed land-managing agencies.

What are state land management needs and what would it cost to address these needs?

Funding land management has been deferred in favor of acquisition

One of the issues surrounding the State Lands Program is the funding level needed to manage the lands that have been acquired over the past 10 years. While land management plans provide useful information about the condition of state lands, they do not specify the level of funding that would be needed to meet land management goals. However, in many cases, the plans noted that land management needs could not be met with current funding. The issue of unmet management needs may be due, in part, to a historical emphasis on land acquisition. According to a 1997 House Environmental Protection Committee staff analysis, funding land management has been deferred in favor of funding land acquisition because of the belief that environmentally sensitive land should be purchased before it is lost to development. However, some land management activities cannot be deferred without risking a loss of resource value. The Florida Forever Act will provide additional funding for land management activities, as it provides that some bond proceeds may be used for this purpose in addition to land acquisitions.

A Senate report estimated a cost of more than \$442.5 million for land management

The Legislature has worked to identify land management needs. Staff of the Senate Committee on Natural Resources surveyed conservation and recreation land management agencies in 1999 as part of a report on land management funding needs.²³ This survey included the Department of Environmental Protection (including the Division of Recreation and parks and the Office of Coastal and Aquatic Managed Areas), the Fish and Wildlife Conservation Commission, and the Department of Agriculture and Consumer Services' Division of Forestry. The Senate report indicated that the agencies estimated a cost of \$442.5 million to fully implement their management plans. The largest reported need was \$327.2 million for the Department of Environmental Protection's Division of Recreation and Parks.

Land management cost categories were not consistent across agencies

However, the estimates provided by agencies raise several questions. First, as discussed above, the agency land management plans we reviewed did not include a statutorily required priority schedule for conducting management activities or cost estimates for conducting these activities. Thus, reported cost estimates could be incomplete or could be based on wish lists rather than priority needs. Second, Senate staff found that land management cost categories were not consistent across agencies, making it difficult to draw conclusions about funding needs for various types of management functions. For example, only one agency reported a

²³ *Review of Funding Needs for Proper Management of Conservation and Recreation Lands and the Management Practices for All State-Owned Lands*, [Interim Project Report 2000-061](#), Senate Committee on Natural Resources, October, 1999.

separate cost estimate for maintenance, while other agencies assigned maintenance costs to other categories. Agencies also differed in the way they assigned administrative costs and salaries to management activities. Third, the estimate did not apply to water management districts or the Department of Environmental Protection's Office of Greenways and Trails.²⁴ The estimate also did not include the projected cost of controlling upland exotic invasive plants. Thus, the reported need levels cannot be readily compared across agencies and may not be reliable.

Water management districts have adequate funding for most land management activities

The water management districts in response to our survey generally indicated that they currently have adequate funding for most land management activities. An earlier Senate Natural Resources Committee survey indicated that three of the water management districts cited the need for additional funding for activities such as controlling exotic invasive plants, monitoring animal and plant populations, and land management planning.

Among state agencies, the Division of Wildlife Management, Coastal and Aquatic Managed areas, and the Division of Recreation and Parks indicated that they have delayed some activities such as hydrology and plant restoration projects due to inadequate funding.

Invasive exotic plant control costs will likely increase

While uncertainty exists concerning the levels of land management resource needs, the estimated costs for one important function—controlling exotic plants—significantly exceed current funding levels. Florida law identifies invasive exotic plants as a threat to the state's natural resources and provides for controlling these plants in public waters and on state lands.²⁵ Program documents indicate a reduction in aquatic invasive plants. For example, between 1994 and 1998, the program reduced hydrilla infestation from 100,000 acres to 40,000 acres. The Florida Forever Act provides that 2.28% of the documentary stamp tax shall provide an annual dedicated funding source for the Aquatic Plant Control Trust Fund beginning in Fiscal Year 2001-02. This revenue source is expected to provide approximately \$25.9 million during that first year. The same legislation requires that 20% of this amount shall be used to control invasive upland plants. Program staff say the additional revenue will meet invasive aquatic plant control needs for the next decade.

²⁴ The Department of Community Affairs' Florida Communities Trust provides grants to local governments only for land acquisition, not land management.

²⁵ Invasive exotic plants threaten native plants by altering ecological processes that permit native plants to survive. Aquatic invasive plants cover public waters, including rivers and lakes, while upland invasive plants cover the land.

Upland invasive plant control is very expensive

However, invasive upland plants pose a major land management problem. Invasive upland plants cover an estimated 1.9 million acres of public lands and include species such as melaleuca, Brazilian pepper, and Australian pine. Environmental problems caused by upland exotic plants include increased wildfire risks, loss of biodiversity, formation of novel habitats, alteration of ecosystem properties, increased ground and surface water evaporation rates, loss of agricultural revenues, and increased land management costs. Invasive upland plant control is a relatively recent program activity that began as a pilot project in 1997. Although the Florida Forever Act will increase funding for this activity from \$2 million to more than \$5 million annually, the initial cost of controlling these plants could exceed \$970 million, or approximately \$514 per acre. (See Exhibit 19.)²⁶ This cost does not include subsequent control on an ongoing basis.

Exhibit 19

Upland Invasive Species Could Require Over \$970 Million to Bring Under Maintenance Control

Upland Species	Estimated Acres	Cost Per Acre of Initial Control	Estimated Control Costs
Brazilian Pepper	1,000,000	\$525	\$525,000,000
Australian Pine	400,000	525	210,000,000
Melaleuca	359,000	525	188,548,000
Old World climbing fern	107,000	409	43,763,000
Silk Reed	15,000	154	2,310,000
Lather Leaf	6,500	154	1,001,000
Total	1,887,500		\$970,622,000

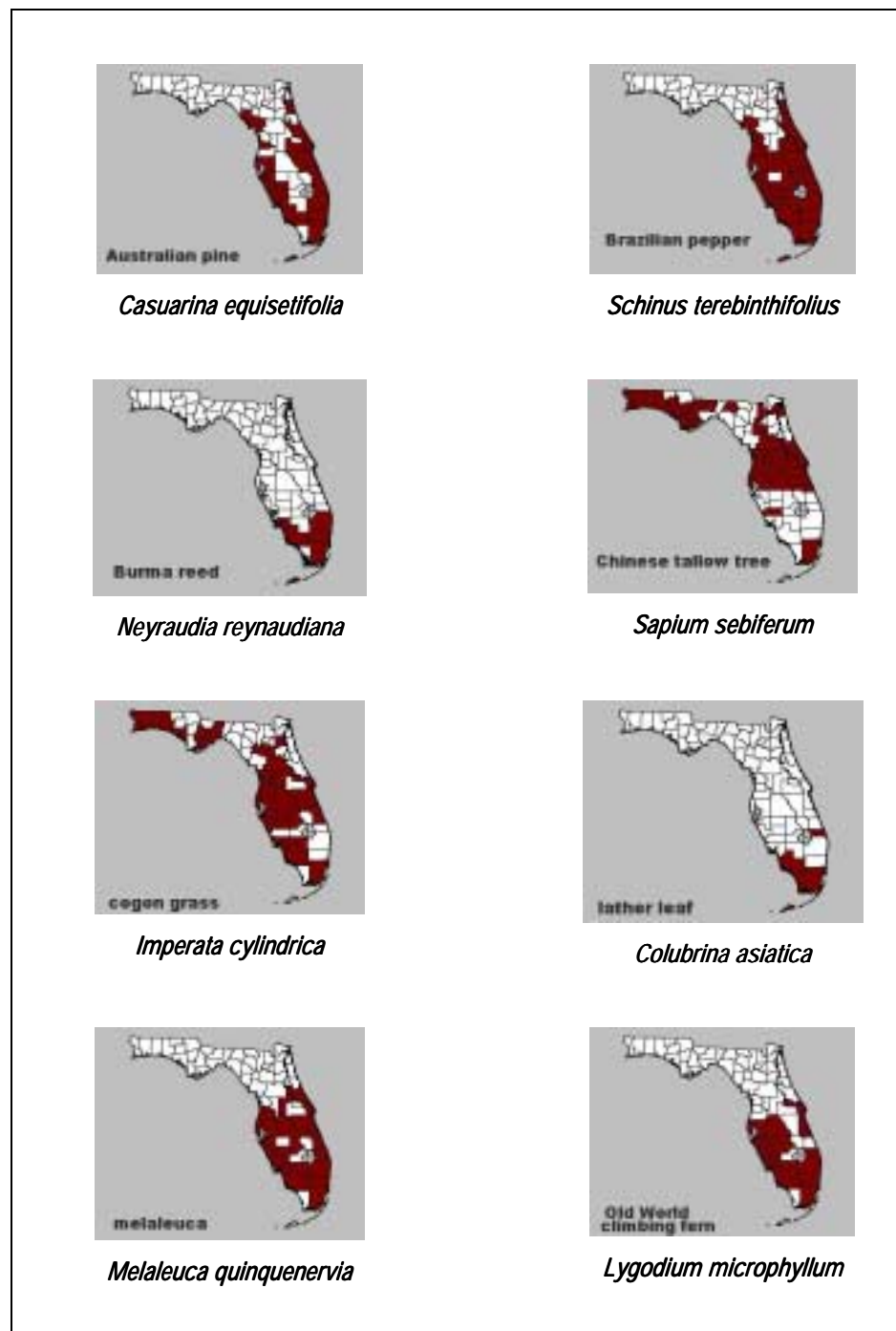
Sources: Invasive Plant Summit 2000, conference report and materials, Department of Environmental Protection, February 21-23, 2000. Department of Environmental Protection Fiscal Year 1998-99 operations average expenditures excluding the cost to control cogon grass (estimated at 11,000 acres) and Chinese tallow (estimated at 5,500 acres).

These costs to control upland invasive plants were not considered in agencies' estimates for the amount of funding needed to fully implement approved management plans. With the addition of these costs, the total price tag for management needs could triple to approximately \$1.4 billion.

Upland invasive exotic plants occur throughout the state. Exhibit 20 illustrates the presence of upland exotic plants on public lands throughout Florida.

²⁶ This estimate is based on multiplying the average cost per acre reported by the Department of Environmental Protection to control various types of exotic upland species by the estimated number of acres requiring control of the listed species.

Exhibit 20
Eight Invasive Exotic Plants Occur Throughout Florida Public Lands



Sources: Department of Environmental Protection (FDEP) files, FDEP/FLEPPC Sight Record Data Base and Atlas of Florida Plants, University of South Florida. Prepared by K. C. Burks, Botanist, FDEP Bureau of Invasive Plant Management, July 2000.

Given the cost of controlling upland invasive plants and other land management activities, it will be important for agencies to set priorities for

implementing current management plans and meeting subsequent management needs. This priority setting will become even more important as more land is purchased over the next ten years under Florida Forever. These land management needs, and the rising cost of providing public access and conducting other land management activities on these lands, will likely present a fiscally challenging task to state agencies.

A land management funding shortfall is projected

The potential for significant land management funding needs is magnified by projected shortfalls in the CARL Trust Fund, which provides a major source of funding for these activities.²⁷ Florida law provides that up to 1.5% of the funds deposited into the Preservation 2000 and Florida Forever Trust Funds shall be made available from the CARL Trust Fund for the purposes of land management, maintenance, and capital improvements for lands managed by state agencies.²⁸ Up to 20% of this amount is reserved for interim management activities, while the remaining 80% is reserved for long-term management activities. Funds are allocated among the Department of Environmental Protection, the Department of Agriculture and Consumer Services, and the Fish and Wildlife Conservation Commission through an interagency agreement. These agencies also receive land management funding from other sources such as leasing.

Beginning in Fiscal Year 2002-03, land management expenditures, if continued at currently budgeted levels, are expected to exceed revenues from the CARL Trust Fund. This will occur because a major revenue source for this fund will be reduced. The Florida Forever Act of 1999 decreases documentary stamp tax revenues deposited in the CARL trust Fund from 5.84% to 4.2% beginning on July 1, 2001.²⁹ At the same time, land management costs are expected to increase as the state purchases more land. Assuming that land management appropriations are based on the maximum 1.5% level of the CARL trust fund, the projected trust fund deficit for Fiscal Year 2002-03 will be \$2.2 million, and is expected to rise to \$45.2 million by Fiscal Year 2004-05. (See Exhibit 21.)

