

AGENDA
BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
March 5, 2025

Attachments to the items below can be viewed at the following link:

<https://floridadep.gov/cab/cab/content/agendas>

Item 1A **Resolution – Gulf of America**

REQUEST: Consideration of a resolution of the Governor and Cabinet sitting as the Board of Trustees of the Internal Improvement Trust Fund.



RESOLUTION

WHEREAS, on January 20, 2025, President Donald J. Trump signed Presidential Executive Order 14172: Restoring Names That Honor American Greatness which was later published in Federal Register Vol. 90, No. 20; and

WHEREAS, the area formerly known as the Gulf of Mexico is considered to be the U.S. Continental Shelf area bounded on the northeast, north, and northwest by five U.S. States including the State of Alabama, Florida, Louisiana, Mississippi, and Texas, extending to the seaward boundaries of Mexico and Cuba, a foreign country of concern; and

WHEREAS, as directed by President Donald J. Trump, the Gulf is to be renamed the Gulf of America consistent with 43 U.S.C. 364 through 364f; and

WHEREAS, on January 24, 2025, the U.S. Department of the Interior announced that the Department, in conjunction with the U.S. Board on Geographic Names, is updating all official federal nomenclature in the U.S. Geographic Names Information System to reflect these changes, to ensure immediate availability for federal uses; and

WHEREAS, the Gulf of America spans approximately 1,700 miles along the United States, of which 770 miles are located along Florida’s coastline—the renaming reflects the region’s central importance to the nation’s economy, particular its importance to the nation’s defense, aerospace, maritime, fisheries, and tourism-related industries; and

WHEREAS, while modifications to update relevant references in state statute are before the Florida legislature, various references remain in documents and publications under the jurisdiction and authority of the Board; and

NOW, THEREFORE, WE, THE GOVERNOR AND CABINET, SITTING AS THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND, as authorized by Article IV, Section (4)(f) of the Constitution of the State of Florida and pursuant to relevant provisions of Florida Statute, do hereby direct the following actions to the agencies, divisions, and personnel which are charged with assisting in the Board’s authority referenced herein:

Item 1A, cont.

1. All maps, records, publications, resources, and similar documentation under the jurisdiction of the Board, which currently reference “Gulf of Mexico” shall be, to the extent practicable, updated on a continual basis for the limited purpose of designating the area formerly known as the “Gulf of Mexico” as the Gulf of America.
2. All administrative rules, policies, and procedures which currently reference “Gulf of Mexico” should be updated on a continual basis for the limited purpose of designated the area formerly known as the “Gulf of Mexico” as the Gulf of America. In implementing this provision, the Board hereby approves the final adoption of rules, limited to the provisions of this section, to reflect this change.
3. All land managers of publicly accessible lands held in title by the Board which borders the Gulf of America shall provide suitable space for the erection of signage to designate the Gulf of America as a point of interest in this state.
4. This Resolution is effective immediately.

WHEREFORE, the Governor and Cabinet of the state of Florida, sitting as the Board of Trustees of the Internal Improvement Trust Fund, have hereunto subscribed their names and have caused the Official Seal of the State of Florida to be hereunto affixed in the County of Leon on this 5th day of March 2025.

RON DESANTIS
GOVERNOR

JAMES UTHMEIER
ATTORNEY GENERAL

JIMMY PATRONIS
CHIEF FINANCIAL OFFICER

WILTON SIMPSON
COMMISSIONER OF AGRICULTURE

(Attachment 1A, Pages 1-2)

RECOMMEND: **APPROVAL**

Item 1B **TelcoSub USA, LLC Recommended Consolidated Intent/ CSN-1 Fiber Optic Cable System/ Private Easement**

REQUEST: Consideration of an application for a 10-foot wide, non-exclusive, 25-year sovereignty submerged land private easement containing 549,921 square feet (12.61 acres), more or less, for a telecommunications line.

VOTING REQUIREMENT FOR APPROVAL: Three votes

COUNTY: Lee

APPLICANT: TelcoSub USA, LLC
Application No. 445394-001
Easement No. 43077
BOT File No. 360368875

LOCATION: 3250 Bonita Beach Blvd.
Bonita Springs, FL
Section 31, Township 47 South, Range 25 East
Waterbody Classification: Class III, Not Approved for Shellfish Harvesting
Designated Manatee County: Yes, with an approved Manatee Protection Plan
Manatee Aggregation Area: No
Manatee Protection Speed Zone: No

CONSIDERATION: \$491,074.14, representing (1) \$23,369.06 as the non-refundable processing fee, pursuant to Rule 18-21.010(1)(h), F.A.C.; and (2) \$467,705.08 as the one-time easement value and enhanced fee at the rate of \$8.5527 per linear foot that crosses sovereignty submerged lands, pursuant to Rule 18-21.011(2)(f), F.A.C. Sales tax and county discretionary sales surtax will be assessed pursuant to sections 212.031 and 212.054, F.S., if applicable. The Applicant paid the \$23,369.06 non-refundable processing fee on July 18, 2024.

STAFF REMARKS: In accordance with rules adopted pursuant to sections 373.427(2) and 253.77(2), F.S., this "Recommended Consolidated Notice" contains a recommendation for issuance of both the permit required under Part IV of Chapter 373, F.S., and the authorization to use sovereignty submerged lands under Chapter 253, F.S. The Board of Trustees is requested to act on those aspects of the activity which require authorization to use sovereignty submerged lands.

