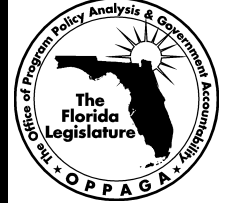




Office of Program Policy Analysis And Government Accountability



John W. Turcotte, Director

April 1997

Review of Preservation 2000

Abstract

- The individual parcels of land acquired with Preservation 2000 funding meet legislative criteria for their purchase; however, several factors have impeded the state's ability to determine the degree to which the program is achieving state goals.
- State agencies are beginning to use strategies such as disposing of unneeded lands and less-than-fee-simple acquisition techniques to maximize the use of Preservation 2000 resources.
- Although policymakers have expressed concerns that the costs of managing Preservation 2000 land acquisitions may exceed available resources, land management agencies have not yet fully estimated these costs.

- Determine whether information exists to assess the Program's impact on achieving overall state conservation and recreation goals;
- Determine whether land acquisition agencies are using strategies to maximize the use of Preservation 2000 resources; and
- Determine whether land management agencies have assessed the potential costs of managing the land acquired with Preservation 2000 funds.

Background

The alteration and development of Florida's natural areas have contributed to the degradation of water resources, fragmentation and destruction of wildlife habitats, loss of recreation space, and diminishment of wetlands and forests. In 1990, the Legislature found that imminent development of Florida's natural areas and continuing increases in land values necessitated an aggressive program to acquire public lands for environmental and recreational purposes. As a result of this finding, the Legislature passed the Preservation 2000 Act to accelerate the acquisition of publicly-owned lands by supplementing the funds that land acquisition agencies could use to purchase lands. This supplemental funding was to be provided for a ten-year time period, ending in the year 2000.

To provide these supplemental funds, the Legislature provided for the issuance of revenue bonds. In each year since passage of the Act, the state has issued \$300 million in bonds for the Preservation 2000 Program. The bond revenues are to be spent acquiring

Purpose

The Joint Legislative Auditing Committee directed the Office of Program Policy Analysis and Government Accountability to review the Preservation 2000 Program. The purpose of the review is to:

- Assess whether the public lands acquired through the Preservation 2000 Program meet the goals and criteria prescribed by the Legislature;

lands that protect the integrity of ecological systems, preserve fish and wildlife habitat and water resources, and provide recreational opportunities and urban green spaces. As provided in the Preservation 2000 Act, land acquisition projects that receive Preservation 2000 funds must meet at least one of the five criteria¹:

- The land is in imminent danger of development, loss of its significant natural attributes, or subdivision;
- The land is likely to be developed during the next 12 months or recent appraisals indicate an escalation in land value;
- The land protects groundwater and other natural resources or provides space for natural resource based recreation;
- The land can be purchased at 80% of appraised value or less; or

¹ These criteria apply to acquisitions by the Conservation and Recreational Lands Program and the Water Management Districts. Other programs receiving Preservation 2000 funds use criteria that ensures the acquisition meets their program intent.

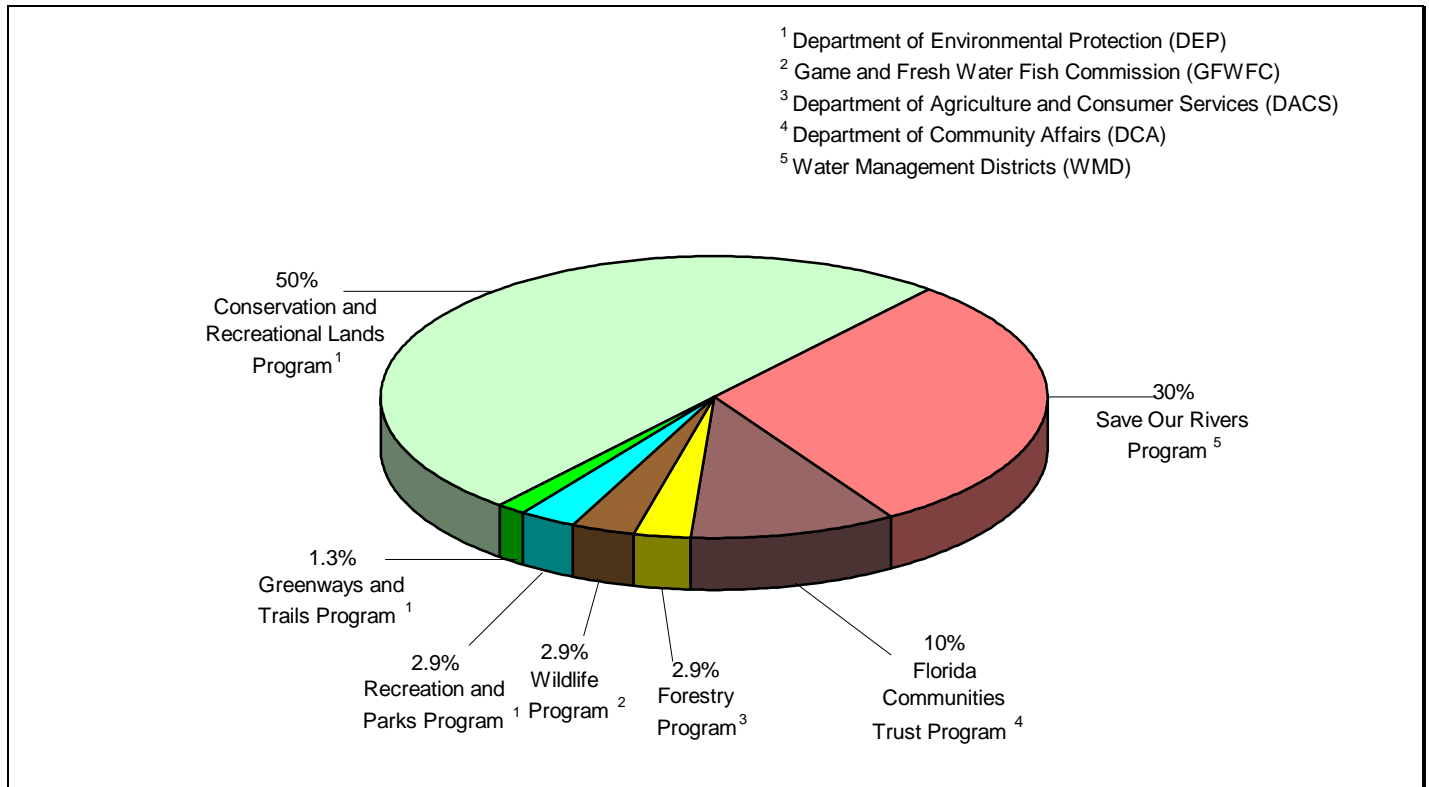
- The land serves as habitat for endangered, threatened, or rare species or serves to protect important natural communities.