²⁷ See Appendix C for other management funding sources.

²⁸ The Legislature in 1997 increased the amount from 1% to 1.5% to provide a 50% increase in land management funding. The CARL Trust Fund receives revenue from dedicated portions of the phosphate severance tax and documentary stamp tax. The trust fund does not receive money from Preservation 2000 or Florida Forever bond proceeds.

²⁹ The law provides that 9.5% of this amount shall be deposited in the Fish and Wildlife Conservation Commission's State Game Trust Fund to be used for land management. This effectively provides .399% for the State Game Trust Fund and 3.801% for the Carl Trust Fund.

Exhibit 21
CARL Trust Fund Projections Show a Deficit by Fiscal Year 2002-03
If Currently Budgeted Expenditures Are Funded at Current Levels

	Fiscal Years				
	2000-01	2001-02	2002-03	2003-04	2004-05
Beginning fund balance	\$20,733,219	\$26,774,515	\$14,625,547	(\$2,156,013)	(\$22,099,926)
Total receipts	76,660,000	54,104,500	54,052,500	55,591,000	57,129,500
Total funds available	97,393,219	80,879,015	68,678,047	53,434,987	35,029,574
Expenditures for acquisition activities	(11,560,249)	(11,517,021)	(11,517,021)	(11,695,375)	(11,902,691)
Expenditures for management activities	(42,592,210)	(53,448,339)	(57,995,839)	(62,518,339)	(67,040,839)
Other expenditures	(16,466,245)	(1,426,200)	(1,321,200)	(1,321,200)	(1,321,200)
Total expenditures	(70,618,704)	(66,253,468)	(70,834,060)	(75,534,914)	(80,264,730)
Ending fund balance	\$26,774,515	\$14,625,547	(\$2,156,013)	(\$22,099,926)	(\$45,235,156)

Source: Conservation and Recreation Lands Trust Fund 10-Year Projection, Department of Environmental Protection, July 25, 2000.

What options exist to address land management funding needs?

We identified several options for addressing land management funding needs. These include:

- establishing new land management funding sources;
- taking steps to increase land management revenues;
- establishing clearer priorities for land management activities and deferring low priority projects such as building visitors centers at recreation areas that have very low visitation rates; and
- establishing better data on land management costs.

The Senate report recommended creating new funding sources for land management

Establishing new funding sources. The 1999 Senate report recommended that the Legislature create new funding sources for land management, and suggested two options. First, the Legislature could channel part of the un-obligated documentary stamp taxes from general revenue to land management. Second, the Legislature could designate a higher percentage of Florida Forever bond proceeds for limited, non-recurring land management activities. However, the second option was not presented as a permanent solution because the Florida Forever bond proceeds are a non-recurring revenue source and would not sustain recurring costs of routine management activities after the bond funds are spent.

Some additional funding for land management may be available in the future. Chapter 2000-170, *Laws of Florida*, provides that any agency receiving proceeds from Florida Forever bonds may not maintain a balance of unencumbered funds beyond three fiscal years from the date of deposit of those funds from each bond issue. The Legislature shall distribute these funds for use in the Florida Forever program at its next regular session. Some of these funds could be used for non-recurring land management activities. However, funding from this source will not be available until 2004, or three years after the first Florida Forever bonds are issued

Increasing land management revenues. Some land management agencies obtain revenue from outdoor recreation and commercial activities such as park entrance fees and timber harvesting to offset land management expenditures. We surveyed 10 land-managing agencies, which reported that outdoor recreation and commercial activities generated approximately \$34.4 million dollars, more than one-third of land management expenditures for these agencies during Fiscal Year 1998-99. (See Exhibit 22.)

Exhibit 22

**Land Management Expenditures Exceed Revenue from
Outdoor Recreation and Commercial Activities**

Land-Managing Agencies	Fiscal Year 1998-99 Revenue		Total Outdoor Recreation and Commercial
	Outdoor Recreation	Commercial Activities	
Division of Recreation and Parks (DEP)	\$25,719,421	\$ 46,600	\$25,766,021
Division of Forestry (DACS)	568,000	4,587,000	5,155,000
South Florida WMD	8,500	1,578,733	1,587,233
St. Johns River WMD	36,883	785,098	821,981
Division of Wildlife (FWCC)	193,469	309,379	502,848
Southwest Florida WMD	8,000	289,000	297,000
Suwannee River WMD	73,800	139,505	213,305
Northwest Florida WMD	96,268	13,260	109,528
Office of Greenways and Trails (DEP)	15,000	0	15,000
Total	\$26,719,341	\$7,748,575	\$34,467,916

Sources: OPPAGA survey of listed land-managing agencies.

Except for the Northwest Florida Water Management District and the Division of Recreation and Parks, commercial revenue substantially exceeded recreation revenue. Commercial dollars are derived from right-of-way easements and leases involving apiary activity (beekeeping), cattle grazing, timber sales, mitigation interest, and agriculture. Recreation

dollars primarily come from the sale of hunting, fishing, and camping permits.³⁰

The Division of Recreation and Parks also reported collecting the most revenue at \$25.7 million, mostly from admission fees. The Division of Forestry reported collecting the second highest amount, over \$5 million, mostly from timber sales. State agencies typically deposit revenues from outdoor recreation and commercial activities in trust funds that support protection and restoration of natural resources, such as the Florida Fish and Wildlife Conservation Commission's State Game Trust Fund. However, these activities do not cover all land management costs, and agencies must supplement these revenues from other sources such as the CARL Trust Fund.

The five water management districts reported receiving slightly over \$3 million from outdoor recreation and commercial activities. The South Florida Water Management District reported receiving the most income at \$1.5 million, mostly through agricultural leases. Districts typically use these revenues for the development and upkeep of facilities as well as resource management. Districts supplement recreation and commercial revenues with other sources such as the Water Management Lands Trust Fund.

In some cases, fee collection is difficult

Some agencies, including the Department of Environmental Protection's Office of Greenways and Trails and Office of Coastal and Aquatic Managed Areas, do not receive revenue for outdoor and commercial activities because some of the land may not be suitable for such activities or because collecting fees would be difficult. For example, buffer preserves are not suitable for intense outdoor recreation, and recreational trails generally do not have entrance gates and fences that would make fee collection feasible.

It may be feasible to increase revenues in some cases. Seven of the Fish and Wildlife Conservation Commission's hunting and fishing license fees have not been raised since 1929, and fees for eight of the commission's licenses have not been raised in 20 years or more. During the 2000 Legislative Session the agency proposed increasing some of these fees, such as those for private game preserves and turkey permits.³¹ The fee increases were expected to provide \$468,000 in additional revenue for Fiscal Year 2000-01, but were not approved by the Legislature. One agency, the Office of Greenways and Trails, plans to develop ecotourism in the future, while the Division of Forestry plans to expand recreational opportunities in state forests. It would be important to balance the potential for revenue increases with the need to maintain access to state

³⁰ Districts have agreements with the Florida Fish and Wildlife Conservation Commission to manage hunting, fishing, and camping on their lands and typically pay the agency half of all revenues from these activities as compensation for their administrative costs.

³¹ [Senate Bill 880](#).

lands for Florida's citizens. Some agencies reported citizen resistance to higher fees. Division of Forestry staff reported that user complaints increased when it raised access fees, and Division of Recreation and Parks staff indicated that say that raising user fees caused a temporary drop in state park attendance.

Some revenue-related activities are incompatible with resource protection

Overall, revenue from outdoor recreation and commercial activities help to offset a portion of land management costs, and some of these revenues may increase in the future. However, certain outdoor recreation and commercial activities may be incompatible with each other and with the protection and restoration of natural resources. For example, a high volume of vehicle traffic could interfere with nature viewing in habitat viewing areas, and increased visitation at some sites could pose threats to plant and animal life or delay restoration activities.

Clearer priorities could help in identifying cost reductions. Land management funding needs should also be addressed by establishing clearer priorities for management activities and by deferring low priority projects such as building visitor centers at recreation areas that have very low visitation rates. The program has some mechanisms for establishing land management priorities, but these mechanisms need to be strengthened.

When requesting land management money from the CARL Trust Fund, managing agencies must recognize three categories of needs.

- Lands that are low-need tracts, requiring basic resource management and protection, such as state reserves, state preserves, state forests, and wildlife management areas
- Lands that are moderate-need tracts, requiring more than basic resource management and protection, such as state parks and state recreation areas
- Lands that are high-need tracts, with identified needs requiring unique site-specific resource management and protection

Although managing agencies must establish categories according to levels of need, the statute does not require agencies to give high need tracts priority for funding. In addition, the categories do not address the timeliness of land management activities in terms of which activities should be performed immediately and which activities can be deferred. A stronger policy of directing funding at the highest priority needs may also help better target limited funds. The Legislature considered but did not enact legislation during the 2000 session that would have required agencies to establish priorities for management activities based on the consideration of limited funding according to three categories: ³²

³² [House Bill 2373](#).

- Immediate land management needs, within one to two years, to prevent the threat of significant loss of natural resource values or significant increases in repair costs to capital facilities;
- Intermediate land management needs, within three to four years, to prevent the threat of loss of natural resource values or the increase in repair costs to capital facilities; and
- Long-term land management needs, within five to six years, to prevent the eventual threat of loss of natural resource values or the eventual increase in repair costs to capital facilities.

Such a system would substantially improve the Legislature's ability to evaluate agency land management funding requests and ensure that limited resources are dedicated to the most pressing land management needs.

A related way to address the potential funding shortfall is to establish stronger priorities for capital improvements to state lands and to defer or eliminate low-priority activities. The biggest cost driver for land management is capital expenditures—the costs of building and maintaining facilities, primarily for visitor/education centers. These expenditures also contribute to additional salary costs, as these facilities generally require some level of staffing. Currently, visitor centers are not always constructed based on the priority of higher visitor demand. In fact, some facilities are built on very low-attendance state lands. (See Exhibit 23.) For example, in Fiscal Year 1999-2000 the Department of Environmental Protection built a \$601,085 visitor/education center at Windley Key Fossil Reef, although this facility averages only 26 visitors a day. The department is also planning \$300,000 visitor centers for Fort Mose and Troy Springs, although both of these facilities average only one visitor per day. While such facilities may improve recreation opportunities, they likely do not represent the most pressing land management needs facing the state or the best use of limited resources.

Exhibit 23

Some Planned or Completed Park Visitor and Education Centers Have High Costs and Low Visitation

Park Name (Visitor/Education Centers Completed)	1999-2000 Visitation	Average Visitors Per Day	Cost of Visitor /Education Center	Annual Maintenance Costs
MacArthur Beach	86,778	238	\$1,342,138	\$18,000
Windley Key Fossil Reef	9,573	26	601,085	9,000
Stephen Foster	61,203	168	513,517	8,000
Park Name (Visitor/Education Centers Planned)	1999-2000 Visitation	Average Visitors Per Day	Estimated Cost of Visitor /Education Center	Estimated Annual Maintenance Costs
Fort Mose	422	1	\$300,000	\$6,000
Kissimmee Prairie	1,250	3	300,000	6,000
Troy Springs	487	1	155,000	3,100

Source: Department of Environmental Protection, Division of Recreation and Parks.

Better land management cost data is needed. In addition to better information on funding needs and priorities, policymakers and land managers also need better, more comparable cost data. In recognizing the difficulty of interpreting the land agencies' estimates of fully funding their management plans, the 1999 Senate report recommended establishing a task force to determine appropriate land management categories and develop a standard system for accounting for land management costs. The 2000 Legislature established the Land Management Uniform Accounting Council to develop this standard accounting system for the state's land-managing agencies.³³

Council membership does not include water management districts

Council membership includes representatives from the Division of State Lands, the Division of Recreation and Parks, the Office of Coastal and Aquatic Managed Areas, and the Office of Greenways and Trails in the Department of Environmental Protection, the Division of Forestry in the Department of Agriculture and Consumer Services, the Fish and Wildlife Conservation Commission, and the Division of Historical Resources in the Department of State. However, council membership does not include water management districts. Adding water management district representatives to the council would provide the Legislature with more information about land management costs.