The project is required to demonstrate that it is “not contrary to the public interest,” pursuant to Article X, Section 11 of the Florida Constitution, Chapter 253, F.S., and Rule 18-21.004(1)(a), F.A.C. The Applicant has provided reasonable assurance that the proposal will maintain essentially natural conditions; will not significantly impact fish and wildlife and other natural resources, including public recreation and navigation; is consistent with the local government’s comprehensive plan; and will not interfere with the riparian rights of adjacent property owners. Therefore, the Department is of the opinion that the proposal is “not contrary to the public interest” and otherwise meets all applicable requirements for a proprietary authorization to use sovereignty submerged lands.

Item 1B, cont.

Project Synopsis

The Applicant is requesting a new 25-year private easement over a 10-foot wide area of sovereignty submerged lands on which to install and operate approximately 54,685.03 linear feet (nine nautical miles) of two-inch fiber optic cable for the international Carnival Submarine Network-1 (CSN-1) pursuant to Rule 18-21.011(2), F.A.C. The private easement extends to the limits of State of Florida waters within the Gulf of America (formerly known as Gulf of Mexico) with connections to Colombia and Ecuador via Panama.

Background

The Applicant, TelcoSub USA, LLC, is the TELCONET subsidiary developing the CSN-1 network in Florida and is the applicant for both federal and state permits. The Applicant is not a public entity, nor is it regulated by the Public Service Commission; therefore, the project requires a private easement. Pursuant to Rule 18-21.00551(2)(c), F.A.C., the project requires Board of Trustees' approval since the private easement exceeds 5 acres and is a telecommunication line that is not being installed in a special consideration area, as designated in Rule 18-21.004(2)(1), F.A.C. Alcatel Submarine Networks has been contracted by TELCONET to engineer, manufacture, and install the submarine cable network.

Project Description

The CSN-1 cable system project consists of installing and operating approximately 54,685.03 linear feet (nine nautical miles) of two-inch fiber optic submarine cable within the Gulf of America, to the limits of State of Florida waters, originating in Bonita Springs, Lee County. The total length of the CSN-1 network will be approximately 2,446 nautical miles or approximately 4,530 kilometers.

The proposed project includes the installation and operation of a new international private commercial communications fiber optic submarine cable network with associated infrastructure. The cable installation will include upland-to-water horizontal directional drill (HDD), submarine burial via jetting and plough, and seabed cable-lay within waters of the United States and State of Florida navigable waters.

Purpose and Need

The Applicant is developing the CSN-1, a new undersea international fiber optic communications cable, to connect Ecuador, Panama, and Colombia to Florida on a route that is geographically diverse from today's existing submarine cables from Latin America (LATAM) to the United States. Today's LATAM-USA cables all land on Florida's east coast, with many landings in Palm Beach and Broward counties. Governments across the globe recognize today's global submarine cable communications network as "critical infrastructure." This international network provides the backbone for communications upon which all nations' economies and societies rely every day. Thus, more cables are being constructed globally, including in the LATAM/Caribbean region, not only because of increased demand for international communication services, but also for other reasons including national security. Many are being built along geographically diverse routes to ensure that no single unexpected event that might cut or disrupt one or more cables (e.g., hurricane, volcanic eruption, earthquake, or other event) will interrupt international communications. Diversity is key to the reliability of the global communications network. The CSN-1 will be the first modern commercial

Item 1B, cont.

LATAM cable connecting to the United States on the west coast of Florida, and as such, will be pivotally important to the United States and its neighbors.

Term of Easement

The Applicant is requesting an easement term of 25 years, which is consistent with the design service life of the proposed CSN-1 fiber optic cable system. The Applicant will be solely responsible for the long-term maintenance of the proposed system.

Proposed Cable Route

The proposed cable route will be installed utilizing the HDD method and will commence in a southwesterly direction extending approximately 1,560 linear feet from the coast of Bonita Springs, Florida, into the Gulf of America to latitude N 26 19.8390, longitude W 81 51.0318, which is approximately 50 feet deep. Once the cable exits the HDD punchout, it will continue in a more southerly direction lying directly on the hardbottom ridge complex.

Resources

The proposed project will not impact any significant submerged or aquatic resources. The Applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment: The submarine cable design, routing, and landing locations for the network were developed in the planning stages based on detailed cable route engineering considerations. During this route planning process, reasonable alternatives were evaluated based on the following objectives: optimize the approach to the planned infrastructure; minimize interference with existing cables and underwater and terrestrial facilities; avoid and minimize crossing with environmentally sensitive areas; and avoid potential hazards. Proposed infrastructure avoids and minimizes the potential for impacts to the beach and nearshore environment. All proposed activities associated with the laying and burial of the cable are anticipated to result in little or no sediment disturbance along the cable route. Careful consideration was taken of sensitive habitats and listed species during the cable route design so to avoid/minimize potential impacts. Best Management Practices will be used during the project construction, HDD, and cable installation to avoid sensitive environmental and cultural resources, reduce turbidity, and minimize risk of inadvertent drilling fluid release. The Applicant agrees to comply with National Marine Fisheries Service's "Protected Species Construction Conditions, NOAA Fisheries Southeast Regional Office" (2021), and the "Standard Manatee Conditions for In-Water Work" (2011).

Commenting Agency

Lee County is a designated "key" manatee county with an approved Manatee Protection Plan. Thus, the Florida Fish and Wildlife Conservation Commission, Division of Habitat and Species Conservation, Imperiled Species Management Section, reviewed the application and provided a letter of no comment on March 6, 2024.