Preservation 2000 funds are distributed to public lands acquisition programs operated by four state agencies and the five water management districts. As of December 31, 1996, these entities spent more than \$1.3 billion of the Preservation 2000 funds to acquire more than 809,000 acres of land. If the average price per acre of the land acquired through the program remains relatively constant, the \$3 billion of revenue raised over the life of the program should enable these agencies to acquire a total of more than 1.3 million acres of public lands. Exhibit 1 shows the agencies and programs receiving Preservation 2000 funds and the percentage of funds each program generally receives.²

² On several occasions the Legislature appropriated Preservation 2000 funds to specific projects and then distributed the remaining funds as stated.

Exhibit 1

Preservation 2000 Funds Are Distributed to Seven Land Acquisition Programs



Source: Florida Statutes.

Findings

The Preservation 2000 Program is being implemented in accordance with legislative intent.

The Preservation 2000 Program is being implemented in accordance with legislative intent. The agencies who use Preservation 2000 funds to purchase property have established procedures to ensure that lands they acquire meet legislative criteria. Much of the land acquired has been located near highly populated urban areas of the state, where land is most likely to be in imminent danger of development. Finally, the Preservation 2000 Program has allowed the state agencies to significantly increase public land holdings and obtain land that will help meet future conservation and recreation needs.

Acquisitions are consistent with Preservation 2000 criteria. State agencies and water management districts have developed procedures to ensure that the lands acquired through the program meet legislative

criteria. According to the Preservation 2000 Act, the lands acquired under the Program are to protect ground water and unique natural resources, provide fish and wildlife habitat, and produce recreational opportunities and greenspaces. As shown in Exhibit 2, the goals of the programs receiving Preservation 2000 funding are consistent with these objectives. Each agency that receives Preservation 2000 funds outlines the types of lands it needs to acquire to achieve its program goals and ranks available lands in light of these goals. This ranking process helps to ensure that the lands acquired meet the goals and objectives of the individual programs and Preservation 2000.

For example, staff of the Conservation and Recreation Lands (CARL) Program annually evaluate each potential acquisition according to 29 specific objectives and publish a list of the projects and their priority. CARL's annual report contains the reasons and justification for each potential land acquisition. Since CARL goals are consistent with the objectives of Preservation 2000, this ranking process helps to assure that the land purchased meets these objectives.

**Exhibit 2
The Goals of Land Acquisition Programs Using Preservation 2000 Funds
Are Consistent With the Objectives of the Preservation 2000 Act**

Program (Divided by Allocations)	Funding Allocation (Percent from Total Bond Allocation)	Program Mission (as stated in statute)	Preservation 2000 Accomplishments	Acres Purchased (as of December 31, 1996)
Conservation and Recreational Lands Program (DEP)	50.0%	<ul style="list-style-type: none"> • Conserve and protect state's unique natural resources • Benefit people residing in urban and rural areas • Protect air, land, and water quality • Provide lands for natural resource based recreation and acquire lands within any area designated as an area of critical state concern 	<ul style="list-style-type: none"> • Acquisitions throughout the state 	353,998
Recreation and Parks Program (DEP)	2.9%	<ul style="list-style-type: none"> • Promote the state park system for the benefit of the people of Florida and visitors • Accessible to all people • Conserve natural values for all time 	<ul style="list-style-type: none"> • Increased park lands • Increased public lands 	4,015
Greenways and Trails Program (DEP)	1.3%	<ul style="list-style-type: none"> • Establish and expand a statewide system of greenways and trails for recreational and conservation purposes 	<ul style="list-style-type: none"> • Acquired lands for greenways system 	483
Save Our Rivers Program (WMD)	30.0%	<ul style="list-style-type: none"> • Acquire lands to implement Surface Water Improvement Management (SWIM) plans • Acquire lands to protect recharge groundwater and potable water supplies • Acquire lands of valuable natural resources or provide space for natural resource based recreation 	<ul style="list-style-type: none"> • Water supply protection • Flood protection • SWIM priority 	381,577

(Continued on next page)

Exhibit 2 (Continued)

Program (Divided by Allocations)	Funding Allocation (Percent from Total Bond Allocation)	Program Mission (as stated in statute)	Preservation 2000 Accomplishments	Acres Purchased (as of December 31, 1996)
Florida Communities Trust Program (DCA)	10.0%	<ul style="list-style-type: none"> Assist local governments in implementing comprehensive plans, and the goals of the conservation, recreation and open space, and coastal management elements of the plans 	<ul style="list-style-type: none"> Provided funding and technical assistance to local governments in acquiring land for conservation and outdoor recreation 	15,265
Wildlife Program (GFWFC)	2.9%	<ul style="list-style-type: none"> Acquire inholdings and additions to lands managed by the Commission which are important to the conservation of fish and wildlife 	<ul style="list-style-type: none"> Facilitated natural resource management and public use administration Improved access for management and public use Protected additional wildlife habitat 	30,235
Forestry Program (DACFS)	2.9%	<ul style="list-style-type: none"> Promote and encourage forest environmental education Forest land stewardship Good forest management Forest recreation, and the proper management of public lands 	<ul style="list-style-type: none"> Improved state forest multiple-use opportunities in the state 	24,034

Source: Florida Statutes, Department of Environmental Protection, Preservation 2000 Annual Report, and Water Management Districts Annual Save Our Rivers/P2000 Five Year Plan.

Acquisitions target increased access for residents of populated areas. Preservation 2000 funds have been used to protect lands that are likely to be developed and to provide recreational opportunities to the many

citizens who live in large urban areas. Exhibit 3A shows Preservation 2000 purchases and Exhibit 3B shows Florida's counties with more than 500,000 residents.