The law requires the council to group closely related land management activities and needs into four broad categories: resource management, administration, new facility construction, and facility maintenance. The legislation also requires the Auditor General and OPPAGA Director, or

³³ See Section 25, Chapter 2000-170, *Laws of Florida*.

their designees, to advise the council to ensure that appropriate accounting procedures are utilized and that a uniform method of collecting and reporting accurate costs of land management activities are created and can be used by all agencies.

The council is to provide its adopted list of categories and subcategories to the Governor, the Board of Trustees of the Internal Improvement Trust Fund, the President of the Senate, the Speaker of the House of Representatives, and the Acquisition and Restoration Council by January 1, 2001. The council must annually report agencies' expenditures in the adopted categories to the Senate President, the House Speaker, and the Acquisition and Restoration Council beginning July 1, 2001.

The council began meeting in May 2000. In August 2000, it established six categories of land management activities. These are resource management, administration, support, capital improvements, visitor services/recreation, and law enforcement. Two categories required by statute, new facility construction and facility maintenance, are subcategories of capital improvements. Future work by the council should establish a strong system for accounting for and reporting land management costs.

Conclusions

More than 94.2% of conservation and recreation lands are open to the public. Given the importance of protecting natural resources, restrictions on public access seem reasonable. Some land management plans do not include key management activities for preserving and protecting the land. Many plans lack basic components required by statute, including priority schedules and cost estimates. Land management needs and costs are nearly impossible to determine without expensive recompilation because agencies have not reported expenditures in uniform categories. A land management funding shortfall is expected by Fiscal Year 2002-03 because projected costs for upland invasive plant removal and other activities will exceed available revenues from the CARL Trust Fund. Land management funding requests are not tied to priorities or performance measures, thus it is difficult to determine where the expenditures are best directed.

To ensure that appropriate land management practices are implemented, land-managing agencies should include the following in their land management plans as required by law: a priority schedule for conducting management activities, a cost estimate for conducting priority activities, and a cost estimate for conducting other management activities. The Legislature also may want to consider applying these requirements to water management districts. The Acquisition and Restoration Council should ensure that state agencies comply with land management plan

requirements. Land management costs should be reported in the uniform accounting categories established by the Land Management Uniform Accounting Council. The Legislature may want to consider requiring that performance measures be included in land management plans in order to justify expenditures.

Land management priorities should be established

To ensure more effective and efficient use of land management funds, land management agencies should follow a standard method for identifying the priority of land management needs. To accomplish this the Legislature should amend s. 259.032(11)(c), *Florida Statutes*, to include these categories in land management plans.

- ***Immediate land management needs***, within one to two years, to prevent the threat of significant loss of natural resource values or significant increases in repair costs to capital facilities, and to provide public access on recreational lands
- ***Intermediate land management needs***, within three to four years, to prevent the threat of loss of natural resource values or the increase in repair costs to capital facilities, and to increase public access on recreational lands
- ***Long-term land management needs***, within five to six years, to prevent the eventual threat of loss of natural resource values or the eventual increase in repair costs to capital facilities, and to maintain public access to recreational lands

Land management funding shortfalls predicted

To provide adequate funding for land management activities or to prevent a projected deficit in the CARL Trust Fund, OPPAGA has identified two options the Legislature may wish to consider.

- ***Option 1.*** The Legislature could retain current funding levels for the CARL Trust Fund.
- ***Option 2.*** The Legislature could increase the level of land management funding up to the 1.5% of the cumulative total of funds ever deposited in the Preservation 2000 and Florida Forever trust funds or adjust the percentage higher. This could be accomplished with documentary stamp tax revenues and other funding sources.

Regardless of which option the Legislature selects, land management agencies should maximize available funding as described above by establishing priorities for immediate, intermediate, and long-term land management needs.

Land Management Uniform Accounting Council should include the water management districts

To provide better information about land management costs, water management districts should be members of the Land Management Uniform Accounting Council. The Legislature should amend s. 259.037, *Florida Statutes*, to include water management district representatives on this council.

Land Management

To provide adequate land management funding in the future, the Legislature may want to consider using the Land Management Uniform Accounting Council data and priorities in land management agencies' revised land management plans to adjust the 1.5% land management funding limit. Enough information from these sources will likely become available by the 2003 legislative session. The Legislature may want to consider using this information to determine if the 1.5% funding limit is insufficient, sufficient, or more than sufficient to fund land management needs.

These recommendations along with other recommendations concerning acquisition of state lands and related performance measures are summarized in Chapter 5.

A Model of Program Performance

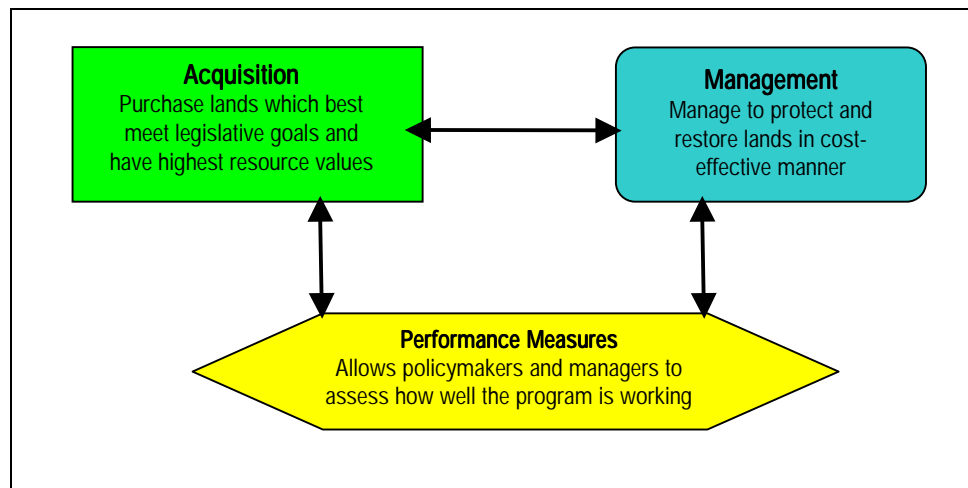
Acquisitions have generally benefited Florida, but the system for purchasing and managing land that best meets legislative objectives needs improvement

Under the Preservation 2000 program, the state allocated approximately \$3 billion in funds to the acquisition of lands. Although these purchases have achieved positive results, it is difficult to conclude that the state bought the best lands possible because a comprehensive model of land identification, acquisition, and management does not exist. To address this need, we developed a model of program performance that could improve the State Lands Program by providing better assurance that

- the best available land is identified and acquired;
- land management activities conducted include a better assessment of the overall status of lands; the priority of land management needs, and better estimates of costs to meet management needs; and
- a common set of measures is used by all land management agencies to assess performance.

The main components of a state lands program are land identification and acquisition, and land management. We propose a model for state lands, which could aid in improving program decisions through the use of performance measures that assess those two primary program components. (See Exhibit 24.)

Exhibit 24
Main Components of State Lands Program



Source: OPPAGA.

Acquisition relies on three separate processes

Current land identification and acquisition processes have achieved beneficial results. (See Chapter 3.) However, these processes may not ensure that the best land is acquired that would achieve legislative goals. Under the Florida Forever program, three separate entities (the Water Management Districts, the Acquisition and Restoration Council, and the Florida Communities Trust, control the majority of land funding.³⁴ From the property these land-buying agencies designate as priorities, a subset should be identified that provides the highest resource values across different land use needs. Under the Preservation 2000 program this type of approach was not used.

*The Conservation
Needs Assessment
identifies lands with the
highest resource values*

The Florida Natural Areas Inventory, as part of its work for the Florida Forever Advisory Council, has developed a Conservation Needs Assessment methodology for identifying lands that have the highest resource values. If all three of the land acquisition authorities used this methodology, it could result in better directing state funding toward lands that meet multiple land-buying objectives.

Management needs will continue to grow

*Land management
needs will exceed
available funding*

To address the increasing land management needs and forecasted lack of funding, management activities should be prioritized to prevent the loss of natural and facility value. As additional lands are acquired under the Florida Forever program, state agencies will face increased management requirements and funding needs for their management activities. In a Senate Committee on Natural Resources staff report, land-managing agencies reported they would need an additional \$442.5 million over current management funds to fully implement their management plans. (See Chapter 4.) However, this amount does not include control of upland invasive plants, estimated at \$979 million, nor does this figure factor in additional lands requiring management that will be acquired over the next 10 years. The Department of Environmental Protection estimates that the Conservation and Recreation Lands (CARL) Trust Fund that provides the majority of management funds will be in a deficit position as early as Fiscal Year 2002-03.

In response to the Senate report and to provide a better assessment of land management costs, the 2000 Legislature created the Land Management Uniform Accounting Council to ensure that all agencies use a uniform method of collecting and reporting accurate land management

³⁴ The Department of Environmental Protections' Office of Greenways and Trails and the Division of Recreation and Parks, the Department of Agriculture and Consumer Services, and Fish and Wildlife Conservation Commission each receive 1.5% of Florida Forever funding. The Florida Recreation Development Assistance program receives 2% of Florida Forever funding.

costs.³⁵ As of August 2000, the council has established uniform cost categories and sub-categories. Agencies now can use cost data to provide more accurate and comparable estimates for meeting land management needs. However, one weakness of the current effort is that council membership does not include the five water management districts.

Performance measures are needed to assess results

Land management plans should include performance measures, which can be used to roll up and contribute to higher measures that are required under the Florida Forever requirements. With approximately \$3 billion appropriated during the Preservation 2000 program over the last 10 years, and another \$3 billion to be appropriated under the Florida Forever, a system for outcome measurement is needed.

Management plans lay out what activities are to occur on a specified tract of land. Yet our review of management plans indicated that there was no quantifiable means of gauging the success of these activities. If measures were maintained at the management plan level, these could be used to assess land management activities by site and could be aggregated at the state level. Also, if these measures were constructed properly they could provide data for approved Florida Forever performance measures. Attached are our recommended measures, which could be used to assess both higher-level outcomes for management and acquisition under Florida Forever. (See Exhibit 25.) A complete set of higher and lower measures are provided in Appendix B.

³⁵ See Section 25, Chapter 2000-170, *Laws of Florida*.

Exhibit 25

Recommended Performance Measures for Florida Forever

Goals	High Level Measures
Enhance the coordination and completion of land acquisition projects.	1. Percentage of acres/parcels identified in agencies' work plans that were successfully acquired 2. Number of acres of lands identified for conservation purposes that were lost to development
Increase the protection of Florida's biodiversity at the species, natural community, and landscape levels.	3. Percentage and number of acres acquired of highest priority conservation areas for Florida's rarest species and communities
Increase the amount of forestland available for sustainable management of natural resources.	4. Acres acquired that are available for sustainable forest management.
Preserve significant archaeological or historic sites.	5. The increase in the number of and percentage of historic and archaeological properties, which are listed in the Florida Master Site File or National Register of Historic Places, and that are protected or preserved for public use
Increase natural resource-based public recreational and educational opportunities.	6. Percentage and number of acres of public lands that are open to the public 7. Number of visitors and percentage satisfied with recreational experience
Protect, restore, and maintain the quality and natural functions of land, water, and functions systems of the state.	8. Percentage and number of acres identified as needing restoration; acres undergoing restoration; and acres with restoration activities completed 9. Percentage and number of acres in good/fair/poor condition
Increase the amount of open space available in urban areas.	10. Percentage of local governments that participate in land acquisition programs and acquire open space in urban cores 11. Percentage and number of acres of purchases within urban service areas
Ensure that sufficient quantities of water are available to meet the current and future needs of natural systems and the citizens of the state.	12. Acres acquired that provide retention and storage of surface water in naturally occurring storage areas, such as lakes and wetlands, consistent with the maintenance of water resources or water supplies, as identified in a district water supply plan 13. Acres acquired of ground water recharge areas critical to springs, sinks, aquifers, other natural systems, or water supply

Source: OPPAGA and Florida Forever Advisory Council.

We also assessed the Department of Environmental Protection's Division of State Lands performance-based program budgeting (PB²) performance measures. The program met or exceeded standards for performance measures covering species protection, aquatic weed control, and the completion of management plans within statutory time frames. However, the program did not meet standards for upland weed control and timeliness in acquiring expensive parcels and completing easements, leases, and other requests. For a more detailed discussion about PB² and Florida Forever performance measures, see Appendix B.