Noticing

The private easement request was noticed to 24 property owners within a 500-foot radius of the proposed private easement area, and other interested parties pursuant to Rule 18-21.004(1)(m), F.A.C. No objections were received by the end of the noticing period, February 7, 2025.

Item 1B, cont.

Comprehensive Plan

A consideration of the status of the local government comprehensive plan was not made for this item. The Department has determined that the project is not subject to the local government planning process.

(Attachment 1B, Pages 1-37)

RECOMMEND: **APPROVAL, SUBJECT TO THE SPECIAL PRIVATE EASEMENT
CONDITIONS AND PAYMENT OF \$491,074.14**

**Item 1C **Sarasota Yacht Club, Inc./ Recommended Consolidated Intent/ Lease
Modification****

REQUEST: Consideration of an application for modification of an existing five-year sovereignty submerged lands lease containing 285,264 square feet, more or less, to an increased preemption area of 332,579.8 square feet, more or less, for a commercial docking facility.

VOTING REQUIREMENT FOR APPROVAL: Three votes

COUNTY: Sarasota

APPLICANT: Sarasota Yacht Club, Inc.
Lease No. 580578403
Application No. 162087-012

LOCATION: 1100 John Ringling Blvd.
Sarasota, FL
Aquatic Preserve: No
Waterbody/ Classification: Class II
Designated Manatee County: Yes, with approved Manatee Protection Plan
Manatee Aggregation Area: No
Manatee Protection Speed Zone: No

CONSIDERATION: \$67,270.80, representing (1) \$64,713.38 as the initial annual lease fee computed at the base rate of \$0.2162 per square foot for the total of 332,579.8 square feet, discounted 10 percent for Clean Marina designation, pursuant to Rule 18-21.011(1)(b)15, F.A.C.; and (2) \$2,557.42 as the one-time 25 percent surcharge payment for the new lease area of 47,315.8 square feet pursuant to Rule 18-21.011(1)(b)3, F.A.C. The lease fee may be adjusted based on six percent of the annual income if it proves to be greater than the fee computed at the base rate, pursuant to Rule 18-21.001(1)(a)1, F.A.C. Sales tax and county discretionary sale surtax will be assessed, pursuant to sections 212.031 and 212.054, F.S., if applicable.

Item 1C, cont.

STAFF REMARKS: In accordance with rules adopted pursuant to sections 373.427(2) and 253.77(2), F.S., this "Recommended Consolidated Notice" contains a recommendation for issuance of both the permit required under Part IV of Chapter 373, F.S., and the authorization to use sovereignty submerged lands under Chapters 253 and 258, F.S. The Board of Trustees is requested to act on those aspects of the activity which require authorization to use sovereignty submerged lands.

The project is required to demonstrate that it is "not contrary to the public interest," pursuant to Rule 18-21.004(1)(a), F.A.C. The Applicant has provided reasonable assurance that the proposal will maintain essentially natural conditions; will not significantly impact fish and wildlife and other natural resources, including public recreation and navigation; is consistent with the local government's comprehensive plan; and will not interfere with the riparian rights of adjacent property owners. Therefore, the Department is of the opinion that the proposal is "not contrary to the public interest" and otherwise meets all applicable requirements for a proprietary authorization to use sovereignty submerged lands, pursuant to Article X, Section 11 of the Florida Constitution, Chapter 253, F.S., Rule 18-21, F.A.C., and the direction of the Board of Trustees.

Background

On October 18, 1983, the Board of Trustees approved the issuance of the original sovereignty submerged lands lease. This lease authorized the preemption of 40,935 square feet for a 4,880 square foot marina facility with 31 wet slips, without fuel or sewage facilities.

On October 18, 1988, the lease was modified and renewed. The modification reduced the preempted area from 40,935 square feet to 39,100 square feet for a private docking facility.

On October 18, 1993, the lease was again modified and renewed. This modification authorized a boat ramp, fueling and sewage facilities, as well as liveaboards.

On February 11, 1997, a lease modification was issued to increase the preempted area to 182,086 square feet, and to authorize non-water dependent office space to be used in conjunction with the upland private yacht club. This lease was renewed without modification for an additional five-year period on October 18, 1998.

On November 29, 2000, the Board of Trustees approved a lease modification, which authorized 108 slips and the construction of an additional docking structure. The area of preemption was increased to 244,137 square feet for Docks 1 through 3. The permit for the construction of the additional 24 wet slips and docking structures was issued on October 16, 2001. This lease was renewed on October 18, 2003.

On September 9, 2005, a Consent Order was issued for the 1,015 square feet access pier (Dock B), and on December 19, 2006, the lease was modified to increase the preempted area to 285,264 square feet. This lease was renewed on October 18, 2013, and again on October 18, 2018, without modification.

Item 1C, cont.

On November 19, 2021, the Department issued a Consolidated Environmental Resource Permit and Sovereignty Submerged Lands Authorization, which allowed the existing docking structure to be reconfigured. The modified preempted area was approximately 333,363 square feet, and the reconfiguration included 46,401 square feet of overwater structure consisting of 134 permanent slips, 15 transient slips, and eight sailboat slips, for a total of 157 slips. However, this authorization should have been presented to the Board of Trustees for approval prior to issuance. Additionally, the Applicant did not have sufficient upland interest for the project as proposed at that time. Thus, the Consolidated Environmental Resource Permit and Sovereignty Submerged Lands Authorization from November 19, 2021, was not executed.