**Exhibit 3-A
Lands Acquired With Preservation 2000 Funds**

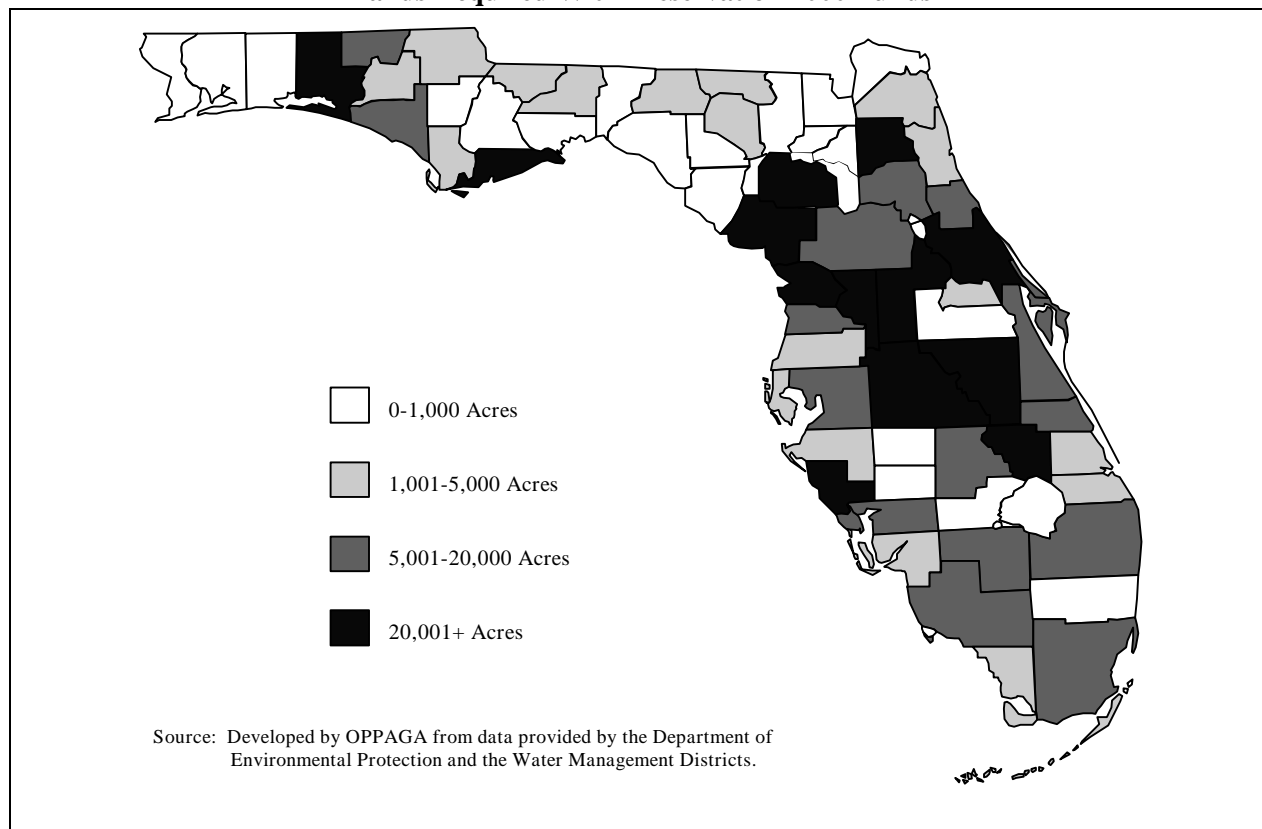
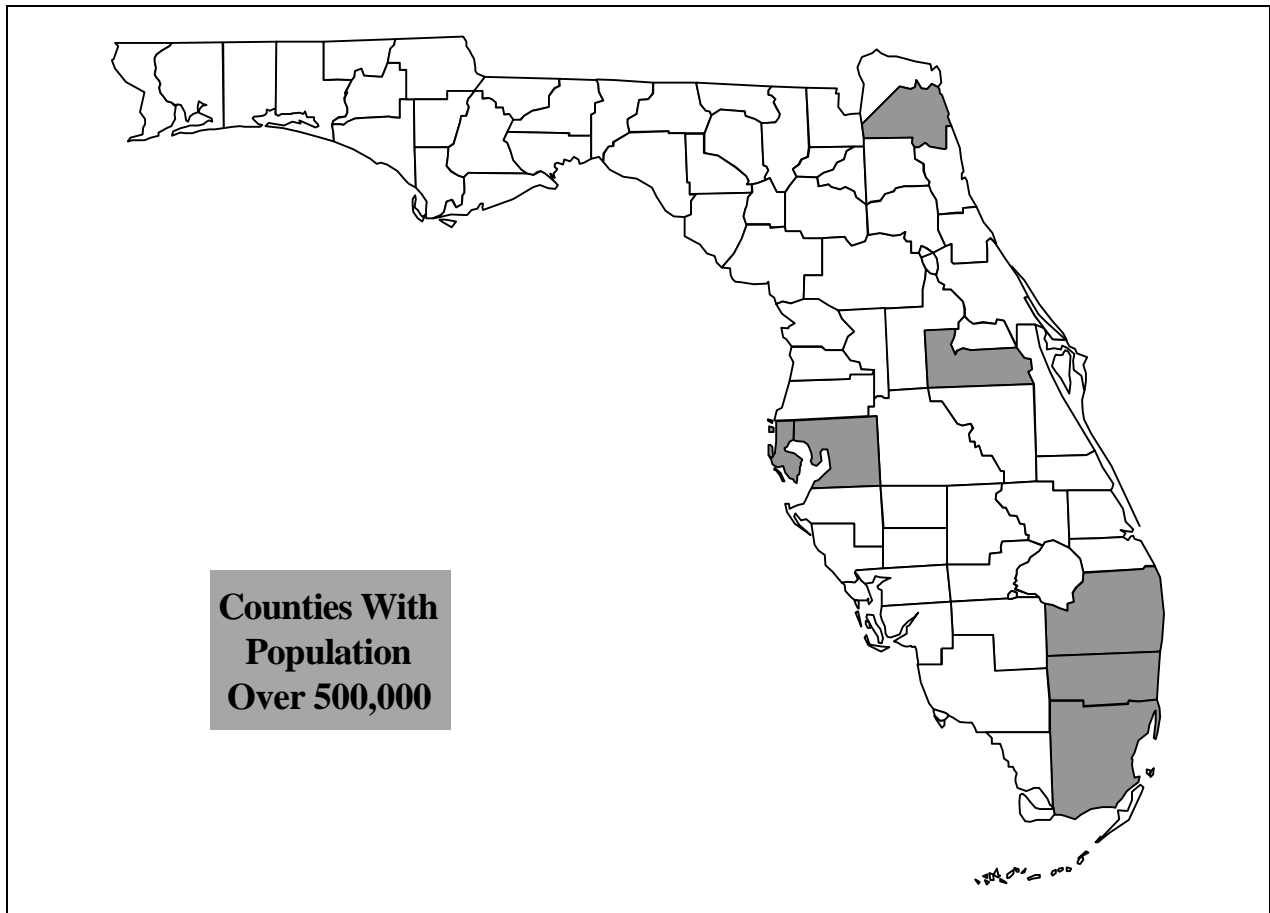