Conclusions and Recommendations —————

Although land acquisitions during the past decade have achieved positive results, it is difficult to conclude that the state bought the best lands possible. We propose a model for land-buying which could aid in these decisions. The main components of this model state lands program are land identification and acquisition, land management, and a performance measurement system. The following recommendations are intended to implement this model.

To ensure identification of the best land to purchase, water management districts and the Acquisition and Restoration Council should employ the Florida Natural Areas Inventory's Conservation Needs Assessment methodology to establish priority land purchasing lists. Water management districts and state agencies should annually provide the inventory with sufficient data to generate the assessment. The Florida Communities Trust should provide the Inventory with sufficient data to include an urban open spaces component in the assessment. Water management districts, state agencies, and Florida Communities Trust should, whenever possible, coordinate the development of their priority lists. Also, the Board of Trustees of the Internal Improvement Trust Fund should establish in rule the procedure that agencies are to follow in identifying land for disposition.

To ensure that appropriate land management practices are implemented, land-managing agencies should include the following in their land management plans as required by law: a priority schedule for conducting management activities, a cost estimate for conducting priority activities, and a cost estimate for conducting other management activities. The Acquisition and Restoration Council should ensure that agencies comply with land management plan requirements. Land management costs should be reported in the uniform accounting categories established by the Land Management Uniform Accounting Council. The Legislature may want to consider requiring that performance measures be included in land management plans in order to justify expenditures.

Land management priorities should be established

To ensure more effective and efficient use of land management funds, land management agencies should follow a standard method for identifying the priority of land management needs. To accomplish this the Legislature should amend s. 259.032(11)(c), *Florida Statutes*, to include these categories in land management plans.

- ***Immediate land management needs***, within one to two years, to prevent the threat of significant loss of natural resource values or significant increases in repair costs to capital facilities, and to provide public access on recreational lands

- **Intermediate land management needs**, within three to four years, to prevent the threat of loss of natural resource values or the increase in repair costs to capital facilities, and to increase public access on recreational lands
- **Long-term land management needs**, within five to six years, to prevent the eventual threat of loss of natural resource values or the eventual increase in repair costs to capital facilities, and to maintain public access to recreational lands

*Land management
funding shortfalls
predicted*

To provide adequate funding for land management activities and to prevent a projected deficit in the CARL Trust Fund, OPPAGA has identified two options the Legislature may wish to consider.

Option 1. The Legislature could retain current funding levels for the CARL Trust Fund. This will result in funding land management activities at less than 1.5% of the cumulative total of funds ever deposited in the Preservation 2000 and Florida Forever trust funds. This option will provide for the funding of an unspecified number of priority land management activities without necessitating a change in the documentary stamp tax distribution. However, this option will also preclude the funding of many other land management activities.

Option 2. The Legislature could increase the level of land management funding up to the 1.5% or adjust the percentage higher. The most obvious source of revenue for these increases is the documentary stamp tax. The Senate Committee on Natural Resources staff report suggested channeling part of the unobligated documentary stamp from general revenue to land management as a possible way to prevent a shortfall in the CARL Trust Fund. To implement this change, the Legislature must amend s. 201.15(1), *Florida Statutes*, to provide the CARL Trust Fund with enough documentary stamp tax revenue to fully fund 1.5% (or an increase) of the cumulative total of funds ever deposited in the Preservation 2000 and Florida Forever trust funds. If these changes were made the percentage of funds remaining for other purposes would be reduced. Currently 62.63% of documentary stamp tax revenues are deposited into the Land Acquisition Trust Fund to pay debt service on Preservation 2000 and Florida Forever bonds and other purposes. The General Revenue Fund receives the remainder of the revenues.

Under Option 2, providing sufficient funding to the CARL Trust Fund in Fiscal Year 2002-03, the first year of the projected deficit, would require transferring approximately \$2.2 million additional dollars into the trust fund that would otherwise be deposited in the General Revenue Fund. This represents 0.8% of documentary stamp tax collections that year. Providing sufficient funding to the CARL Trust Fund in Fiscal Year 2007-08 would require transferring approximately \$29.7 million additional dollars into the trust fund that would otherwise be deposited in the General Revenue Fund, or 2.1% of documentary stamp tax collections that

year. Although this option would provide sufficient funding for the 1.5% funding limit, it would reduce the amount of revenue available for appropriation for other purposes from the General Revenue Fund.

Regardless of which option the Legislature selects, land management agencies should maximize available funding as described above by establishing priorities for immediate, intermediate, and long-term land management needs.

***Land Management
Uniform Accounting
Council should include
the water management
districts***

To provide better information about land management costs, water management districts should be members of the Land Management Uniform Accounting Council. The Legislature should amend s. 259.037, *Florida Statutes*, to include water management district representatives on this Council.

To provide adequate land management funding in the future, the Legislature may want to consider using the Land Management Uniform Accounting Council data and priorities in land management agencies' revised land management plans to adjust the 1.5% land management funding limit. Enough information from these sources will likely become available by the 2003 legislative session. The Legislature may want to consider using this information to determine if the 1.5% funding limit is insufficient, sufficient, or more than sufficient to fund land management needs.

***A comprehensive set of
performance measures
are needed***

To provide a better performance measurement system, OPPAGA makes three recommendations.

- The Department of Environmental Protection should work with its Office of Inspector General to improve data collection and reporting of all performance measures.
- The Florida Forever Advisory Council may want to consider adopting the comprehensive set of performance measures in Exhibit B-2 to be included in its recommendations to the Legislature for the Florida Forever Program.
- The Legislature may want to consider adopting the performance-based program budgeting performance measures for the Division of State Lands in Exhibit B-3 to be included in the Fiscal Year 2001-02 Appropriations Implementing Bill.

Appendix A

Statutory Requirements for Program Evaluation and Justification Review

Section 11.513(3), *Florida Statutes*, provides that OPPAGA Program Evaluation and Justification Reviews shall address nine issue areas. Our conclusions on these issues as they relate to the State Lands Program are summarized below.

Table A-1
Summary of the Program Evaluation and Justification Review of the State Lands Program

Issue	OPPAGA Conclusions
The identifiable cost of the program	The Legislature appropriated \$744,877,544 for the program in Fiscal Year 1999-2000, and \$740,276,775 in Fiscal Year 2000-01. (See pages 7-8.)
The specific purpose of the program, as well as the specific public benefit derived therefrom	The purpose of the State Lands Program is to handle all functions related to the acquisition, administration, and disposition of conservation and recreation lands, to which the titles are vested in the Board of Trustees of the Internal Improvement Trust Fund, composed of the Governor and Cabinet. The program also includes conservation and recreation lands purchased by water management districts and local governments. (See pages 2 and 11-12)
Progress towards achieving the outputs and outcomes associated with the program	The State Lands Program has purchased more than one million acres of conservation and recreation lands during the past decade. This land includes endangered species habitat, Strategic Habitat Conservation Areas, land needed to improve the state's water quality, and land identified in local governments' comprehensive plans. Less than 1% of these lands have been sold or exchanged since 1990. More than 94.2% of conservation and recreation lands are open to the public. (See pages 16-26.)
An explanation of circumstances contributing to the state agency's ability to achieve, not achieve, or exceed its projected outputs and outcomes, as defined in s. 216.011, <i>F.S.</i> , associated with the program	<p>Although land acquisitions have apparently provided many benefits to the state, no integrated land identification system is currently in place. (See pages 26-27.)</p> <p>The Board of Trustees of the Internal Improvement Trust Fund has not established in rule the procedure that agencies are to follow in identifying land for disposition. (See page 25.)</p> <p>Several state agencies and water management districts have not identified conservation lands to sell or exchange at this time or have not yet completed assessments of their conservation lands which are due in the year 2002. Agencies are not acquiring land as quickly as funds are being appropriated from bond proceeds for the purpose of land acquisition. As of June 30, 2000, this remaining cash balance of approximately \$664,908,701 had not been spent on land acquisitions from the Preservation 2000 Trust Fund. Agencies are not acquiring land as quickly as funds are being appropriated from bond proceeds for the purpose of land acquisition. (See pages 25 and 28-29.)</p> <p>Some land management plans do not include key management activities for preserving and protecting the land. Many plans lack basic components required by statute, including priority schedules and cost estimates. Land management</p>

Issue	OPPAGA Conclusions
	<p>needs and costs are nearly impossible to determine without expensive recompilation because agencies have not reported expenditures in uniform categories. A land management funding shortfall is expected by Fiscal Year 2002-03 because projected costs for upland invasive plant removal and other activities will exceed available revenues from the CARL Trust Fund. Land management funding requests are not tied to priorities or performance measures, thus it is difficult to determine where the expenditures are best directed. (See pages 33-50.)</p> <p>It is difficult to use the program's performance-based program budgeting performance measures to assess program performance. The Department of Environmental Protection's Office of Inspector General could not test the measures for reliability because the Division of State Land's records contained insufficient data and inadequate reporting systems. Most of the program's performance measures are more appropriate for internal use by program staff than they are for assessing performance, although some could be used to calculate unit cost. The measures are also restricted to program activities conducted by the Department of Environmental Protection's Division of State Lands and do not cover major program activities conducted by other state agencies, local governments, and water management districts. Performance measures should cover all major program activities related to legislative goals. (See pages 62-67.)</p>
Alternative courses of action that would result in administering the program more efficiently and effectively.	<p>Although some aspects of the program are privatized, additional privatization appears to be possible, as indicated by the department's Long-Range Program Plan and through the contracting with private contractors. (See pages 11-12.)</p> <p>The program should adopt a methodology that identifies land with the highest resource values that meet legislative goals for the state. Agencies and the Acquisition and Restoration Council should comply with statutory requirements as to reviewing managed lands every three years for the possibility of disposition. (See page 25-27.)</p> <p>Many land management plans lack basic components required by statute, including priority schedules and cost estimates, the Acquisition and Restoration Council (ARC) should ensure that agencies comply with land management plans requirements. Land management cost should be reported in the uniform accounting categories established by the Land Management Uniform Accounting Council. The Legislature should amend s. 259.037, <i>F.S.</i>, to include water management district representatives on the council. (See page 35,47.)</p> <p>The Legislature may want to consider requiring that performance measures be included in land management plans in order to justify expenditures. (See page 35.)</p> <p>To ensure more effective and efficient use of land management funds, land management agencies should follow a standard method for identifying the priority of land management needs. To accomplish this the Legislature should amend s. 259.032(11)(c), <i>F.S.</i>, to include these categories in land management plans. (See pages 48-50.)</p> <ul style="list-style-type: none"> ▪ Immediate land management needs, within one to two years, to prevent the threat of significant loss of natural resource values or significant increases in repair costs to capital facilities, and to provide public access on recreational lands ▪ Intermediate land management needs, within three to four years, to prevent the threat of loss of natural resource values or the increase in repair costs to capital facilities, and to increase public access on recreational lands