On March 8, 2023, the Applicant submitted the current lease modification and permit application. Their request is to replace 858 linear feet of seawall, within 18 inches waterward of the existing seawall; remove and replace the fixed and floating docks; and construct an additional dock on the south side of the property within the riparian area of Plymouth Harbor Incorporated via a Reciprocal Access and Easement Agreement. The Applicant is reducing the number of requested wet slips to 128, the total over water structure to 40,929.6 square feet, and the preempted area to 332,579.8 square feet.

On September 15, 2023, an on-site inspection was conducted and unauthorized structures were discovered. The Department issued a compliance assistance offer letter on October 11, 2023, and the existing lease was recommended for non-renewal until the identified issues were resolved. The Applicant has since removed the unauthorized structures and are back in compliance with their existing lease.

On January 16, 2025, the lease authorizing 108 wet slips with 285,264 square feet of preemption was renewed without modification. The lease term is October 18, 2023, through October 18, 2028.

On February 4, 2025, the sufficient upland interest issues identified in connection with the November 19, 2021, authorization were resolved. The Department provided approval of sufficient upland interest for the proposed project upon the review of Warranty Deed contained in Deed Book 162 page 109 and the unrecorded Reciprocal Access and Easement Agreement dated February 4, 2025, between the Applicant and Plymouth Harbor Incorporated.

Project Detail

The proposed project will (1) replace three existing docks and piling structures (Docks 1-3) with fixed and floating docks; (2) replace the Plymouth Harbor fixed dock (Dock 4) and construct a new floating dock addition; (3) expand the existing sailboat access dock by 879 square feet; and (4) install a new seawall within 18 inches of the existing seawall.

The proposed project is located within the waterward extent of Sarasota Bay, a Class II waterbody. The existing in-water commercial docking facility is used in conjunction with the upland private yacht club. The proposed lease modification will increase the preempted area from 285,264 square feet to 332,579.8 square feet and increase the number of wet slips from 108 to 128.

Item 1C, cont.

The proposed 332,579.8 square foot lease area will include eight docking structures that will total approximately 40,929.6 square feet of overwater structure. Proposed Dock 1 will contain 34 wet slips, Proposed Dock 2 will contain 36 wet slips, Proposed Dock 3 will contain 32 wet slips, Proposed Dock 4 will contain 20 wet slips, Transient Dock 1 will provide two wet slips, Transient Dock 2 will provide one wet slip, Transient Dock 3 will provide two wet slips, and the final dock is the sailboat access dock which will be expanded to total 1,222 square feet over sovereign submerged land and provide one wet slip.

The proposed commercial docking facility will accommodate vessels that range from 25 to 80 feet in length with a one to eight-foot draft. Water depths in the preempted area range from two to 15 feet, which is sufficient for the proposed use, thus no dredging is proposed.

Specific conditions for in-water construction have been included in the permit and stipulate that floating turbidity curtains, with weighted skirts, extending to within one foot of the bottom shall be placed prior to the initiation of work, be maintained, and remain in place for the duration of construction.

Resources

Historically, this area does not contain submerged resources, and there have been no resources observed in the project area.

Noticing

On August 27, 2021, the lease modification request was noticed to four property owners within a 500-foot radius of the project, and other interested parties, in accordance with Rule 18-21.004(1)(m), F.A.C., and no objections were received by the end of the comment period.

Pursuant to section 253.155, F.S., and Rule 18-21, F.A.C., the current lease modification request is exempt from notification requirements because the proposed preempted area has been reduced, and environment impacts have not increased.

(Attachment 1C, Pages 1-51)

RECOMMEND: APPROVAL, SUBJECT THE SPECIAL LEASE CONDITIONS AND PAYMENT OF \$67,270.80

Item 2 2025 Florida Forever Priority List/ 2025-2026 Annual Florida Forever Work Plan

REQUEST: Consideration of (1) the 2025 Florida Forever Priority List; and (2) the Division of State Lands' Annual Florida Forever Work Plan for Fiscal Year 2025-2026.

VOTING REQUIREMENT FOR APPROVAL: Two members, one of whom is the Governor, when four members are voting; or any two members, when three members are voting.

STAFF REMARKS: Florida has a long history as a national leader in conservation, which is vital to our state's environmental protection and economic growth. Florida Forever, the state's premier land conservation program, helps acquire natural lands that conserve critical habitats, protect water resources, benefit Everglades restoration, and enhances local communities. By focusing on the conservation and management of Florida's natural lands, the health of environmental resources is improved, ecological corridors are connected, public access is expanded, and our state's resilience is enhanced.

The Acquisition and Restoration Council (ARC) was established by section 259.035, F.S., as a 10-member board composed of four agency representatives, four governor appointees, one appointee by the Commissioner of Agriculture, and one appointee by the Florida Fish and Wildlife Conservation Commission. In accordance with section 259.105(14), F.S., ARC shall review the most current, approved project list and present a new list of projects to the Board of Trustees annually for approval.

In 2024, ARC conducted 13 public hearings and meetings, reviewed land acquisition proposals and evaluated their resource attributes, established or revised existing project boundaries, ranked projects, and adopted an annual work plan. The following changes to the Florida Forever Priority List were approved by ARC: (a) nine new projects were added; (b) nine new projects were added to existing Florida Forever project boundaries; (c) 32 project boundaries were amended; and (d) four projects were removed from the list due to completion.