Exhibit 3-B
Florida's Counties With Over 500,000 Population



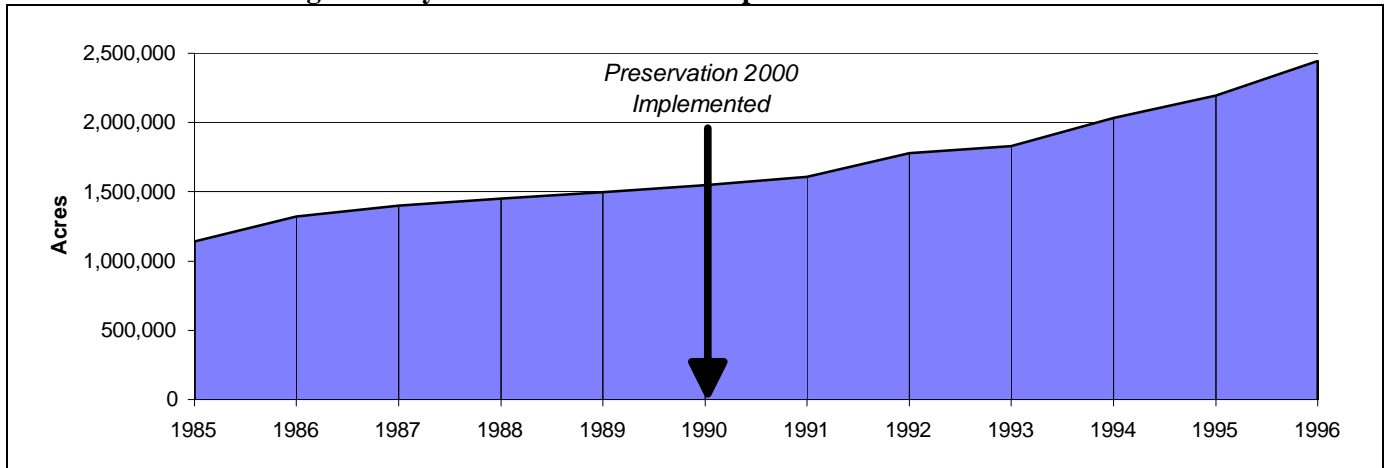
Source: Developed by OPPAGA from data provided by the Office of Economic and Demographic Research.

Exceptions to the strategy of obtaining state lands near major urban areas have occurred in areas where little land is available for purchase or that have resources with high biological value. For example, few acquisitions have been made in the metropolitan Tampa Bay area (including the cities of Tampa, St. Petersburg and Clearwater) which is highly populated. In this area, the opportunities for acquisition of public land have been limited because there is little affordable land left to be purchased. In addition, some large land tracts have been acquired in areas with low populations. However, these acquisitions have been in areas rich in biological resources. For example, a large tract of land was acquired in Franklin County, which contains the Apalachicola Bay and Estuarine system. One of the objectives of the acquisition was to restore natural water flow into this system and thereby protect its marine resources.

Acquisitions have increased the state's ability to conserve land for the future. Preservation 2000 has increased the state's ability to protect its natural resources for future generations. Since its inception in 1990, Preservation 2000 funding has enabled the state to acquire more than 800,000 acres of public lands for conservation and recreation purposes. As shown in Exhibit 4, Florida has been able to obtain land at a faster rate than before the program's inception. This indicates that the Preservation 2000 Program has enabled the state to create a reserve of lands that will help it protect Florida's natural areas and meet the recreational needs of the state's population. Since much of Florida's natural areas are being developed, some of the lands acquired with Preservation 2000 funds might not have been available if the state had waited to acquire them. In addition, since these lands will continue to grow in value, Preservation 2000 funding has helped the state avoid paying the higher prices that

likely would have occurred if their purchase had been | delayed.

Exhibit 4
The Number of Acres of State-Owned Conservation and Recreation Lands
Has Significantly Increased Since the Adoption of the Preservation 2000 Act



Source: Department of Environmental Protection

The overall impact of Preservation 2000 in achieving state conservation and recreation goals is uncertain.

Although the lands being acquired with Preservation 2000 funds meet program objectives, the overall contribution of the Program toward achieving state goals is uncertain.

To determine the overall impact of Preservation 2000 acquisitions, land acquisition agencies would need to determine the location and amount of land needed to achieve these objectives. However, agencies have not been able to make this determination for the following reasons:

- Administering agencies have not completely developed the information necessary to determine how much land needs to be protected to meet specific objectives;
- Private land owners have raised objections to past attempts to map land that should be protected through public ownership and agencies have not provided the information needed to develop consolidated acquisition plans; and
- Shifts in land development patterns and ecological conditions can affect future public land acquisition needs.

Insufficient Information

Although land acquisition agencies could determine how much land is needed to meet some Preservation 2000 objectives, they have not set quantifiable goals for these objectives. For example, agencies have not developed quantifiable goals for determining how much land is needed for urban greenspaces. This could be done by estimating the amount of land needed per capita and using projected population increases to target the total number of acres needed.

Determining how much land is needed to meet other Preservation 2000 objectives is more complicated. For example, to determine the amount and type of land that is needed to protect endangered species, agencies would need to know the habitat needs of each endangered species. However, biologists do not always agree on the habitat needs of endangered species, thus, it is more complicated for agencies to set quantifiable goals for these objectives.

Objections to Mapping

Differences in program priorities and objections from private land owners have also limited the state's ability to identify acquisition needs and set goals. In 1975, 1986, and 1990, public land acquisition agencies tried to develop maps showing lands with critical habitats and use those maps to create a consolidated acquisition plan. However, the success of these efforts was limited. Due to differences in the goals and objectives of their

programs, the agencies were unable to reach consensus over which lands should be given priority for acquisition. Also, some private landowners strongly objected to having their lands identified on state acquisition maps. Thus, in a 1996 report, the Department of Environmental Protection concluded that, although useful, these “past efforts have fallen just short of providing the state with a consolidated map and public land acquisition implementation plan.”

Changing Conditions

Even if state agencies could identify and map the lands they need to acquire for conservation and preservation purposes, the maps would soon be outdated unless they were periodically updated to reflect changing conditions. For example, some privately-owned lands might not be included on the map if they were not available for purchase. However, these lands may be of sufficient priority that they need to be protected through public ownership if they come up for sale.

For example, the state recently purchased the Kissimmee Prairie/River Ecosystem, a parcel of over 48,000 acres that contains dry prairies, hammocks, marshes, and the floodplain of the soon-to-be-restored river. The land had been identified as a valuable resource but was not previously included on the agency’s lists of acquisition projects because it was not offered for sale. However, when its previous owners indicated their willingness to sell the property, CARL staff identified it as one of their top ten priorities for acquisition. Without a strategic map of critical land acquisition needs that is regularly updated, state land acquisition efforts can be uncoordinated and fragmented. Some mapping progress is being made.