Issue	OPPAGA Conclusions
	<ul style="list-style-type: none"> ▪ Long-term land management needs, within five to six years, to prevent the eventual threat of loss of natural resource values or the eventual increase in repair costs to capital facilities, and to maintain public access to recreational lands <p>To provide adequate funding for land management activities and to prevent a projected deficit in the Conservation and Recreation Lands (CARL) Trust Fund, OPPAGA has identified two options the Legislature may want to consider. (See pages 48-50.)</p> <p>Option 1. The Legislature can retain current funding levels for the CARL Trust Fund. This will result in funding land management activities at less than 1.5% of the cumulative total of funds ever deposited in the Preservation 2000 and Florida Forever trust funds. This option will provide for the funding of an unspecified number of priority land management activities without necessitating a change in the documentary stamp tax distribution. However, this option will also preclude the funding of many other land management activities.</p> <p>Option 2. The Legislature can increase the level of land management funding up to the 1.5% or adjust the percentage higher. The most obvious source of revenue for these increases is the documentary stamp tax. The Senate Committee on Natural Resources staff report suggested channeling part of the unobligated documentary stamp from general revenue to land management as a possible way to prevent a shortfall in the CARL Trust Fund. To implement this change, the Legislature must amend s. 201.15(1), <i>F.S.</i>, to provide the CARL Trust Fund with enough documentary stamp tax revenue to fully fund 1.5% (or an increase) of the cumulative total of funds ever deposited in the Preservation 2000 and Florida Forever trust funds. If these changes were made the percentage of funds remaining for other purposes would be reduced. Currently 62.63% of documentary stamp tax revenues are deposited into the Land Acquisition Trust Fund to pay debt service on Preservation 2000 and Florida Forever bonds and other purposes. The General Revenue Fund receives the remainder of the revenues.</p> <p>To provide better information about land management costs, water management districts should be members of the Land Management Uniform Accounting Council (LMUAC). The Legislature should amend s. 259.037, <i>F.S.</i>, to include water management district representatives on the LMUAC. (See page 47.)</p> <p>To provide adequate land management funding in the future, the Legislature may want to consider using LMUAC's data and priorities in land management agencies' revised land management plans to adjust the 1.5% land management funding limit. Enough information from these sources will likely become available by the 2003 legislative session. The Legislature may want to consider using this information to determine if the 1.5% funding limit is insufficient, sufficient, or more than sufficient to fund land management needs.</p> <p>To provide a better performance measurement system, OPPAGA makes the following recommendations. (See page 62-67.)</p> <ul style="list-style-type: none"> ▪ The Department of Environmental Protection should work with its Office of Inspector General to improve data collection and reporting of all performance measures. ▪ The Florida Forever Advisory Council may want to consider adopting the comprehensive set of performance measures in Exhibit B-2 to be included in its recommendations to the Legislature for the Florida Forever Program. ▪ The Legislature may want to consider adopting the performance-based program budgeting performance measures for the Division of State Lands in

Issue	OPPAGA Conclusions
	Exhibit B-3 to be included in the Fiscal Year 2001-02 Appropriations Implementing Bill.
The consequences of discontinuing the program	Without this program, the state would be unable to meet its goal of preserving conservation and recreation lands for future generations. The program's major goals include bringing conservation and recreation lands under public ownership for preservation, restoration, species protection, and public access. Discontinuing the program would likely result in losing threatened and endangered species and other natural resources to development. It could also jeopardize surface and ground water quality, allow explosive growth of exotic, invasive species, and result in additional wildfires caused by insufficient prescribed burning. (See page 11.)
Determination as to public policy; which may include recommendations as to whether it would be sound public policy to continue or discontinue funding the program, either in whole or in part	The Public Lands Program is essential and should be continued. The State Constitution says it is the state's policy to conserve and protect its natural resources and scenic beauty. The public and the Legislature strongly support this policy. Implementing the policy depends on public ownership of conservation and recreation lands by state agencies and local governments to prevent private development and degradation of natural resources. Therefore, the program should be continued. (See page 11.)
Whether the information reported pursuant to s. 216.031(5), <i>F.S.</i> , has relevance and utility for the evaluation of the program	Current PB ² performance measures do not cover all major legislative goals related to the program, but reflect only activities conducted by the Department of Environmental Protection's Division of State Lands. They do not reflect activities conducted by other state agencies, water management districts, and local governments. Several measures are not good indicators of performance. (See Appendix B.)
Whether state agency management has established control systems sufficient to ensure that performance data are maintained and supported by state agency records and accurately presented in state agency performance reports	The Division of State Lands' records contain insufficient data for the Department of Environmental Protection's Office of Inspector General to test the reliability of performance-based program budgeting performance measures. (See Appendix B.)

Performance Measures

OPPAGA assessed the State Lands Program's performance-based program budgeting (PB²) measures for three Fiscal Years, 1998-99, 1999-2000, and 2000-01. However, it was difficult to use the measures to assess program performance for the following reasons.

- The Department of Environmental Protection's Office of Inspector General could not test the measures for reliability because the Division of State Land's records contained insufficient data and inadequate reporting systems. For example, the office found several problems with the data tracking systems for the measure called "percentage of easements, leases, and other requests completed by maximum time frames prescribed."
- Among 27 Fiscal Year 1998-99 performance measures, OPPAGA identified only 6 that were performance related while the other 21 were more appropriate for internal use by program staff. For example, "the number of verified records maintained" is not an indicator of program performance.

The measures are restricted to program activities conducted by the Department of Environmental Protection's Division of State Lands and do not cover major program activities conducted by other state agencies, local governments, and water management districts. For example, none of the measures are related to the activities of Florida Communities Trust.

The 2000 Legislature approved 15 performance measures for the Division of State Lands for the 2000-01 fiscal year. (See Table B-1.)

Although most of these measures are reasonable indicators of performance, some are not. Measures 7 through 12 and 15 are more appropriate for internal use by program staff because they do not measure progress toward achieving program goals. However, measures 8 through 12 and 15 could be used to develop unit cost measures. Even so, nearly all of these performance measures lack good data reliability because the division currently does not have adequate data systems that accurately record and retrieve information. Program staff are working with the Office of Inspector General and a private consultant to develop these data systems, a process they expect to complete by July 2001.

Finally, these performance measures do not cover major activities conducted by other state agencies, local governments, and water management districts. The division's PB² measures should be included in

the Florida Forever Program measures, discussed below, to provide a comprehensive assessment of the program's activities.

Table B-1
The Legislature Approved 15 PB² Performance Measures for the Division of State Lands
in Fiscal Year 2000-01

Performance Measures	Type	Standard
Invasive Plant Control		
1. Percentage of Florida's public waters where control hydrilla, water hyacinth, and water lettuce has been achieved and sustained	outcome	95%
2. Number of new acres of public land where invasive, exotic, upland plants are controlled and maintained	output	7,000
3. Number of acres of public water bodies treated	output	40,165
4. Number of acres of upland plants controlled	output	4,285
Land Administration		
5. Percent increase in the number of occurrences of endangered/threatened /special concern species on publicly managed conservation areas	outcome	36%.
6. Percent of parcels acquired within the agreed upon time limit	output	70%
7. Appraised value as a percent of purchase price for parcels	output	92%
8. Number of appraisals certified	output	500
9. Number of maps certified	output	80
10. Number of appraisals completed on projects on current list (as amended)	output	500
11. Number of parcels (ownerships) negotiated	output	4,397
12. Number of parcels (ownerships) closed	output	1,281
Land Management		
13. Percent of easements, leases, and other requests completed by maximum time frames prescribed	outcome	75%
14. Percent of all land management plans completed within statutory time frames	outcome	70%
15. Number of leases developed by the department	output	500

Source: Chapter 2000-171, *Laws of Florida*.

Performance measures should reflect legislative goals for entire program

Florida law establishes several goals for the State Lands Program. These goals include protecting air, land, and water quality, promoting water resource development, protecting fish and wildlife habitat, preserving open space and recreation properties within urban areas, increasing other public recreational opportunities, reducing nonnative, invasive species, preserving and protecting wetlands, and increasing the amount of forest land. However, current performance measures are related to only two of these goals, protecting fish and wildlife habitat and reducing non-native, invasive species. In addition, these measures are restricted to activities performed by the Department of Environmental Protection's Division of

State Lands. Although these activities are important, they capture only part of Florida's land acquisition, disposition, and management picture. For example, the measures do not cover activities performed by other state agencies, including the Fish and Wildlife Conservation Commission, the Department of Community Affairs, and the Department of Agriculture and Consumer Services. The measures also do not cover activities performed by the state's five water management districts.

OPPAGA recommends performance measures that cover all major program activities related to legislative goals in the Florida Forever Act and appropriate for consideration by the Florida Forever Advisory Council (FFAC). We reviewed performance measures currently used or under consideration by the four state agencies and five water management districts involved in the program. We also reviewed performance measures used by federal agencies and other states. Then we consulted with the Florida Forever Advisory Council staff on the list of measures currently under consideration by the council. As a result of our analysis and consultation, we selected a comprehensive set of performance measures for the State Lands Program. These include higher-level outcome measures and lower-level output measures. (See Table B-2.)

Table B-2
OPPAGA Recommendations for the State Lands Program's
Fiscal Year 2000-01 PB² Performance Measures

Performance Measures Hierarchy		
Goals	Higher	Lower
Enhance the coordination and completion of land acquisition projects.	<ul style="list-style-type: none"> Percentage of acres/parcels identified in agencies work plans that were successfully acquired Number of acres of lands identified for conservation purposes that were lost to development 	<ul style="list-style-type: none"> Number of acres acquired through the state's land acquisition programs that contribute to the completion of Florida Forever projects or projects begun prior to Florida Forever Number of acres protected through the use of alternatives to fee simple acquisition. Number of shared acquisition projects among Florida Forever funding partners and partners with other funding sources, e.g., local governments and the federal government.
Increase the protection of Florida's biodiversity at the species, natural community, and landscape levels.	<ul style="list-style-type: none"> Acres acquired of highest priority conservation areas for Florida's rarest species and communities 	<ul style="list-style-type: none"> Acres acquired of significant Strategic Habitat Conservation Areas (SHCA) Acres acquired of significant landscapes, landscape linkages, and conservation corridors, giving priority to completing linkages Acres acquired of under-represented native ecosystems Number of landscape-sized protection areas that exhibit a mosaic of predominantly intact or restorable natural communities (>50,000 acres) established through new acquisition projects, or augmentations to previous projects

Performance Measures Hierarchy		
Goals	Higher	Lower
Protect, restore, and maintain the quality and natural functions of land, water, and wetland systems of the state.	<ul style="list-style-type: none"> ▪ Acres of land identified as needing restoration; acres undergoing restoration; and acres with restoration activities completed ▪ Percentage and number of acres in good/fair/poor condition 	<ul style="list-style-type: none"> ▪ Percentage increase in the number of occurrences of endangered/ threatened/special concern species on publicly managed conservation areas ▪ Percentage of water segments that fully meet, partially meet, or do not meet their designated uses as reported in the DEP State Water Quality Assessment 305(b) report ▪ Percentage completion of targeted capital improvements in SWIM plans, regional or master stormwater management system plans, or other adopted restoration plans ▪ Acres acquired that protect natural floodplain functions ▪ Acres acquired that protect surface waters of the State ▪ Acres identified for acquisition to minimize damage from flooding and the percentage of those acres acquired ▪ Acres acquired that protect fragile coastal resources ▪ Acres of functional wetland systems protected ▪ Percentage of miles of critically eroding beaches contiguous with public lands restored or protected from further erosion ▪ Percentage of public lakes and rivers in which invasive, non-native aquatic plants are under maintenance control ▪ Number of acres of public conservation lands in which upland invasive, exotic plants are under maintenance control ▪ Percentage and number of acres identified for restoration actually restored by reforestation ▪ Percentage and number of acres burned according to the agency's prescribed burning schedule (or plan) ▪ Percentage of land management plans completed within statutory time frames
Ensure that sufficient quantities of water are available to meet the current and future needs of natural systems and the citizens of the state.	<ul style="list-style-type: none"> ▪ Acres acquired that provide retention and storage of surface water in naturally occurring storage areas, such as lakes and wetlands, consistent with the maintenance of water resources or water supplies, as identified in a district water supply plan ▪ Acres acquired of ground water recharge areas critical to springs, sinks, aquifers, other natural systems, or water supply 	<ul style="list-style-type: none"> ▪ Quantity of water made available through the water resource development component of a district water supply plan

Appendix B

Performance Measures Hierarchy		
Goals	Higher	Lower
Increase natural resource-based public recreational and educational opportunities.	<ul style="list-style-type: none"> Percentage and number of acres of public lands that are open to the public Number of visitors and percentage satisfied with recreational experience 	<ul style="list-style-type: none"> Acres acquired that are available for natural resource-based public recreation. Miles of trails that are available for public recreation, giving priority to those that provide significant connections including those that will assist in completing the Florida National Scenic Trail Number of new resource-based recreation facilities, by type, made available on public land
Preserve significant archaeological or historic sites.	<ul style="list-style-type: none"> The increase in the number of and percentage of historic and archaeological properties, which are listed in the Florida Master Site File or National Register of Historic Places, that are protected or preserved for public use 	<ul style="list-style-type: none"> The increase in the number and percentage of historic and archaeological properties that are in state ownership
Increase the amount of forestland available for sustainable management of natural resources.	<ul style="list-style-type: none"> Acres acquired that are available for sustainable forest management 	<ul style="list-style-type: none"> Acres of state owned forestland managed for economic return in accordance with current Best Management Practices (BMPs). The number of acres of forestland acquired that will serve to maintain natural ground water recharge functions
Increase the amount of open space available in urban areas.	<ul style="list-style-type: none"> Percentage of local governments that participate in land acquisition programs and acquire open space in urban cores Percentage and number of acres of purchases within urban service areas 	<ul style="list-style-type: none">

Source: OPPAGA and Florida Forever Advisory Council.