<u>New Projects Added to the List</u>	<u>Acres</u>	<u>County</u>
Atlantic to Okefenokee Conservation Corridor	55,844	Nassau
Baker County Timberlands	1,154	Baker
Big Bend Forest	53,267	Dixie
Bowlegs Creek Watershed	1,015	Polk
Fair Bluff	639	Martin
Larkin Ranch	1,067	Pasco
Lettuce Creek Cattle Company	377	Highlands
Little Orange Creek Corridor	3,925	Alachua/Putnam
Tupelo Honey Timberlands	2,214	Gulf

<u>New Projects Added to Existing Project Boundaries</u>	<u>Acres</u>	<u>County</u>
Dark Hammock Ranch	2,166	Okeechobee
Added to Bluefield to Cow Creek		
Finca Vigia	1,886	Hendry
Added to Panther Glades		

Item 2, cont.

New Projects Added to Existing Project

<u>Boundaries (cont.)</u>	<u>Acres</u>	<u>County</u>
Highland Hammock Corridor	960	Highlands
Added to Heartland Wildlife Corridor		
Lake Harney	5,424	Volusia
Added to Volusia Conservation Corridor		
Lytal Conservation Area	1,579	Osceola
Added to Big Bend Swamp/Holopaw Ranch		
Rock Bend Ranch	658	DeSoto
Added to Peace River Refuge		
Suttlemyre Forest	1,513	Putnam
Added to Etoniah/Cross Florida Greenway		
Waccasassa Flatwoods	21,664	Levy
Added to Waccasassa Watershed		
Wooten Timberlands	3,049	Jefferson
Added to Aucilla/Wacissa Watershed		

Projects with Boundary Amendments

<u>Projects with Boundary Amendments</u>	<u>Acres</u>	<u>County</u>
Aucilla/Wacissa Watershed	523	Jefferson/Madison
Bear Creek Forest	1,211	Bay
Bluefield to Cow Creek	2,166	Okeechobee
Camp Blanding to Raiford Greenway	-5,530	Baker
Carr Farm/Price's Scrub	132	Marion
Coastal Headwaters Longleaf Forest	839	Santa Rosa
Devil's Garden	42	Hendry
Etoniah/Cross Florida Greenway	1019	Marion/Putnam
Fisheating Creek Ecosystem	125	Glades
Florida Keys Ecosystem	2	Monroe
Florida's First Magnitude Springs	50	Columbia
Heartland Wildlife Corridor	195	Hardee/Highlands
Heather Island/Ocklawaha River	410	Marion
Hosford Chapman's Rhododendron Protection Zone	-217	Gadsden
Lafayette Forest	41	Lafayette
Lake Wales Ridge Ecosystem	716	Highlands/Polk
Lower Suwannee River and Gulf Watershed	1,931	Levy
Matanzas to Ocala Conservation Corridor	531	Putnam
North Waccasassa Flats	890	Gilchrist
Osceola Pine Savannas	.29	Osceola
Panther Glades	845	Hendry
Peace River Refuge	363	Hardee
Pinhook Swamp	1,988	Columbia/Hamilton
Red Hills Conservation Area	214	Leon
San Pedro Bay	499	Taylor
Sand Mountain	920	Washington

Item 2, cont.

<u>Projects with Boundary Amendments (cont.)</u>	<u>Acres</u>	<u>County</u>
Strategic Managed Area Lands List	1,042	Multiple Counties
Taylor Sweetwater Creek	337	Taylor
Upper Shoal River	1,668	Walton
Volusia Conservation Corridor	5,424	Volusia
Waccasassa Watershed	24,438	Levy
Watermelon Pond	279	Levy

<u>Projects Removed from the List</u>	<u>Status</u>	<u>County</u>
Natural Bridge Creek	97% Complete	Walton
Natural Bridge Timberlands	100% Complete	Jefferson/Leon
Wolfe Creek Forest	97% Complete	Santa Rosa
Yarborough Ranch	100% Complete	Seminole

(1) 2025 Florida Forever Priority List: The 2025 Florida Forever Priority List (Priority List) was adopted by ARC on December 13, 2024. It includes 133 projects containing more than 2.1 million acres with an estimated value of over \$18.5 billion. A total of 106 projects on the Priority List, approximately 80 percent, overlap with the Florida Wildlife Corridor.

In accordance with section 259.04(1)(c), F.S., "...the board shall approve, in whole or in part, the lists of projects in the order of priority in which such projects are presented." Additionally, pursuant to section 259.105(14), F.S., "...The board of trustees may remove projects from the list developed pursuant to this subsection but may not add projects or rearrange project rankings."

(2) Division of State Lands Annual Florida Forever Work Plan for Fiscal Year 2025-2026: The Annual Work Plan is prepared by the Department's Division of State Lands pursuant to section 259.105(17), F.S. The Annual Work Plan is required to be adopted by ARC and presented to the Board of Trustees on an annual basis. At the February 14, 2025, council meeting, ARC adopted the Annual Work Plan. The Fiscal Year 2025-2026 Annual Work Plan contains 60 projects, of which 46 overlap with the Florida Wildlife Corridor.

Comprehensive Plan

The 2025 Florida Forever Priority List is consistent with section 187.201(9), F.S., the Natural Systems and Recreational Lands' section of the State Comprehensive Plan.