Efforts to identify and map lands in need of protection can improve an agency’s ability to ensure that land acquisition programs meet overall objectives. The 1979 CARL Act included funding for developing and maintaining a natural areas inventory to help public land acquisition agencies identify land in need of public protection. The inventory has been continuously funded since 1980 and was enhanced in 1990 with the passage of the Preservation 2000 Act. A private non-profit organization (The Florida Natural Areas Inventory) has been working with CARL staff to identify areas in critical need of protection and plans to produce a report, by July 1997, containing information about these areas.

This inventory should enable state agencies to provide more complete information on the extent to which current state acquisition efforts are achieving state goals to preserve the integrity of ecological systems and protect wildlife habitat and water resources. Since the Preservation 2000 program is in its last three years, land acquisition agencies now need to critically compare the lands they have acquired so far to the areas that they need to acquire so they will know how to best focus remaining acquisitions. For example, some experts have suggested that future Preservation 2000 acquisitions focus on purchasing in-holdings and creating wildlife corridors between current public lands in order to maximize benefits.³

State land purchasing agencies are beginning to use strategies to maximize the use of Preservation 2000 resources.

One strategy to maximize program effectiveness is to identify acquired lands that are not needed to meet the purposes of the Preservation 2000 Act and to trade or sell this land to obtain parcels that better meets these purposes. The second strategy is to use Preservation 2000 funds to acquire easements or land use rights that achieve conservation objectives at a lower cost than fee-simple acquisitions.

Identifying Unneeded Land

The Preservation 2000 Act provides that land that is not needed for recreational or conservation purposes can be sold, leased, or exchanged. The proceeds from the transaction must be returned to the Preservation 2000 trust fund, where they can be used to obtain land that better meets conservation or recreational purposes. Agencies are also statutorily required, at least once every five years, to identify lands that are no longer being used as they were intended.

Agencies have not yet completed management plans for much of the land acquired with Preservation 2000 funding and consequently have not fully determined how much of the land may not be needed. One parcel acquired under Preservation 2000 has been sold, and other state-owned lands also have been sold. From July 1989 through January 1997, the state sold 701 parcels of unneeded state-owned lands for a total of approximately \$6.7 million.

³ Inholdings are privately owned enclaves entirely or partly surrounded by state lands.

Even though they have not completed all management plans, agencies have identified some land acquired with Preservation 2000 funds that they believe is not needed for recreational or conservation purposes. One such parcel was acquired when the state purchased land in Walton county. The acquired land contained two parcels, Topsail Hill and Point Washington, that were ranked for acquisition. To purchase those parcels, the state had to acquire more land than it wanted because unneeded acreage could not be removed from the purchase. Furthermore, at the time of the purchase, Walton County officials objected to the sale because it reduced the amount of land on county tax rolls. Consequently, the state agreed to reevaluate the acquired land and to dispose of any acreage not needed for conservation or recreational purposes. The Board of Trustees has now redefined the borders of the land it wants to protect, leaving the rest available for possible disposal.

Proposals to sell or lease lands acquired with Preservation 2000 funds have been controversial. Environmentalists have opposed such transactions because they fear that the transactions will set precedents that could decrease the amount of land the state retains for conservation or preservation purposes. However, such transactions could enable the state to make better use of Preservation 2000 resources because the state can use the proceeds to acquire other lands that better meet the objectives of the Preservation 2000 Act.

Acquiring Conservation Easements or Other Property Rights

Historically, agencies have acquired land for conservation purposes through fee-simple purchases, in which the state assumes all ownership rights of the property it acquires. However, some land conservation objectives can also be met through less-than-fee-simple techniques, in which the state pays the land owner for keeping the land undeveloped but does not assume full ownership of the land.

Less-than-fee-simple acquisitions can allow the state to preserve more land for conservation purposes at a lower cost. Although agencies have historically acquired land through fee-simple purchases, water management districts have used less-than-fee-simple techniques. Data from three of the water management districts indicate that use of these techniques enabled them to preserve land for conservation purposes at a savings of

between 48% and 59% of the fee-simple amount.⁴ The districts' data shows that use of less-than-fee-simple techniques saved approximately \$20 million. In addition, research indicates that use of less-than-fee-simple techniques can reduce land management costs because the land owner frequently retains some responsibility for managing the land.

While less-than-fee-simple techniques produce cost-savings, they pose some disadvantages. First, they give the state less control over the use and management of the land. Thus, agencies that use less-than-fee-simple techniques need to monitor and enforce the provision of the agreements they reach with land owners. Secondly, public access to lands conserved through less-than-fee-simple techniques is frequently limited. Consequently these techniques can be used to supplement but cannot substitute for fee-simple acquisitions.

In the 1996 session, the Legislature recognized the cost effectiveness of less-than-fee-simple techniques and required the Department of Environmental Protection and the water management districts to each use these techniques for at least two Preservation 2000 acquisitions a year. As a result of this legislation, the Land Acquisition Advisory Council established a group of less-than-fee projects which the Department of Environmental Protection is evaluating.

The future costs of managing lands acquired with Preservation 2000 funds are unknown.

Even though agencies are beginning to explore more cost-effective ways of using Preservation 2000 resources, policymakers have expressed concern that agencies may be acquiring land that they may not be able to effectively manage within available resources. Agencies have not yet identified the specific costs needed to manage the lands acquired with Preservation 2000 funds. There have been past attempts to identify management costs; however, these have only identified general not specific management costs. Consequently, policymakers cannot determine whether sufficient resources will be available to support needed land management activities. Although some land management activities can be deferred without harming the natural resource value of the protected lands,

⁴ Of the two remaining water management districts, one district did not make any less-than-fee purchases and the other district did not supply complete data.

deferral of other activities can result in a loss of resource value.

Land management costs are affected by the condition of the land's natural resources. If a parcel of land is in pristine condition, routine land management activities, such as controlled burning, will be needed to maintain its condition and protect its natural resource value. The amount of effort needed for and the costs of performing routine maintenance is reasonably low, and some land managers believe that these costs can be met at current funding levels.

If a parcel of land has been degraded, however, restoration activities are needed to regain its ecological value. Restoration activities can include removing non-indigenous invasive plants or removing dikes and ditches to restore natural water flow. Although some of these activities, such as restoring natural water flow, can be deferred without further degradation of the land's natural resources, deferral of activities such as the removal of non-indigenous invasive plants will increase environmental damage and future restoration costs. Restoration activities are generally more labor-intensive and costly than routine maintenance activities, and it is uncertain whether these activities can be performed within existing resources. A special Task Force on Invasive Upland Exotic Plants created by the Legislature last year suggested a dedicated funding of \$5 million for the removal of non-indigenous invasive plants, but admitted this funding would not be sufficient to control the problem.