The higher-level measures represent policy outcomes the Legislature may want to consider for assessing the State Lands Program. The lower-level measures provide information about program outputs for the Legislature and the public.

Among performance measures listed in Table B-2, OPPAGA identified performance-based program budgeting performance measures for the Division of State Lands that the Legislature may want to consider including in the Fiscal Year 2001-02 Implementing Bill. (See Table B-3.)

Table B-3
OPPAGA's Recommended PB² Performance Measures for the
Division of State Lands in Fiscal Year 2001-02

Performance Measures	Type
1. Percentage of acres/parcels identified in the agencies' work plan that were successfully acquired	outcome
2. Number of acres of lands identified for conservation purposes that were lost to development	output
3. Percentage and number of acres acquired of highest priority conservation areas for Florida's rarest species and communities	outcome/output
4. Percentage increase in the number of occurrences of endangered/threatened/special concern species on publicly managed conservation areas	outcome
5. Percentage and number of acres of public lands that are open to public use	outcome/output
6. Percentage and number of visitors satisfied with recreational experience	outcome/output
7. Percentage and number of acres identified for restoration actually restored by managing agencies	outcome/output
8. Percentage and number of acres in good/fair/poor condition	outcome/output
9. Percentage and number of public lakes and rivers in which invasive, non-native aquatic plants are under maintenance control	outcome/output
10. Percentage and number of acres of public conservation lands in which upland invasive, exotic plant control operations have been conducted	outcome/output
11. Percentage and number of acres burned according to the agency's prescribed burning schedule (or plan)	outcome/output
12. Percentage of all land management plans completed within statutory time frames	outcome

Source: OPPAGA.

Conclusions

It is difficult to use the program's performance-based program budgeting performance measures to assess program performance. The Department of Environmental Protection's Office of Inspector General could not test the measures for reliability because the Division of State Land's records contained insufficient data and inadequate reporting systems. Most of the program's performance measures are more appropriate for internal use by program staff than they are for assessing performance, although some could be used to calculate unit cost. The measures are also restricted to program activities conducted by the Department of Environmental Protection's Division of State Lands and do not cover major program activities conducted by other state agencies, local governments, and water management districts. Performance measures should cover all major program activities related to legislative goals.

Appendix C

Land Management Expenditures by Managing Agency and Trust Fund

Table C-1

Land Management Expenditures by Managing Agency and Trust Fund for Fiscal Year 1998-99

and-Managing Agency	CARL TF	WMLTF	LATF	IITF	SGTF	SPTF	GDTF	ITF	Other	Total
DRP (DEP)	\$ 447,795	\$ 0	\$6,670,444	\$2,075,000	\$ 0	\$32,414,089	\$1,256,554	\$ 0	\$ 0	\$ 52,042,495
DOF (DACS)	8,749,957	0	0	0	0	0	0	4,728,282	0	13,478,329
DOW (FWCC)	7,036,245	0	0	0	3,240,227	0	0	0	4,497,749	14,774,219
S FL WMD	0	2,920,000	0	0	0	0	0	0	2,920,000	5,840,000
SJR WMD	0	3,316,413	0	0	0	0	0	0	1,806,360	5,122,773
CAMA (DEP)	2,517,979	0	264,454	0	0	0	1,899,475	0	87,061	4,768,969
SW FL WMD	0	2,044,813	0	0	0	0	0	0	0	2,044,813
NW FL WMD	0	1,488,574	0	0	0	0	0	0	374,430	1,863,004
Suwannee R WMD	0	1,335,229	0	0	0	0	0	0	130,605	1,485,834
OGT (DEP)	4,417	0	1,139,500	0	0	0	0	0	0	1,143,917
total	\$26,756,393.00	11,125,029	\$8,074,398	\$2,075,000	\$3,240,227	32,414,089	\$3,156,029	\$4,728,282	\$9,816,205	\$102,564,353

Trust Funds:

CARL TF-Conservation and Recreation Lands Trust Fund
WMLTF-Water Management Lands Trust Funds
LATF-Land Acquisition Trust Fund
IITF-Internal Improvement Trust Fund
SGTF-State Game Trust Fund
SPTF-State Park Trust Fund
GDTF-Grants and Donations Trust Fund
ITF-Incidental Trust Fund

Other Funding Sources:

Land lease revenue
Mitigation
In-kind donations
General Revenue
Florida Panther Research & Management Trust Fund
Non-Game Trust Fund

Land-Managing Agencies:

Northwest Florida Water Management District
South Florida Water Management District
St. Johns River Water Management District
Suwannee River Water Management District
Southwest Florida Water Management District
Division of Wildlife, Fish and Wildlife Conservation Commission
Division of Forestry, Department of Agriculture and Consumer Services
Office of Greenways and Trails, Department of Environmental Protection
Office of Coastal Aquatic Managed Areas, Department of Environmental Protection
Division of Recreation and Parks, Department of Environmental Protection

Source: All listed land-managing agencies.

Agency Responses

In accordance with the provisions of s. 11.45(7)(d), *Florida Statutes*, a draft of our report was submitted to the secretary of the Department of Environmental Protection, the commissioner of the Department of Agriculture and Consumer Services, the executive director of Florida Communities Trust, the executive director of Northwest Florida Water Management District, the executive director of South Florida Water Management District, the executive director of Southwest Florida Water Management District and the executive director of St. Johns River Water Management District for each to review and respond.

The written responses of all responding agencies have been reproduced herein beginning on page 70.



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

January 9, 2001

Mr. John W. Turcotte, Director
Office of Program Policy Analysis
And Government Accountability
111 West Madison Street, RM 312
Claude Pepper Building
Tallahassee, Florida 32399-1475

Dear Mr. Turcotte:

Pursuant to the Office of Program Policy Analysis and Government Accountability (OPPAGA's) request, the following are additional comments to the specific conclusions and recommendations following each chapter of the draft justification review report of Department of Environmental Protection's State Lands Program.

Introduction-Chapter 1

The general descriptions of the CARL and WMD programs in this chapter and throughout the report do not recognize the significant cooperation and coordination that occurs between these programs and with the many local government programs. The CARL program has WMD partners for 58% of the projects on the 2000 priority list and local government partners for 28% of the listed projects. In addition, nonprofit organizations (NPOS) and the federal agencies are partners on 36% and 16% of CARL projects, respectively.

Program Benefit and Placement-Chapter 2

Staff endorses the conclusion that the administration of the Conservation and Recreation Lands program is well placed and should be continued. The Division has extensive, long term experience in coordinating project evaluation, ranking and acquisition and even greater longevity in administering state lands, in general, on behalf of the Board of Trustees.

Land Acquisition-Chapter 3

In this section, OPPAGA recommends adoption of a "methodology that identifies land with the highest resource values that meet legislative goals for the state". Elsewhere

Mr. John Turcotte
January 9, 2001
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(Chapter 5, for instance), OPPAGA endorses use of the information model (Conservation Needs Assessment) developed by the Florida Natural Areas Inventory on behalf of the Florida Forever Advisory Council (FFAC). OPPAGA recommends that the three major Florida Forever funding recipients use the Conservation Needs Assessment to identify a "subset" of their priority lists. This subset would be those areas which best meet multiple land buying needs, from an overall state perspective. Staff very much agrees with this general concept, although the Assessment should not dictate where land acquisitions occur. Many other factors come into play when deciding which lands to acquire, including owners' willingness to sell and managers' willingness to accept responsibility. FFAC, in its December 15, 2000 report, also pointed out that "data provided in the Assessment can also be used as a tool to evaluate proposed land acquisition projects by tracking their contribution toward protecting the resources identified in the measures." FFAC also concluded, however, that "multiplicity of goals is appropriate" and that a "degree of subjectivity, and reliance on the scientists, experts, and professionals within each formula agency ... must and should remain". So, at this time, we are uncertain whether the FFAC, in its role of policy recommending body for the Florida Forever Program, would agree with OPPAGA's recommended use of the conservation Needs Assessment data.

We greatly appreciate OPPAGA's recognition of the many accomplishments of the Preservation 2000 program. P-2000 increased the state's ownership by 29% but nearly doubled (90.4%) the number of sites with federally listed endangered species on state lands. The amount of Strategic Habitat Conservation Areas (SHCAS) acquired under P-2000 may be underestimated, but it was still a very significant amount. An estimated 30-50% or more of all P-2000 acquisitions were within SHCAS. We wish OPPAGA had generated similar statistical comparisons for the water resource protection efforts. Collectively, these statistics indicate that the state has focused its acquisition efforts on the most significant lands.

It would be helpful if the conclusions and recommendations in this chapter pointed out that there is currently conflict or confusion in legislation as far as when agencies have to perform the surplus lands review. The report says that "Agencies must complete a review of acquired lands and identify surplus lands by 2002." The statutes do direct agencies to complete a surplus review every three years "... as a component of land management plans." Land management plans are only required every five years, however. It is impracticable and inefficient to submit two separate reports. A detailed evaluation of potential surplus lands should be conducted as a component of the land management plans and five-year updates when a thorough evaluation of the management unit's land uses is being conducted.

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Land Management-Chapter 4

Staff agrees in general with OPPAGA's conclusions in this chapter and believes that establishment of land management priorities, in terms of immediate, intermediate and long-term needs is desirable and should be provided by land management agencies. There has been substantial confusion over what constitutes a priority schedule of management activities and how to allocate the costs of these activities. Therefore, there is a difference of opinion on how many of the management plans reviewed met statutory requirements in this regard. We anticipate that the Land Management Uniform Accounting Council and the Acquisition and Restoration Council will address and facilitate resolving cost and priority scheduling issues.

A Model of Program Performance-Chapter 5

FFAC worked in concert with OPPAGA over the past year in developing Florida Forever Program Performance measures and was pleased that OPPAGA adopted all of the FFAC's recommended measures. The only measures of OPPAGA's that FFAC did not adopt were those that appeared to focus more on the Division's performance. FFAC also did not adopt the concept of higher and lower level measures.

Thank you for the opportunity to review this report. If you need additional information in this regard, please call Joe Aita or me at 488-2287.

Sincerely,

/s/
Pinky G. Hall
Inspector General



Florida Department of Agriculture & Consumer Services
BOB CRAWFORD, Commissioner
The Capitol • Tallahassee, FL 32399-0800

Please Respond to:

December 8, 2000

Mr. John W. Turcotte, Director
The Florida Legislature
Office of Program Policy
and Government Accountability
111 West Madison Street, Room 312
Tallahassee, Florida 32301

Dear Mr. Turcotte:

Thank you for the opportunity to comment on the draft of your office's preliminary findings and recommendations of the State Lands Program, Department of Environmental Protection. Staff from the Division of Forestry have been in contact with your office regarding minor clarification modifications, and we appreciate your office's cooperation in indicating that those revisions would be made. We understand that this report looks at the larger picture of public land management both within and outside the Department of Environmental Protection.

Our Department is responsible for the management of Florida's State Forests, and acquires inholdings and additions using Preservation 2000 program funds and will utilize Florida Forever for the same and the expanded purposes. As outlined, it appears that some agencies may not be acquiring land as the acquisition funds are appropriated, however, our agency has been expending the Preservation 2000 funds in an expeditious manner. Additionally, unlike what the land management review teams have reported, we find that the CARL management funding is currently acceptable for those CARL acquired properties. With the legislative modification that allows those management funds to be utilized on non-CARL acquired properties, including State Forests, there has been an improvement in funding those properties. We believe the documentation in the report regarding options to the management funding shortfall is important and insightful.

The draft report indicates that the agencies have not yet complied with the statutory requirement regarding identifying land that should be surplus. It should be noted that each State Forest management plan, as required by statute, does have a section on surplus land. With reference to management plans, we would like to see a recommendation in the report indicating that since the management plan requirements are currently in two statutes, Section 253 and Section 259, that any redundancy be eliminated and the requirements be placed in Section 253.034, F.S. titled State Owned Land.