(Attachment 2, Page 1-6)

RECOMMEND: **(1) APPROVAL OF THE 2025 FLORIDA FOREVER PRIORITY LIST AND (2) ACCEPTANCE OF THE DIVISION OF STATE LANDS' ANNUAL FLORIDA FOREVER WORK PLAN FOR FISCAL YEAR 2025-2026**

Item 3A Kenansville Ranch, LLC Option Agreement/ Conservation Easement/ Ranch Reserve Florida Forever Project

REQUEST: Consideration of an option agreement to acquire a conservation easement over approximately 7,548 acres within the Ranch Reserve Florida Forever project from Kenansville Ranch, LLC.

VOTING REQUIREMENT FOR APPROVAL: Two members, one of whom is the Governor, when four members are voting; or any two members, when three members are voting.

COUNTY: Osceola

LOCATION: Sections 01 through 03, 10 through 15, 22, 23, 26, and 27, Township 30 South, Range 34 East

CONSIDERATION: \$27,000,000

<u>PARCEL</u>	<u>ACRES</u>	<u>APPRAISED BY</u>		<u>APPROVED VALUE</u>	<u>SELLER'S PURCHASE PRICE</u>	<u>TRUSTEES' PURCHASE PRICE</u>	<u>OPTION DATE</u>
		<u>Holden (11/14/2024)</u>	<u>Jones (11/14/2024)</u>				
Kenansville Ranch, LLC	7,548	\$29,400,000	\$27,900,000	\$29,400,000	\$*	\$27,000,000** (92%)	150 days after BOT approval

*Property was assembled over multiple decades.
 **\$3,577 per acre.

STAFF REMARKS: The subject parcel is located within the Ranch Reserve Florida Forever project, ranked number 15 in the Florida Forever Less-Than-Fee project category, approved by the Board of Trustees on March 5, 2025. The project contains 36,410 acres, of which 23,896 acres have been acquired or are under agreement to be acquired.

Project Description

The Ranch Reserve Florida Forever project includes a vast area of open lands west of the St. Johns River. These lands consist of pastures, pine flatwoods, palmetto prairies, and marshes. Flatlands are important for many wildlife species such as sandhill cranes, caracara, red-cockaded woodpeckers, and an experimental group of extremely rare whooping cranes. The Ranch Reserve Florida Forever project will ensure that these lands remain intact, thus preserving the connection with public lands to the north and east.

Property Description

The 7,548-acre subject property has been owned and operated as a commercial cattle operation for several decades and currently has approximately 1,600 head of cattle. Located along the Osceola/Brevard County line in south central Osceola County, it shares a majority of its boundaries with conservation land, including the St. Johns River Water Management District's Wolf Creek Ranch and Escape Ranch Conservation Easements.

Located within a regionally significant landscape, the subject property is a mix of improved pastures and pine flatwoods interspersed with wetlands and native creek corridors. Protection of the subject

Item 3A, cont.

property's rural terrain and natural communities provides critical habitat for rare and imperiled species such as the arogos skipper, bald eagle, eastern indigo snake, Florida burrowing owl, red-cockaded woodpecker, sandhill crane, southern fox squirrel, and whooping crane. The property lies within a wildlife corridor of the Florida Ecological Greenways Network.

Prohibited Uses

Under the proposed conservation easement, the subject property will be restricted in perpetuity by the provisions of the easement, a summary of which includes, but is not limited to, the following prohibited uses:

- Dumping of trash, waste, hazardous materials, and soil will be prohibited;
- Exploration and extraction by grantor for oil, gas, minerals, peat, muck, limestone, etc., by means of surface exploratory and extractors operations, except as reasonably necessary to combat erosion or flooding, or except as necessary and lawfully permitted for the conduct of permitted activities;
- Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife preservation will be prohibited, unless needed for maintenance as provided in the easement;
- Acts or uses detrimental to the preservation of any historical, or archaeological area, will be prohibited;
- There shall be no planting of nuisance exotic or non-native plants;
- Commercial and industrial activities will be prohibited, except as may be incidental to the exercise of grantor's reserved rights in Article V;
- New construction or placing of temporary or permanent structures or buildings on the property will be prohibited except as may be necessary for maintenance, normal operation, or emergency situations;
- Construction of new roads or jeep trails will be prohibited;
- No operation of motorized vehicles except on established trails and roads unless necessary to protect or enhance the conservation values of the property; for emergency purposes; for cattle ranching purposes; and to access, hunt or to retrieve game hunted legally;
- Current agricultural uses shall not be converted to more intense agricultural uses, and natural areas shall remain natural areas;
- Spring recharge areas must use best management practices (BMPs) for fertilizer use, as established by Florida Department of Agriculture and Consumer Services, and agriculture activities within 100 feet of sinkholes, springs and, other karst features are prohibited;
- Actions or activities that may be expected to adversely affect threatened or endangered species is prohibited;
- Signs, billboards, or outdoor advertising is prohibited except signs designating the property as conservation lands protected by the State of Florida or reasonable directional or postal signs;
- No commercial water wells on the property;
- No commercial timber harvesting; and
- There shall be no mitigation banks established on the property.

Item 3A, cont.

