State Highlights in Conservation: Florida

Profile of State Program(s)

**Preservation 2000:** In 1990, the Legislature passed the Preservation 2000 Act to accelerate the acquisition of public lands for environmental and recreation purposes due to the imminent development of Florida’s natural areas and continuing increases in land values. The state issued $300 million annually in revenue bonds for the program in each of the 10 years the program was in existence, for a total of $3 billion. Expenditures concluded in 2001. The program protected nearly two million acres of lands. Revenues from the documentary stamp tax supported the annual bond. A small amount of revenue for P2000 was derived from the severance tax on phosphate.

**Florida Forever:** In 2001, the Florida Forever program replaced Preservation 2000 as the largest public land conservation program in the nation. Implemented with bipartisan support in the state legislature, this followed the passage of a constitutional amendment in 1998 (which received 72 percent support) that authorized revenue bonds for acquisition and improvements of land and water resource areas for conservation, environmental restoration, and historic preservation. Unlike Preservation 2000, Florida Forever does not expire. Florida Forever addresses a wide range of conservation objectives including the restoration of damaged environmental systems, water resource development and supply, increased public access, public lands management and maintenance, and increased protection of land via conservation easements. Florida Forever authorized bond issues not to exceed $3 billion over a 10-year period for the acquisition of land and water. Since the inception of the Florida Forever program in 2001, the state has purchased more than 718,000 acres with more than $2.9 billion. Although funding for the Florida Forever program is authorized through 2020 at $300 million a year using documentary stamp revenue, funding was interrupted due to declines in state revenues and shifts in priorities related to economic recovery. Florida Forever did not receive funding in 2011 or 2012. In 2014, voters approved a constitutional amendment that dedicated one-third of existing revenue generated by the documentary stamp tax for 20 years. This measure is expected to generate approximately $18 billion, with $9 billion for land acquisition. Despite approval of 75 percent of Florida voters, lawmakers have not appropriated adequate funding for Florida Forever. The money, when appropriated by the legislature, is distributed by DEP to the following agencies/programs:

- Division of State Lands – 35%
- Stan Mayfield Working Waterfront – 2.5%
- Florida Communities Trust – 21%
- Division of Recreation and Parks – 1.5%
- Office of Greenways and Trails – 1.5%
- Florida Recreation Development Assistance Program (FRDAP) – 2%
- Florida Fish and Wildlife Conservation Commission – 1.5%
- Florida Forest Service, DACS – 1.5%
- Rural & Family Lands, DACS – 3.5%
- Water Management Districts – 30%

**Florida Forever/The Florida Communities Trust:** The Florida Communities Trust (FCT), administered by the Department of Community Affairs, has been a major recipient of P2000 and Florida Forever funds. FCT grants require a local growth management plan and are prioritized based on how well the grant will advance this management plan. The Florida Forever program currently provides an allocation of 3.5% of the total funding under Florida Forever for conservation easements. Sec. 259.105(3)(i) of the Florida Statutes provides, in part: “Three and five-tenths percent to the Department of Agriculture and Consumer Services for the acquisition of agricultural lands, through perpetual conservation easements and other perpetual less than fee techniques, which will achieve the objectives of Florida Forever and s. 570.71.” The Florida Legislature approved the FY18-19 state budget, agreeing to appropriate $100.8 million for the state’s land conservation programs. This was the first year since passage of the Water and Land Conservation Amendment in 2014 that there has been a significant appropriation for land conservation, including the Florida Forever program. In 2017, the appropriation for land conservation was zero. $100.8 million is more than double the amount the Legislature has appropriated for land conservation since 2008. The appropriation includes $77 million to the Department of
Environmental Protection for the Florida Forever priority list; $10 million to Florida Communities Trust for matching grants to local governments; $6 million to the Florida Recreational Development Assistance Program for local park development; $5.8 million to Rural and Family Lands program for agricultural easements; and $2 million for the Working Waterfronts program.

Substantial State Investment

Dating back to efforts in the 1960’s, Florida historically is regarded as maintaining the largest state land conservation program in the United States. Between the Preservation 2000 and Florida Forever programs, Florida has preserved more than 2.5 million acres since 1990. The main source of funding for conservation comes from the documentary stamp tax, which collects revenue through real estate transactions. Revenue from the documentary stamp tax is split between general revenue, state and local housing trust funds, land acquisition trust funds, and water management trust funds. The documentary stamp tax on deed and other real property documents is imposed at the rate of 70 cents per $100. Certificates of indebtedness, promissory notes, wage assignments, and retail charge account agreements are taxed at 35 cents per $100. Although the Florida Forever program was authorized through 2020 at $300 million a year, the funding was interrupted due to declines in state revenues and shifts in priorities related to economic recovery. Florida Forever did not receive funding in 2011 or 2012. Following a citizen petition drive in 2013 and 2014, Florida voters approved a constitutional amendment to dedicate at least $18 billion over 20 years to Florida Forever through a dedication of the documentary stamp tax. Known as Amendment One, the measure won 75 percent statewide. This is the largest land conservation measure ever approved by voters in the United States. One-half of the funding is dedicated for new land conservation, including major investments in the Everglades. The remaining half will fund restoration efforts. Despite the overwhelming voter support for Amendment 1, lawmakers only dedicated $17 million to Florida Forever in 2015 due to legislative disagreements over the intent of the measure. Efforts are ongoing to dedicate additional funds.