Florida Agriculture and Forest Products
\$53 Billion for Florida's Economy

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Mr. John W. Turcotte

December 8, 2000

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The recommended performance measures for the Division of State Lands, as outlined in Table B-3 on page 66, particularly as they relate to measures 5, 6, 7, 8, and 11, appear to be measures applicable to the managing agencies and not to the Division of State Lands. Additionally, due to the subjective nature associated with measures 6 and 8, we would suggest they are removed from this table.

Once again, thank you for the opportunity to comment on the report. Should you have any questions, or require additional information, please contact Mr. Earl Peterson who is the Director of the Division of Forestry at 850/488-4274.

Sincerely,

/s/

BOB CRAWFORD

COMMISSIONER OF AGRICULTURE

cc: Terry L. Rhodes, Assistance Commissioner
Jim Naff, Deputy Commissioner
Larry Strong, Inspector General
Earl Peterson, Director, Division of Forestry
Charles Maynard, Chief, Forest Management Bureau
Michele Myers, Chief Cabinet Aide

FLORIDA COMMUNITIES TRUST
WRITTEN RESPONSE

Draft OPPAGA Justification Review: State Lands Program, DEP

Program Benefit and Placement

The Florida Communities Trust (FCT) is required by statute to deliver its allocation of Preservation 2000 and Florida Forever funds as grants to cities, counties and eligible nonprofit organizations for land acquisition projects that further the conservation and outdoor recreation needs identified in local comprehensive plans. This particular statutory direction is unique to FCT. Another unique aspect of the funds allocated to FCT is the statutory requirement that a portion of the funds be matched by local governments on a dollar-for-dollar basis, making FCT projects true financial partnerships.

The Florida Communities Trust has observed that the dedicated source of funding for local government projects under Preservation 2000 has encouraged local government participation in the protection of conservation and outdoor recreation lands, that has historically been viewed as a state and federal responsibility. The process also encourages local governments to commit matching dollars and amend their comprehensive plans to make their acquisition proposals to FCT more competitive.

Land Acquisition

Funding decisions by FCT are made through a competitive selection process that scores and ranks proposed local government projects based on evaluation criteria adopted by the Florida Communities Trust governing board. These criteria, which are adopted by rule, evaluate how well a proposed acquisition furthers the local government comprehensive plan, protects natural and historic resources, promotes outdoor recreation and embodies other unique, innovative and outstanding project elements. This approach is based on the premise that the primary responsibility for making land use decisions rests at the local government level through the implementation of local comprehensive plans. It has been FCT's experience that this approach results in the selection of a diverse set of high quality projects that are furthering needs identified in local plans.

The Florida Forever Act directs FCT to continue using a competitive selection process with new emphasis on metropolitan and urban core areas, low income and otherwise disadvantaged communities and recreational trail systems. The Florida Communities Trust will establish new selection criteria to further the new emphases identified in the Florida Forever Act. In developing the new selection criteria, the FCT governing board will consider ways to encourage local governments to coordinate their land acquisition priorities with other acquisition agencies to maximize the benefit of state land acquisition programs.

As in the past, FCT will continue to coordinate with the other agencies that administer state land acquisition funds. Under Preservation 2000, FCT established an interagency review procedure to solicit comments on how proposed projects assist, promote or conflict with other agency acquisitions and programs. External agency comments are considered in selecting projects for

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funding and before initiating the acquisition of selected projects. This approach has been effective in soliciting the help and expertise of other agency personnel and in avoiding overlap in project boundaries and the unnecessary duplication of acquisition steps.

The Florida Communities Trust has privatized appraisals and appraisal review portions of the acquisition process by contracting with private providers. In addition, its real estate contracts provide for the seller, or local government, to provide survey, environmental site assessments, and title insurance, including closing services, which are all performed by private entities. In some instances, local governments or their agents conduct negotiations and in other instances FCT staff conducts the negotiations. The Florida Communities Trust continues to review acquisition procedures to determine if additional services can be privatized.

Land Management

Prior to the delivery of FCT grant funds, the local government recipient submits a written management plan describing how the site will be managed. This management plan builds on a conceptual management plan that was included in the grant applications and contributed to the evaluation score for the project. FCT requires the management plan address specific management issues, including but not limited to public access, physical improvements, natural and historic resource protection, site security, maintenance, priority schedule and cost estimates.

The title to lands acquired with FCT grant funds vests in the local government(s) name. The deed to properties acquired with FCT funds contain covenants and restrictions sufficient to ensure that the use of the property complies with applicable laws at all times. In addition, each deed contains a reversion clause that will vest title in the Board of Trustees of the Internal Improvement Trust Fund if any of the covenants or restrictions are violated by the title holder. FCT monitors the implementation of management plans through an annual stewardship report prepared by the local government. To date, FCT has not had to enforce the reversion clause on any project.

In adopting rules to implement the Florida Forever program the FCT governing board will consider improvements to its current management plan and stewardship report requirements for local government projects. The report's recommendations to identify the priority of management needs, report costs in uniform accounting categories and establish management performance measures will be considered for their applicability at the local level.

Program Performance

Like other acquisition programs, FCT did not established performance measures for its Preservation 2000 Program. Under Florida Forever, FCT will need to establish internal protocols for tracking both the performance-based program budgeting performance measures and the performance measures for Florida Forever recommended by OPPAGA and the Florida Forever Advisory Council.



Northwest Florida Water Management District

81 Water Management Drive, Havana, Florida 32333

(U.S. Highway 90, 10 miles west of Tallahassee)

(850) 539-5999 • (Suncom) 771-2080 • (Fax) 539-4380

Douglas E. Barr
Executive Director

December 13, 2000

Mr. John Turcotte
Office of Program Policy Analysis and Government Accountability
111 West Madison Street
Tallahassee, FL 32399-1475

Dear Mr. Turcotte:

That was a fine report on public land acquisition you and your folks just sent us. It is a great idea to have a group of unbiased analysts take a long look at something a lot of us are very close to, and then give us your findings to review before they go to the whole world.

We appreciate the opportunity you always give us to fully participate in your process, and (as always) I apologize for responding at the last possible minute.

We only found one minor error we think you might want to correct. On page 44, you indicate the Districts typically pay half the hunting permit revenues to the Fish and Wildlife Conservation Commission. To my knowledge, we are the only District that does this. We send them some \$40,000 to \$45,000 a year, an amount that represents half of the net revenue from the sale of resource area permits to hunt, fish and camp on some 180,000 acres of District Type II Wildlife Management Areas. You might want to check with Tim Breault (488-3831) at the Commission about any arrangements they have with the other water management districts.

We also had an opportunity to complete the "Florida Forever Goals and Performance Measures" called for in section 373.1995 of the Florida Statutes and referenced in your report. I attached a copy of these that we anticipate delivering to Department of Environmental Protection later this week.¹

Thanks again for letting us participate in this analysis. We will be incorporating many of your findings and recommendations in both our Florida Forever Workplan and the management plans for our properties.

Cordially,

/s/
George Fisher
Senior Planner

The attachment referred to here is a public record of the district and has not been reproduced herein.

CHARLES W. ROBERTS
Chair
Tallahassee

JOYCE ESTES
Vice Chair
Eastpoint

JUDY BYRNE RILEY
Secretary/Treasurer
Fort Walton Beach

WAYNE BODIE
DeFuniak Springs

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Wewahitchka

L. E. MCMULLIAN, JR.
Sneads

JOHN R. MIDDLEMAS, JR.
Panama City

J. RUSSELL PRICE
Tallahassee

NANCYANN M. STUPARICH
Pensacola

WMD FLORIDA FOREVER GOALS AND PERFORMANCE MEASURES

The goals and measures in this document have been developed to guide the implementation of the Florida Forever program for the five water management districts. These goals and accompanying measures will be used to prepare an annual evaluation of the success of the program. Section 373.1995, Florida Statutes, directs that this set of goals and measures be forwarded to the Secretary of the Department of Environmental Protection and on to the Trustees of the Internal Improvement Trust Fund (Governor and Cabinet) for approval.

This document has been prepared jointly by the five water management districts working closely with the Florida Forever Advisory Council. It is based on a careful review of the goals and measures included in the original Florida Forever legislation and an evaluation of the outstanding priorities of the five districts for use of Florida Forever funds.

Each of the districts is designing its Florida Forever Work Plan (a separate statutory requirement) to meet the needs most pressing within that region of the State. Emphases vary between each district but all program expenditures will be designed to meet as many of the overall statewide goals as expressed in this document as practicable. Special note is made of the unique situation in south Florida where it is expected that most of the Florida Forever program revenues will be dedicated to implementing elements of the Comprehensive Everglades Restoration Plan. This is expected to skew the distribution of funding projects for the South Florida Water Management District and affect the extent to which other goals are met.

The Florida Forever program is anticipated to provide funding to address a significant number of water resource projects throughout the state over the coming decade. Land acquisition, restoration and water resource development projects will be accomplished to address priority needs for water management. These goals and measures will provide the framework to measure the accomplishments of the program statewide to demonstrate and account for the effectiveness and efficiency of the program.

This report is organized as a list of five overarching goals for the water management district implementation of the Florida Forever program. Following each goal, a set of measures and an accompanying description of how that measure will be accounted are presented.

GOAL A: PROTECT, RESTORE, AND MAINTAIN THE QUALITY AND NATURAL FUNCTIONS OF LAND, WATER, AND WETLAND SYSTEMS OF THE STATE.

Measure A1: Acres acquired that provide non-structural flood protection.

Description: Acres acquired in the 100-year floodplain as delineated by the Federal Emergency Management Agency, unless the WMD has better data

Measure A2: Acres acquired for the purpose of implementing restoration or flood protection projects.

Description: Acres acquired for the purpose of constructing capital improvements to provide water quality, environmental or flood protection benefits

Measure A3: Acres acquired that protect fragile coastal and estuarine shoreline resources.

Description: Acres acquired within detailed USGS subbasins classified as 'bay,' 'bayou,' 'lagoon,' or 'direct runoff to Gulf or bay ' or within remaining subbasins adjacent to the ocean or Gulf

Measure A4: Acres acquired for protection of water resource-related natural systems.

Description: Acres acquired that are in natural land cover, as identified by the following FLUCCS codes: all 60005 (wetlands) and 4000-4399 (upland forests)

Measure A5: Acres acquired for water resource benefits that protect working landscapes such as ranches and silvicultural areas.

Description: Acres acquired of improved pasture, range land, and planted pines, as identified by FLUCCS codes 2110, all 30005, and all 44005, respectively.

Measure A6: Acres of land for which a hydrologic restoration or enhancement plan has been implemented.

Description: Acres of land for which the activities in a hydrologic restoration or enhancement plan have been carried out by the WMD.

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Measure A7: Percentage of the estimated acres of WMD land that need to be restored to natural communities, for which a restoration plan has been implemented.

Description: Percentage of acres of disturbed district-owned lands for which the activities in a restoration plan have been carried out. Disturbed land is identified by the following FLUCCS codes: all 1000s (urban and built-up); all 2000s (agriculture) except 2130 (woodland pasture); and 7400 (disturbed land). Improved pasture is excluded from 'disturbed District-owned lands' if the WMD does not intend to restore it. Planted pine (4400s) is included only when purchased for restoration to its natural state, e.g., conversion of slash pine to long leaf.

Measure A8: Percentage completion of WMD-targeted capital improvements in SWIM plans, regional or master stormwater management plans, or other WMD restoration or flood protection plans.

Description: Percentage of each WMD capital improvement project that has been completed

GOAL B: ENSURE THAT SUFFICIENT QUANTITIES OF WATER ARE AVAILABLE TO MEET THE CURRENT AND FUTURE NEEDS OF NATURAL SYSTEMS AND THE RESIDENTS OF THE STATE.

Measure B1: Acres acquired that provide retention and storage of surface water consistent with regional water supply plans.

Description: Acres acquired and used to retain water in natural storage areas or reservoirs to meet needs identified in a WMD regional water supply plan

Measure B2: Quantity of water made available through components of a regional water supply plan for which the WMD is responsible.