Owner's Rights Retained

The proposed conservation easement will allow the owner to retain certain rights. The summary of owner's rights includes, but is not limited to, the following:

- The right to observe, maintain, photograph, fish, hunt, and introduce and stock native fish or wildlife, to use the property for non-commercial, passive, resource-based recreation not inconsistent with the purpose of the easement. Grantor shall continue to own hunting and fishing rights;
- The right to conduct controlled and prescribed burns with proper authorization;
- The right to mortgage the property;
- The right to contest taxes;
- The right to continue to use, maintain, repair, and reconstruct, but not relocate or enlarge all existing buildings as depicted on the Baseline Documentation Report (BDR);
- The right to continue existing agricultural practices, as depicted in the BDR, and the use of commonly accepted fertilizers, pesticides, and herbicides using BMPs;
- The right to host relocated endangered, threatened, or special concern of native Florida species;
- The right to maintain or restore the existing natural habitat communities per the BDR;
- The right to maintain a commercial cattle operation in accordance with BMPs;
- The right to engage in silviculture in areas depicted in BDR according to BMPs;
- The right to, in the silvicultural or agricultural areas as depicted in the BDR, construct such additional agricultural structures as may be required for its cattle operation, not to exceed 10,000 cumulative square feet;
- The right to maintain and construct perimeter fencing of the property;
- The right to cultivate and harvest hay and Bahia sod and to plant and harvest row crops from the existing pasture or hay areas, as depicted in the BDR; provided, however, at least 75 percent of the improved pasture or hay area shall remain unharvested in any one calendar year;
- The right to continue existing vegetation management practices for wildlife habitat within those areas depicted in the BDR as silvicultural or agricultural areas;
- The right to maintain existing firebreaks as depicted in the BDR through disking or mowing, but by no other means; and
- The right to divide the property for sale or other disposition by Grantor into a total of no more than four parcels and shall be no less than 1,280 acres.

Mortgages and Liens

All mortgages and liens will be satisfied at the time of closing. On June 22, 1999, the Board of Trustees approved a staff recommendation to delegate to the Department the authority to review and evaluate marketability issues as they arise on all Chapter 259, F.S., acquisitions and to resolve them appropriately. Therefore, the Department will review, evaluate, and implement an appropriate resolution for any title issues that arise prior to closing.

Closing Information

A title insurance commitment, a survey, and an environmental site assessment will be provided by the buyer prior to closing.

Item 3A, cont.

Monitoring Agency

The subject property will be monitored by the Department's Office of Environmental Services who currently monitors 181 conservation easements protecting 345,662 acres.

Comprehensive Plan

This acquisition is consistent with section 187.201(9), F.S., the Natural Systems and Recreational Lands' section of the State Comprehensive Plan.

(Attachment 3A, Pages 1-42)

RECOMMEND: **APPROVAL**

Item 3B **The Suttlemyre Limited Partnership LLLP Option Agreement/ Etoniah-Cross Florida Greenway Florida Forever Project**

REQUEST: Consideration of an option agreement to acquire approximately 1,541 acres within the Etoniah/Cross Florida Greenway Florida Forever project from The Suttlemyre Limited Partnership LLLP.

VOTING REQUIREMENT FOR APPROVAL: Two members, one of whom is the Governor, when four members are voting; or any two members, when three members are voting.

COUNTY: Putnam

LOCATION: Sections 04, 09, 10, 15 through 17, 21, and 22, Township 11 South, Range 24 East

CONSIDERATION: \$5,900,000

<u>PARCEL</u>	<u>ACRES</u>	APPRAISED BY		<u>APPROVED</u>	SELLER'S	TRUSTEES'	<u>OPTION</u>
		Marr	Williams				
The	1,541	(07/23/2024)	(07/23/2024)	<u>VALUE</u>	<u>PRICE</u>	<u>PRICE</u>	<u>DATE</u>
Suttlemyre		\$5,700,000	\$6,165,000	\$6,165,000	\$*	\$5,900,000**	150 days after
Limited						(96%)	BOT approval
Partnership							
LLLP							

*Property was assembled over multiple decades.

**\$3,829 per acre.

STAFF REMARKS: The subject parcel is located within the Etoniah/Cross Florida Greenway Florida Forever project, ranked number eight in the Florida Forever Critical Natural Lands project category, approved by the Board of Trustees on March 5, 2025. The project contains 94,104 acres, of which 45,646 acres have been acquired or are under agreement to be acquired.

Item 3B, cont.

Project Description

The Etoniah/Cross Florida Greenway Florida Forever project will protect large expanses of flatwoods, sandhills, and scrub in central Putnam County, which extends to the Marjorie Harris Carr Cross Florida Greenway along the Ocklawaha River. The Etoniah/Cross Florida Greenway Florida Forever project will fill gaps in the greenway and guarantee habitat for imperiled species like Florida black bear, Florida scrub-jay, and Etoniah rosemary. The project supports the expansion of outdoor resource-based recreation along the greenway, which is a unique piece of public conservation land that crosses the entire Florida peninsula from the Withlacoochee River to the St. Johns River and provides opportunities for long-distance hiking, fishing, camping, and hunting.

Property Description

The 1,541-acre subject property, Suttlemyre Forest, is comprised of three non-contiguous silviculture tracts located within southwest Putnam County, approximately four miles south of the city of Interlachen. Located within the Ocala-to-Osceola Wildlife Corridor, acquisition of the subject property will create a connection between existing conservation land, including the Marjorie Harris Carr Cross Florida Greenway State Recreation and Conservation Area and the O'Connor Tract Conservation Easement.

Acquisition of the subject property will protect the surface water and aquifer recharge as the north and central portions of the property contain Burntbridge Brook and an unnamed water way that flows into the Ocklawaha River. The southern-most part of the property has an estimated 4,200 feet of frontage along the north side of the Rodman Reservoir, which is part of the Ocklawaha River basin, a primary tributary of the St. Johns River. The reservoir headwaters originate in the Green Swamp and Lake Apopka area. Protection of the property's native landscape consisting of basin swamps, sandhill, and scrubby flatwoods will provide habitat for many imperiled species such as Florida black bear, gopher tortoise, sandhill crane, and swallow-tailed kite. The property lies within a wildlife corridor of the Florida Ecological Greenways Network.