State Incentive for Local Conservation Funding

The Florida Communities Trust (FCT), administered by the Department of Community Affairs has been a major recipient of P2000 and Florida Forever funds. FCT grants are prioritized based on how well the grant will advance a local growth management plan. This has spurred communities to adopt long-range visions of their conservation needs. A population threshold determines whether a county or municipality must provide a minimum 25 percent match. Counties over 75,000 are required to provide at least 25 percent match and municipalities over 10,000 in population must do the same. Counties and municipalities under this threshold are not required to provide any match. Eligible environmental non-profit applicants such as land trusts may also receive funding and are not required to provide a match.

Conservation Tax Credits

In November 2008, Florida voters approved a constitutional amendment that provides a property tax exemption for land that is permanently set aside for conservation purposes. The amendment also allows land that is being used for conservation purposes, but which has not been permanently set aside, to be taxed according to its conservation use.

Local Financing Enabled

Statewide dedicated funding has spurred many local governments to adopt long-range strategic visions of their conservation needs as well as create their own local sources of revenues in order to maximize the use of state funding. Local governments have the authority to issue bonds, dedicate sales and use taxes as well as property taxes for buying land for open space, parks, and recreation. Less frequently used mechanisms have included special assessment districts, the real estate transfer tax, impact fees, and the income tax. In Florida, local government funding options for land conservation have primarily taken the form of general obligation bonds backed by property taxes, or, in fewer cases, the infrastructure sales tax.

Local Programs Included

Local conservation programs include:

- Alachua County, FL
- Brevard County, FL
- Broward County, FL
- Charlotte County, FL
- Collier County, FL
- Flagler County, FL
- Hernando County, FL
- Hillsborough County, FL
- Indian River County, FL
- Lake County, FL
- Lee County, FL
- Leon County, FL
- Martin County, FL
- Miami Dade County, FL
- Osceola County, FL
- Palm Beach County, FL
- Pasco County, FL
- Pinellas County, FL
- Polk County, FL
- Sarasota County, FL
- Seminole County, FL
Lucie County, FL
Volusia County, FL

Visit www.landvote.org for detailed information on these programs.

Federal Partnerships

Federal agencies and programs that have conserved land in Florida include:

- U.S. Department of Defense – Readiness and Environmental Protection Initiative (REPI)
- U.S. Fish and Wildlife Service
- U.S. Fish and Wildlife Service – Migratory Bird Conservation Fund (MBCF)
- U.S. Fish and Wildlife Service – National Coastal Wetlands Conservation Grant Program
- U.S. Fish and Wildlife Service – North American Wetlands Conservation Act (NAWCA)
- U.S. Fish and Wildlife Service – Section 6 Grant
- U.S. Forest Service
- U.S. National Oceanic and Atmospheric Administration – Coastal and Estuarine Land Conservation Program (CELCP)
- U.S. National Park Service
- U.S. Natural Resources Conservation Service – Farm and Ranch Lands Protection Program (FRPP)
- U.S. Natural Resources Conservation Service – Grassland Reserve Program (GRP)
- U.S. Natural Resources Conservation Service – Wetlands Reserve Program (WRP)

The Trust for Public Land creates parks and protects land for people, ensuring healthy, livable communities for generations to come.

The Conservation Almanac

A comprehensive database of land conservation and public conservation funding in America, the Conservation Almanac provides a context for assessing impacts of conservation and the growing conservation finance movement. The Almanac offers information on public dollars spent and acres conserved, details on local, state, and federal conservation programs, and geospatial mapping of conserved land.

Almanac data collection efforts focus on land conserved using public dollars; contributions funded by private and non-governmental organizations are not tracked comprehensively. Federal data is complete from 1998-2017. State and local data is complete from 1998-2008. In the tables and charts below, acres are allocated to each program proportionate to the size of the contributions to each acquisition. For example, if an acquisition had two contributions, and each program contributed equal dollar amounts, each program receives 50% of the acres. If you have questions or want to provide updated information, please contact Jessica Welch at jessica.welch@tpl.org.

www.tpl.org
www.conservationalmanac.org
State Conservation Report
Florida

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The data in the Conservation Almanac track the impacts of public spending on land conservation. Created by The Trust for Public Land, the Conservation Almanac brings those data together along with state policy profiles, current conservation finance news, and an interactive map, to provide a powerful online tool.

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