Description: Additional gallons of water available for use as a result of the implementation of WMD projects in a WMD regional water supply plan

Measure B3: Acres acquired of ground water recharge areas critical to springs, sinks, aquifers, other natural systems, or water supply.

Description: Acres of recharge areas acquired in, for example, groundwater basins feeding springs, watersheds containing sinkholes, or wellhead protection areas where water withdrawals or pollutants associated with potential development could be significantly harmful to wetlands or groundwater quality

GOAL C: INCREASE NATURAL RESOURCE-BASED PUBLIC RECREATIONAL AND EDUCATIONAL OPPORTUNITIES.

Measure C1: acres acquired that are available for natural resource-based public recreation or education as measured in categories of relative degree of public access opportunities.

Description: Acres of WMD land in each category of the access classification system developed by the WMDs.

Measure C2: Number of new resource-based recreation or education facilities, by type, made available on WMD-owned land.

Description: Number of additional facilities of each of the following types provided: camp sites, miles of trail, parking areas, bathrooms, nature centers, kiosks, boat ramps, fishing piers, observation platforms, boardwalks, picnic areas

GOAL D: WHERE IT ACCOMPLISHES WATER RESOURCE PROTECTION AS A PRIMARY PURPOSE, INCREASE THE PROTECTION OF FLORIDA'S BIODIVERSITY AT THE SPECIES, NATURAL COMMUNITY, AND LANDSCAPE LEVELS.

Measure D1: Acres acquired of Strategic Habitat Conservation Areas (SHCAs).

Description: Acres acquired of land designated as SHCAs by the Fish and Wildlife Conservation Commission (FWC) in their 1994 report, Closing the Gaps in Florida's Wildlife Habitat Conservation System

Measure D2: Acres acquired of highest priority conservation areas for Florida's rarest species and communities.

Description: Acres acquired of land to be identified by the Florida Natural Areas Inventory (FNAI) to protect Florida's rarest natural communities and species

Measure D3: Acres acquired of significant landscapes, landscape linkages, and conservation corridors, giving priority to completing linkages.

Description: Acres acquired within the Ecological Network identified in the Florida Statewide Greenways System Planning Project

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Measure D4: Acres acquired of native ecosystems under-represented in public ownership.

Description: Acres acquired of natural community types of which less than 15% of their original amount is publicly owned, as defined in Florida Preservation 2000 Program Remaining Needs and Priorities Addendum Report, 1997, and to be identified by FWC, FNAI, Division of State Lands, or the WMD

Measure D5: Number of landscape-sized protection areas that exhibit a mosaic of predominantly intact or restorable natural communities (>50,000 acres), established through new acquisition projects or augmentations to previous projects.

Description: Number of publicly owned conservation areas greater than 50,000 acres in size, achieved through a one-time acquisition of property or through acquisition of additions to existing public lands

GOAL E: ENHANCE THE COORDINATION AND COMPLETION OF LAND ACQUISITION PROJECTS.

Measure E1: Acres acquired that contribute to the completion of acquisition projects begun prior to Florida Forever.

Description: Acres acquired within the boundaries of projects that were partially completed under Preservation 2000 or another prior acquisition program

Measure E2: Acres protected through the use of alternatives to fee simple acquisition.

Description: Acres of less-than-fee interest in land acquired by the WMD

Measure E3: Number of shared acquisition projects among Florida Forever funding partners and partners with other funding sources; e.g., local governments and the federal government.

Description: Number of properties purchased jointly with other agencies, governments, or organizations such as private land trusts

Note: In all the Measures, 'acres acquired' means acquired by the WMD, and includes less-than-fee acquisitions.



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

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LAN 06 RF: 01-0122

December 19, 2000

Mr. John W. Turcotte, Director
The Florida Legislature
Office of Program Policy Analysis
and Government Accountability
Post Office Box 1735
Tallahassee, FL 32303

Dear Mr. Turcotte:

Subject: State Lands Program Report

We are in receipt of the State Lands Program report dated November 28, and appreciate the opportunity to respond.

Land Acquisition Issues

- *The report recommends that the water management districts and others receiving state bond proceeds for land acquisition provide acquisition priorities to the Florida Forever Advisory Council to better assure that the land acquired is the highest state priority.*

The South Florida Water Management District (SFWMD) recommends that the report be modified to acknowledge that the SFWMD has unique responsibilities as the local sponsor of numerous U.S. Army Corps of Engineers projects, including the Kissimmee River Restoration Project, C-111 Project and 56 individual project components within the Comprehensive Everglades Restoration Plan. These responsibilities include the obligation to acquire the land required for these projects. SFWMD estimates that fulfilling these obligations will consume virtually all of the Florida Forever and Save Our Everglades Trust funds available for the next 2-5 years. Any funds not spent on these projects would be spent purchasing in-holdings in partially completed Save Our Rivers projects (i.e., Atlantic Ridge, Lake Marion Creek, Reedy Creek, etc). As a result, any recommendations provided by the Florida Forever Advisory Council regarding land to be acquired by the SFWMD should recognize SFWMD's existing obligations and be applied prospectively to new projects that the SFWMD would propose.

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Appendix D

Mr. John W. Turcotte
December 19, 2000
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Land Management Issues

- *Does the public have adequate access to public land?*

The report reveals that 94% of the lands acquired through the various programs are open to the public, and that the majority of the closed lands are owned by the water management districts. SFWMD contributed to a joint water management district report to OPPAGA in May 2000 and stated that 128,000 acres are closed to the public. Approximately 9,000 acres of natural areas are closed because there is no legal public access. As additional lands are acquired more access to these areas should become available. The remaining 119,000 acres are lands that have been acquired to support the Comprehensive Everglades Restoration Plan. Construction is underway on some of these lands and it is expected that after construction is complete, most will be opened for some public uses. Many of these areas remain productive agricultural lands and are being leased for a variety of agricultural uses until restoration projects are designed and implemented.

- *What does available data indicate about the condition of state lands?*

The report found that most public lands are being managed for the purposes for which they were acquired, but management plans lack priority schedules and cost estimates for conducting management activities.

Management plans that are prepared for SFWMD SOR projects are revised every five years. These plans all provide basic resource information about the individual projects, along with goals and objectives for their management. However, since management plans are prepared for a five-year period, we find it impractical to include in them detailed budgets and work plans. That information is prepared annually for each management area during our budget cycle and spells out specifics like restoration projects to be designed/constructed, acreages to be burned and treated for exotic plants, miles of fenceline to be built, and public use projects to be implemented.

- *How much are agencies currently spending to manage state lands?*

SFWMD uses three basic sources of funds for its land management activities:

1. Water Management Lands Trust Fund (WMLTF)
2. Funds for offsite mitigation projects on SOR lands
3. Lease revenue

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The \$5.8 million expenditure figure for the District's management costs in FY 99 include the entire Land Stewardship Program annual operating costs: salaries & benefits, vehicles & equipment, computers, contractual services, etc. The bulk of the funds came from the WMLTF; however, more than \$655,000 came from offsite mitigation and \$738,006 from agricultural leases.

At the present time, there is adequate funding to meet our land management objectives. The District has entered into management partnerships with other state and local agencies, which has reduced our funding need. However, as the Everglades Construction Project proceeds and the agricultural uses on interim management lands end, so will those sources of revenue.

- *What are the state land management unmet needs and program improvements?*

For the SFWMD, the largest unmet need for our land management is the funding of invasive exotic species control. This issue is discussed below.

As pointed out in the report, other unmet needs include:

1. Adequate staff to conduct program activities,
2. Lack of proper land management plans, and
3. Inconsistent budgeting and expenditure accounting among the various state programs.

In addition, due to the unique acquisition program of this District requiring the purchase and management of large tracts of agricultural lands to be utilized in the various resource management projects, we require the services of land managers skilled in improved property management.

Our analysis of available funds from the WMLTF, off-site mitigation and potential short-term agriculture leases indicates that we should have adequate funding for all management activities except for exotic control. However, we will need to redirect some of the funding to conduct the neglected functions of on-site management, management plans preparation, improved budgeting and accounting, and administration of lease and agreements. Increased attention to these needs will require additional staff time to either perform these functions directly or to administer the contracts and agreements necessary to outsource these tasks.

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- *Invasive plant control and animal costs will likely increase*

For FY 01, the Land Stewardship Program budgeted nearly a million dollars toward the treatment of exotic vegetation on SOR lands. Outside of salaries it is the single largest expense of the Land Stewardship Program. These dollars are well spent, however. More than 350,000 acres of District-owned SOR land has been inventoried and treated, if necessary. Exotic treatment is an on-going process. It never really ends. While costs certainly subside after major infestations are initially treated, funds must be budgeted for regular follow-up treatments and investigations for new outbreaks.

In just the past few years, *Lygodium microphyllum*, Old World climbing fern, has exceeded Melaleuca and Brazilian pepper as the exotic plant causing the most concern in most of south Florida. It is spreading at a dramatic rate and it is difficult and expensive to treat. As little as ten years ago it was barely known. Swamp eels from Asia are expanding into the Everglades and we don't know what the next invasive plant problem will be. We fully agree with the OPPAGA assessment that if natural areas acquired with public funds are to be protected, aggressive steps must be taken to control exotic species.

Again, we appreciate the opportunity to comment on the report and, if the OPPAGA staff have specific questions regarding acquisition issues, please ask them to contact Blair Littlejohn, Interim Division Director, Real Estate Department, at Suncom 229-6842, or e-mail at blittlej@sfwmd.gov; and for management questions Fred Davis, Director, Land Stewardship Department, at Suncom 229-6636 or fdavis@sfwmd.gov.

Sincerely,

/s/

Frank R. Finch, P .E.
Executive Director
South Florida Water Management District

FRF/wmh



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Southwest Florida Water Management District

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December 13, 2000

Mr. John W. Turcotte, Director
The Florida Legislature
Office of Program Policy Analysis and
Government Accountability
Post Office Box 1735
Tallahassee, Florida 32302

Dear Mr. Turcotte:

Thank you for the opportunity to review and comment on OPPAGA's justification review of "State Lands Program, Florida Department of Environmental Protection."

The Southwest Florida Water Management District has no substantive comments.

Sincerely,

/s/
E.D. "Sonny" Vergara
Executive Director

EDV:cah
Cc: Fritz H. Musselmann
Linda Pilcher



St. Johns River

Water Management District

Henry Dean, Executive Director • John R. Wehle, Assistant Executive Director

Post Office Box 1429 • Palatka, FL 32178-1429 • (904) 329-4500

December 13, 2000

Mr. John W. Turcotte, Director
Office of Program Policy Analysis and Government Accountability
111 West Madison Street
Room 312, Claude Pepper Building
Tallahassee, FL 32399-1475

Dear Mr. Turcotte:

Thank you for the opportunity to review the Office of Program Policy Analysis and Government Accountability Justification Review of the State Lands Program. I would like to compliment you on the report. It is very thorough and offers a great deal of insight into the complex issues of public land acquisition and management.

The District has reviewed the report and would like to offer the following comments:

1. We have some concerns over the recommendation to create additional planning requirements (see pages 35, 54 and 56). Great caution should be exercised in establishing new obligations given the current limitations on land management planning staff.
2. On page 45 the report indicates that "...a high volume of vehicular traffic could interfere with nature viewing...and increased visitation at some sites could pose threats to plant and animal life or delay restoration." We feel a statement should be added to explain that increased vehicular access also dramatically increases the cost of road maintenance.
3. The sixth goal in exhibit 25 on page 53 calls for an increase in open space in urban areas. Our experience has shown that conservation lands in the wildland urban interface cost drastically more to manage. Costs for everything from prescribed burning to security increase sometimes as much as ten times for properties in the urban interface. If an emphasis is placed on acquiring lands in the urban interface then these additional lands will need to be allocated both staff and financial resources at a higher level than rural conservation lands.

Your staff did a remarkable job in compiling a great deal of information presented in a wide array of formats. They should be commended. Thank you for the opportunity to review the report. If you have any questions regarding our comments, please contact Steven R. Miller, Director of Land Management at (904) 329-4399.

Kindest personal regards.

Sincerely,
/s/
Henry Dean
Executive Director

HD/SRM/sc

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