Land management costs are also affected by the extent to which the public has access to the property. If the public has full access to acquired lands, the costs of managing the property and constructing and maintaining needed roads, parking areas, restrooms, visitor centers and other facilities can be quite high. However, if public access is limited, the costs of managing the land can be significantly reduced. Since some of the lands acquired with Preservation 2000 funds are intended to meet the needs of future generations, the costs of providing full public access to these lands can be deferred by limiting immediate public access to newly acquired properties.

Purchasing in-holdings and additions to currently-owned parcels can reduce future management costs. Managing a parcel that is adjacent to land that is

already managed is less costly than managing a similar isolated parcel.

Given the critical nature of some land management activities in protecting resource value and decreasing future management costs, it is important that land management agencies provide the Legislature with information it can use to assess the current land management needs and the potential costs of meeting these needs. Although CARL staff have developed preliminary estimates of the potential costs of managing each parcel of land acquired through the CARL program, staff of other land acquisition agencies have not made similar estimates. Furthermore, the CARL cost estimates have not been compiled and do not include the potential future costs of restoring land resource values and providing increased public access to acquired lands. Therefore, these estimates have not provided all the information needed by the Legislature.

Conclusions and Recommendations

The lands acquired with Preservation 2000 meet legislative criteria for their purchase. Agencies responsible for purchasing these lands have also taken steps to maximize the effectiveness of Preservation 2000 resources by reducing acquisition costs through less-than-fee-simple purchases and identifying and recommending disposal of unneeded land. However, additional steps are needed to ensure that remaining Preservation 2000 funds and any future land acquisition funds are used to acquire lands that will best meet overall state objectives and minimize future maintenance costs. In addition, the Legislature needs better information about the future costs of managing these lands.

We recommend that the Legislature require for the 1998-99 Legislative Session that agencies receiving Preservation 2000 funds provide an assessment of the overall impact of acquired lands in achieving state conservation and recreational objectives. Building upon this assessment of the impact acquisitions have had to date, agencies should have an acquisition plan that targets future acquisitions toward the most critical lands that will help attain those objectives. Acquisition plans should be developed to maximize resources, and, as such, should target inholdings and additions that complete ecosystems and improve public land management. Acquisition plans should contain clear and measurable objectives for needed lands.

Agency staff should be able to show that subsequent purchases meet the objectives and are consistent with the lands indicated on their plans. Demonstrating that acquisitions meet the conditions of the plan should be a condition of future funding for the Preservation 2000 Program and any other future acquisition programs.

We also recommend that the Legislature require agencies to provide an assessment of the future costs of managing the land acquired with Preservation 2000 funds. This assessment should clearly distinguish between costs that can be deferred without adversely affecting the value of the ecological resources and costs that need to be incurred immediately to prevent further ecological damage. The estimate of the deferred costs should also contain a timetable for when the costs would need to be incurred. In addition, in order to minimize the management costs arising from future land acquisitions, the Legislature should request agencies to target future acquisitions towards in-holdings and additions that consolidate prior acquisitions. A complete breakdown and projection of management costs should also be a condition of Preservation 2000 or any other acquisition funding.

Agencies should continue to use these methods for ensuring the cost-effectiveness of the Preservation 2000 Program by:

- Critically assessing the land available for purchase to ensure that it will meet objectives;
- Reducing acquisition costs through less-than-fee-simple purchases; and
- Identifying and recommending disposal of unneeded land.

Agency Response

In accordance with s. 11.45(7)(d), F.S., we provided our preliminary and tentative review findings to the following agencies for their review and response: the Department of Environmental Protection, the Department of Agriculture and Consumer Services, the Department of Community Affairs, the Florida Game and Fresh Water Fish Commission, and the five water management districts (Northwest Florida, South Florida, Southwest Florida, St. Johns River, and Suwannee River). We have incorporated in our report

some of the editorial comments from the agencies' responses. Excerpts from the agencies' responses are presented below.

The St. Johns River Water Management District had no comment and the Northwest Florida Water Management District concurred with our findings and recommendations.

Excerpts From the Department of Environmental Protection's Response

Overall, the report appears accurate and appropriately addresses the major concerns. Our comments are made to provide additional information and deter potential misinterpretations of the report.

We are proud of the spirit of cooperation which has existed between the Department, other government agencies, and private organizations in acquiring and managing environmentally important lands. The Department concurs with OPPAGA's conclusion that better information for measuring achievement of our land acquisition goals is needed. However, we believe that an acquisition plan with clear objectives and measurable results has been developed through the cooperative efforts of the organizations involved.

Some agencies have developed sufficient information to measure progress towards fulfilling land acquisition objectives. For example, the Florida Game and Fresh Water Fish Commission conducted a rather thorough "gap" analysis of habitat protection needs for at least 30 endangered and threatened species (including several hundred 'umbrella' species which also would be protected). Similarly, the Florida Natural Areas Inventory conducted statewide analyses of important species and natural resource areas, including over 28,000 records of significant elements. Both of these enormous data sets, and others, are consulted when the Land Acquisition

Advisory Council (Council) reviews acquisition proposals. They also have been used by these agencies and others to prepare new Conservation and Recreation Lands (CARL) applications. Nonetheless, these information bases are incomplete. Additional information and analyses would benefit the Council's planning efforts and, therefore, their collection and evaluation are continually being encouraged.

Although it appears the various programs have not been able to reach consensus on their acquisition plans, it is remarkable how much of the acquisition efforts of such diverse programs have focused on lands previously identified. The Environmentally Endangered Lands (EEL) plan identified areas where we continue to attempt to acquire lands. The Florida Community Trust (FCT) plan includes several sites that were previously on the CARL list or sites that are components of CARL projects. The CARL and Save Our Rivers (SOR) plans include numerous examples of joint acquisition projects between the programs and with local and federal governments. Thus, a consensus appears to have developed in spite of the absence of any formal document declaring such.

Part of the problem in recognizing that an "acquisition plan" exists is that these plans are flexible and change on an annual or more frequent basis. However, that flexibility is essential for programs that depend on the willingness of property owners to sell lands. If a more "proactive" approach with a relatively static map is desired, then condemnation of private lands will be necessary; a position that we have avoided as much as possible to this point. Still, the CARL priority list of projects is a plan for the acquisition of the most important sites statewide, and our progress towards achieving its objectives is measurable. There are a few very important sites that we know about which are not included on the list because of strong objections by owners, but

most of the important resource areas are included.

Thus, the "strategic map" is complete. It is the CARL Annual Report and the SOR 5-year plans. It is the listings of: FCT sites, greenways projects, and management agencies inholdings and additions projects. It has been compiled into a single map by the Florida Natural Areas Inventory, and it is updated frequently to respond to opportunities and new information. The high degree of coordination that exists between the many public and private acquisition programs in Florida ensures that implementation of this strategic plan is coordinated and not excessively fragmented.

