

The Impact of Florida Forever on the Refuge

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Putting land into conservation helps in the battle to improve the quality of Florida's waterbodies in multiple ways. For one, land that is in conservation doesn't have the same level of nutrients that it would have if it were used for housing or agriculture, which reduces the flow of harmful nutrients into our water bodies. Another way it helps, conservation land can be used to support dispersed water management projects that store and/or clean water.

What is Florida Forever?

Back in 1990, [the Florida Legislature found that the 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, the legislature passed the Preservation 2000 Act and provided \$300 million of supplemental funding annually for a 10-year period to accelerate the acquisition of publicly owned lands.

[Florida Forever](#) is the successor to the Preservation 2000 (P2000) program. "Florida Forever is Florida's premier conservation and recreation lands acquisition program, a blueprint for conserving natural resources and renewing Florida's commitment to conserve the state's natural and cultural heritage," [according to Florida's Department of Environmental Protection \(FDEP\)](#). More than 2.5 million acres have been conserved under the Florida Forever and P2000 programs, the vast majority conserved by the P2000 program.

How is land chosen and prioritized?

The [Acquisition and Restoration Council \(ARC\)](#) is a 10-member group with representatives from four state agencies, four appointees of the governor, one appointee by the Fish and Wildlife Conservation Commission, and one appointee by the Commissioner of Agriculture and Consumer Services. ARC has responsibility for the evaluation, selection, and ranking of state land acquisition projects on the Florida Forever priority list, as well as the review of management plans and land uses for all state-owned conservation lands. As part of its prioritization process, ARC ranks possible acquisitions within one of six categories:

- CNL - Critical Natural Lands projects
- PRI - Partnerships & Regional Incentives projects
- LTF - LessThan-Fee projects
- CCL - Climate Change Lands projects
- SC - Substantially Complete projects
- CHR - Critical Historical Resources projects

Are there Florida Forever projects that would benefit the Refuge?

There are several projects on [the Florida Forever projects list](#) that would benefit the Refuge, such as the Fisheating Creek Ecosystem project, which has been on the Florida Forever projects list since 2000. It is currently the highest ranked project in the less-than-fee simple land category.

The total amount of land in the Fisheating Creek Ecosystem project is 183,809 acres, of which 71,171 acres have already been put into conservation via multiple purchases. As the name implies, the Fisheating

Creek Ecosystem surrounds Fisheating Creek, the only undammed tributary to Lake Okeechobee. As a result, nutrient runoff from this land flows down Fisheating Creek and enters Lake O slightly north of the Caloosahatchee River.

Continuing to put parcels of land in the Fisheating Creek Ecosystem into conservation would directly benefit the Refuge by eliminating nutrient runoff that would make its way down the Caloosahatchee River to the Refuge. It could also provide additional land that could be used to store and clean water before it enters Fisheating Creek.

What has been the funding for Florida Forever?

From its inception, up through FY '08 – '09, Florida Forever was funded at the same level as the P2000 program - \$300 million per year. Then things changed. Over each of the next five years, the amount the Florida legislature allocated to Florida Forever averaged approximately \$15 million dollars.

In an attempt to provide a stream of funding for the acquisition of conservation land, an amendment was added to the 2014 Florida ballot. This amendment, referred to as Amendment 1, allocated a third of the tax on real estate documents to be used for purchasing and restoring conservation lands through programs like Florida Forever.

Seventy-five percent of Florida voters supported the passage of Amendment 1. However controversy soon ensued because the legislature used some of the money for tasks other than acquiring conservation land. As a result, some environmental groups filed a lawsuit challenging the way lawmakers implemented the amendment. [In his ruling on this suit, Leon County Circuit Judge Charles Dodson](#) agreed with the environmentalists and stated that money from the amendment could only be used on land purchased after the voter-approved measure took effect. However, this ruling was appealed and on September 9, 2019, [a three-judge panel of the 1st District Court of Appeal](#) found that Judge Charles Dodson erred when he made his ruling.

Where do we go from here?

[In its last legislative session](#), the Florida legislature provided \$33M of funding for Florida Forever. Our short-term goal is to encourage the Florida legislature to significantly increase that funding in its upcoming session. One benefit of increased funding is that property that impacts the Refuge, such as land within the Fisheating Creek Ecosystem, will be put under conservation. In the longer term, we will work to have other properties that could impact the Refuge placed high on the Florida Forever projects list. When appropriate, we will come back to you and seek your help in achieving those goals.

In case you missed it: Governor DeSantis also would like the legislature to put \$625 million a year into the next three state budgets for environmental projects, not including Florida Forever. See [more](#).



STATEWIDE DISTRIBUTION OF FLORIDA FOREVER LAND ACQUISITION PROJECTS
 JANUARY 2019