The current formula for allocation of CARL Trust Fund moneys to management provides an additional \$3 million annually for each series of P2000 bonds sold. Thus, at the end of the P2000 program, an estimated \$30 million will be allocated annually to land management. The basis of the funding formula was derived by the management agencies during the Preservation 2000 Needs Assessment and further analyzed by the Joint Legislative Management Committee. Additional management costs information would be useful in determining if this formula is adequate, but it is probably more important for the Legislature to avoid using this funding allocation for other purposes as has occurred during previous sessions.

We agree that the state needs better information for assessing how well we are achieving our land acquisition goals. But, we also believe that the acquisition plan already exists, that this plan does target future acquisitions toward the most critical lands, and that our objectives are clear and our achievements can be measured. We need further direction as to whether focusing on inholdings and additions to existing state lands is more important than acquiring new tracts with resources that are not represented

on public lands or are under-represented on them, and the Council plans to address this issue in the next few months. We agree that additional management costs prognostications are beneficial and necessary for our long-term planning efforts, but we feel that the existing CARL allocation formula for land management should be sufficient to address the funding needs for lands acquired under the CARL program.

**Excerpts From the Department of
Agriculture and Consumer Services’
Response**

Thank you for the opportunity to comment on the draft of your office’s preliminary findings and recommendations of the Preservation 2000 funded programs. The Division of Forestry has been in contact with your office about several issues and comments regarding this report.

As for some general comments regarding the report. In the second paragraph of the second column on page 9 regarding more detailed CARL management estimates on CARL projects throughout the state. It would be very difficult and time consuming to obtain the cost estimates outlined. Furthermore, not all CARL projects receive funding for acquisition, therefore, the effort to obtain that information is better applied to the management of the lands already acquired.

Additionally, the second paragraph on page 10 discusses determining management costs on public lands. Since each agency has different methods for determining what these costs may be, we would suggest that the state land managers get together to determine common method for this.

Attached are two tables that break down and clearly delineate the Division of Forestry’s (DOF) expenditures to manage the state

forest system. Table I delineates the expenditures of managing the state forest system, described as those properties where the DOF is the lead managing agency. Table II shows 1) a breakdown of the expenditures to manage only CARL and Preservation 2000 acquired lands, and 2) expenditures on other lands where (sic) DOF provides management assistance. Management costs differ greatly between those lands where DOF provides multiple-use management as a lead agency (state forests) and those where we only provide management assistance to the lead agency. While the Legislature, recognizing the importance of public land management, has provided additional CARL management funding, the first table indicates that over the last 6 years the overall amount of funds available for the management of the state forests has gone down by \$6.99 per acre.

We were pleased to see that the report described the benefit of acquiring inholdings and additions to already existing public lands, like the state forests. Our agency’s land acquisition program does just that. Acquiring these parcels has protected some important natural resources, made additional lands available to the public for recreational opportunities and improved overall multiple-use management of the state forest system.

Once again, thank you for the opportunity to comment on the report.

**Excerpts From the Department of
Community Affairs’ Response**

Florida Communities Trust Differs from
Other Preservation 2000 Agencies

The FCT is required by Section 259.101(3)(c), F.S., to deliver the Preservation 2000 funds allocated to the FCT as grants or loans to local governments. FCT does not acquire land directly, as do all other agencies receiving P-2000 funds. This particular

statutory direction is unique to FCT. All other agencies receiving P-2000 funds are statutorily directed to acquire lands with those funds, with title to the lands vesting in the Board of Trustees of the Internal Improvement Trust Fund.

The same section requires that at least half of the FCT P-2000 funds be matched by local governments on a dollar-for-dollar basis, making FCT's projects true financial partnerships. Title to lands acquired with FCT and local matching funds vests with the local government grant recipient.

FCT Projects Are Open to the Public and Managed by the Local Government

Once purchased, all properties acquired with Florida Communities Trust funds are open to the public. Prior to delivery of FCT funds, the local government grant 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 original grant application.

FCT requires that the management plan address specific management issues— public access is a required element in the management plan. The management plan covers the full range of management issues, including but not limited to public access, funding for management activities, site improvements, site restoration, natural resource conservation, and site security. The management plan is reviewed by the FCT staff and approved by the FCT governing board to determine that, once purchased, stewardship of the property is assured and that purposes of the project can be achieved.

Comments on Conclusions and Recommendations Section

I concur with the statement that additional steps are needed to ensure that remaining

Preservation 2000 funds and any future land acquisition funds are used to acquire lands that will best meet overall state objectives and minimize future maintenance costs. Having listened to the debate in committee meetings, I also recognize that the Legislature needs better information about the future costs of managing lands purchased with P2000 funds.

The recommendation that agencies receiving Preservation 2000 funds provide an assessment of the overall impact of acquired lands in achieving state conservation and recreational objectives seems somewhat broad. I will follow with interest the discussion of what the state conservation and recreational objectives are and where those objectives are concisely articulated.

The recommendation of having agencies prepare an acquisition plan that targets future acquisition toward the most critical lands that will help attain those objectives seems reasonable. Such an acquisition plan prepared by the Florida Communities Trust would center around lands that local governments identify as critical, since the FCT's purpose is directed at assisting local governments implement comprehensive plan goals.

The recommendation that the Legislature require agencies to provide an assessment of future costs of managing the land acquired with Preservation 2000 funds is also reasonable. In the case of Florida Communities Trust, lands acquired are managed by the local government receiving title. The State of Florida does not pay these costs.

Excerpts From the Suwannee River Water Management District's Response

On page six the report states, "Administering agencies have not developed the

information necessary to determine how much land needs to be protected to meet specific objectives." Several years ago the District conducted an acquisition suitability analysis to determine which lands should be included in the land acquisition plan. The current plan identifies 115,000 acres that produce water resource benefits worthy of public ownership and management.

The specter of growing land management costs is not as ominous for the Suwannee River Water Management District as for other agencies. Our lands are not threatened by exotic species to the same degree as the southern districts. In addition, timber revenues should help to offset a significant portion of the land management costs which are projected to stabilize at about \$10 per acre. A joint analysis by the water management districts indicates that sufficient long term funding could be provided by simply removing the limitation on the amount of the Water Management Lands Trust Fund available for land management.

Excerpts From the Southwest Florida Water Management District's Response

First off we would like to compliment OPPAGA on a fair report of the issues. We agree that the P2000 program is being implemented in accordance with legislative intent and that acquisitions through the program have increased the state's ability to conserve land for the future; we believe the agencies should target future acquisitions toward the lands most critical to meet the P2000 objectives; we support the use of alternatives to fee simple land acquisition strategies to maximize the use of the remaining P2000 resources; and we acknowledge the need to assess future land management costs.

There are, however, a few specific points we would like to clarify:

- Page 5 states, *"For example, few acquisitions have been made in the Tampa Bay area which is highly populated... opportunities for acquisition of public land have been limited because there is little affordable land left to be purchased."* While it is true that in some areas of the state public land acquisition has been limited due to the lack of affordable land to be purchased, this isn't necessarily the case in the Tampa Bay area. For example, the SWFWMD has acquired 24,109 acres in Pinellas and Hillsborough Counties for preservation purposes. Of the total acquired, 3,845 acres have been purchased with P2000 funds. Also, both Pinellas and Hillsborough Counties have environmental lands acquisition programs. These counties have acquired lands and identified additional preservation lands within their county for protection. Furthermore, an additional 47,882 acres have been identified by the District within these two counties for potential acquisition, primarily within the Tampa Bay Estuarine Ecosystem, along Brooker Creek, and the Alafia and Little Manatee Rivers. Without the continuation of P2000, the District will be unable to protect these important systems.
- Page 6 states, *"Administering agencies have not developed the information necessary to determine how much land needs to be protected to meet specific objectives."* This is not the case for SWFWMD. In 1987 this district developed its land acquisition site identification model, which is a computer-based application, to identify lands necessary to meet the objectives of the Save Our Rivers and Preservation 2000 programs.
- Page 8 states, *"Even though agencies are beginning to explore more cost-effective ways of using Preservation 2000 resources, policymakers have expressed concern*

that agencies may be acquiring land that they may not be able to effectively manage within available resources.” Over the past two years the water management districts have continually attempted to make policymakers aware that the WMDs do have sufficient funding via the Water Management Lands Trust Fund (a non-lapsing fund) for future land management costs, provided the cap on management costs is adjusted. Currently, up to 25 percent of monies deposited in the Trust Fund can be utilized for land management costs. The Districts have stated that they have sufficient land management funding through FY2002-03 with the current 25 percent cap. The Districts will not require additional funding after this time, provided the split between land acquisition (75 percent) and land management (25 percent) is adjusted with an increased percentage for land management.

Excerpts From the South Florida Water Management District’s Response

The South Florida Water Management District agrees that projecting land management cost is difficult especially for cases where the lands have yet to be purchased. However, the District has generally found that a budget of \$20/acre/year provides for an adequate management program for most lands that have no major exotic infestations, nor require extensive hydrologic re-engineering. The cost of initial removal of exotics and restoration of hydro patterns is very site specific and can only be estimated on a case by case basis.

Therefore, we believe that a simple calculation of \$20/acre/year times the number of owned (or projected to be owned) acres can generate a good estimate of future management needs. (A 3.5% C.P.I. should be used for projections

exceeding 3 years). With respect to exotic control, hydrologic restoration, and development of public use facilities, a fixed capital fund should be provided as a percentage of the management budget (say 10%). These funds would be spent annually on exotic control, restoration, and public use facilities, based on 1 - 3 year capital improvement plans developed for purchased property.

Excerpts From the Florida Game and Fresh Water Fish Commission’s Response

In your analysis of the potential for P-2000 to acquire land, you project that 1.3 million acres could be acquired with the \$3 billion raised over the life of the program. Our calculations indicate that \$3 billion will acquire approximately 1.87 million acres, if the price per acre of land remains relatively constant.

It is asserted that the overall contribution of the P-2000 program to meeting state goals is uncertain, because agencies have not developed the information necessary to determine how much land needs to be protected to meet specific objectives. An example is given concerning the complications involved in setting quantifiable goals for the protection of habitat for endangered species, with the clear inference that this has not been done. In fact, prior to the advent of the P-2000 program, the Commission embarked on a comprehensive study to assess the status of fish and wildlife habitats in Florida using remote sensing technologies. This seven-year effort resulted in the compilation of a Geographic Information System (GIS) data base of wildlife habitat information, and publication of *Closing the Gaps in Florida’s Wildlife Habitat Conservation System* in 1994. Through the review of available scientific literature, consultation with wildlife experts, and application of this GIS technology, we

have determined the location and amount of habitat necessary to protect rare species and the biological diversity of Florida for the foreseeable future. This information has been available to and used by the CARL staff for several years, and is also used in the Commission's inholdings and additions program funded through P-2000.

The estimates of the potential costs of managing each parcel of land acquired by the CARL program as provided in the CARL Annual Report is determined by the proposed managing agencies, not CARL staff. These estimates are provided to CARL staff in the form of a "Management Prospectus" which include an initial assessment of resource management needs, potential uses and the estimates of management costs.

We agree that requiring agencies to have an acquisition plan will optimize future P-2000 acquisitions. As previously stated, the Closing the Gaps in Florida's Wildlife Habitat Conservation System is being used by the Commission to prioritize acquisitions. Management plans are prepared pursuant to Section 253.034 (4), F.S. and Rule 18-2.021 (4), F.A.C. Additionally, Commission management plans identify immediate and projected costs associated natural resource management and public use administration, including a schedule for completion of various management-related activities.

funds. To meet this need, we recommend agencies assess the future costs of managing lands acquired

OPPAGA Comments

As noted in our report, agencies have developed some management costs. We also recognize that some agencies have developed more detail than others in projecting management costs. However, we did not find evidence of detailed management costs that clearly established the full magnitude of the state's short-term and long-term liability for managing lands acquired with Preservation 2000

with Preservation 2000 funds including costs that could be deferred and a timetable for when costs would be incurred.

The report clearly established that agencies have acquisition plans that consider specific criteria and rank purchases. Our point is simply that with three years of Preservation 2000 funds remaining, it is not clear what we have accomplished with acquisitions in relation to specific objectives such as habitat protection. Current acquisition plans and rankings do not provide this information. We found no assessment of the impact of acquisitions on meeting specific objectives or the clear identification of critical remaining lands that would further specific objectives. We believe these elements are essential for maximizing the benefits of the remaining years of

the program. For this reason, we recommend that the Legislature require for the 1998-99 Legislative Session that agencies receiving Preservation 2000 funds provide an assessment of the overall impact of acquired lands in achieving state conservation and recreational objectives. Building upon this assessment of the impact acquisitions have had to date, agencies should develop acquisition plans that target future acquisitions toward the most critical lands that will help attain those objectives. To differing degrees, agencies have developed some or part of this information. Our review, however, found no acquisition plans that incorporated all the elements of our recommendations.

This project was conducted in accordance with applicable evaluation standards. Copies of this report may be obtained by telephone (904/488-1023 or 800/531-2477), by FAX (904/487-3804), in person (Claude Pepper Building, Room 312, 111 W. Madison St.), or by mail (OPPAGA Report Production, P.O. Box 1735, Tallahassee, FL 32302).

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