Mortgages and Liens

All mortgages and liens will be satisfied at the time of closing. On June 22, 1999, the Board of Trustees approved a staff recommendation to delegate to the Department the authority to review and evaluate marketability issues as they arise on all Chapter 259, F.S., acquisitions and to resolve them appropriately. Therefore, the Department will review, evaluate, and implement an appropriate resolution for any title issues that arise prior to closing.

Closing Information

A title insurance commitment, a survey, and an environmental site assessment will be provided by the buyer prior to closing.

Managing Agency

The subject property will be managed by the Department of Agriculture and Consumer Services' Florida Forest Service as an addition to Etoniah Creek State Forest.

Item 3B, cont.

Comprehensive Plan

This acquisition is consistent with section 187.201(9), F.S., the Natural Systems and Recreational Lands' section of the State Comprehensive Plan.

(Attachment 3B, Pages 1-44)

RECOMMEND: APPROVAL

Item 4A I.M.G. Enterprises, Inc. Option Agreement/ Caloosahatchee Big Cypress Corridor/ Delegation

REQUEST: Consideration of (1) an option agreement to acquire approximately 1,304 acres within the Caloosahatchee Big Cypress Corridor from I.M.G. Enterprises, Inc., pursuant to Section 98, Chapter 2024-228, Laws of Florida; (2) 10-year land lease to I.M.G. Enterprises, Inc., with an option for two five-year renewal terms; (3) delegation of authority to the Secretary of the Department of Environmental Protection, or designee, to approve leases or subleases to for-profit corporations; and (4) a determination that awarding leases or subleases to for-profit corporations without conducting a competitive bid is in the public interest pursuant to Rule 18-2.018(2)(i), F.A.C.

VOTING REQUIREMENT FOR APPROVAL: (1) Two members, one of whom is the Governor, when four members are voting; or any two members, when three members are voting; and (2) three votes.

COUNTY: Hendry

LOCATION: Sections 25 and 36, Township 48 South, Range 31 East

CONSIDERATION: \$8,750,000

<u>PARCEL</u>	<u>ACRES</u>	<u>APPRAISED BY</u>		<u>APPROVED VALUE</u>	<u>SELLER'S PURCHASE PRICE</u>	<u>TRUSTEES' PURCHASE PRICE</u>	<u>OPTION DATE</u>
		<u>(11/04/2024)</u>	<u>(11/04/2024)</u>				
I.M.G. Enterprises, Inc.	1,304	\$8,550,000	\$9,375,000	\$9,375,000	\$8,476,200* (93%)	\$8,750,000	**120 days after BOT Approval

* Property was purchased on August 24, 2005.

**\$6,710 per acre.

STAFF REMARKS: The subject property is located within the Caloosahatchee Big Cypress Corridor, which was established by Section 98, Chapter 2024-228, Laws of Florida. This authorizes the Department to acquire lands within this corridor that also lie within the Florida Wildlife Corridor. As defined in the Laws of Florida, the corridor contains approximately 75,000 acres, of which 28,843 acres have been acquired or are under agreement to be acquired.

Item 4A, cont.

Property Description

The 1,304-acre subject property is located within the Caloosahatchee Big Cypress Corridor in Hendry County. The restoration of this former citrus grove property will help to build connectivity between the Florida Panther National Wildlife Refuge and Big Cypress National Preserve to Dinner Island Wildlife Management Area. Protection and restoration of these ecologically critical habitats provides safe passage and dispersal routes for a wide range of imperiled species and plants, including the Florida panther. The property serves as a primary zone for the federally endangered Florida panther and lies within a wildlife corridor of the Florida Ecological Greenways Network.

Mortgages and Liens

All mortgages and liens will be satisfied at the time of closing. On June 22, 1999, the Board of Trustees approved a staff recommendation to delegate to the Department the authority to review and evaluate marketability issues as they arise on all Chapter 259, F.S., acquisitions and to resolve them appropriately. The Department will review, evaluate, and implement an appropriate resolution for any title issues that arise prior to closing.

Closing Information

A title insurance commitment, survey, and environmental site evaluation will be provided by the buyer prior to closing.

Land Management

The subject property will be managed by I.M.G. Enterprises, Inc. through a lease pursuant to Section 98, Chapter 2024-228, Laws of Florida, for the Caloosahatchee Big Cypress Corridor. The lease fees shall be established by fair market value based on an appraisal and paid annually to the Board of Trustees. The lease fee shall be adjusted annually in accordance with the use of the property. The annual lease fee shall never decrease below the original base lease fee. A new lease fee shall be established based on an appraisal prior to exercising any option to renew. Any required appraisal will be at the sole cost of the Lessee.

Historic use of the subject property has provided for agricultural activities generating income for private users. Pursuant to Rule 18-2.018(2)(i), F.A.C., the Board of Trustees shall authorize uses of uplands that will generate income or revenue to a private user or will limit or preempt use by the general public, on the basis of competitive bidding unless the Board of Trustees determine it to be in the public interest to do otherwise. In order to protect the integrity and functionality of the subject property's agricultural uses, pursuant Section 98, Chapter 2024-228, Laws of Florida, through leases or subleases, Department staff believe it is in the public interest to approve any such lease or sublease to for-profit corporations without competitively bidding. In addition, to expedite future authorizations for agricultural uses, it is requested that the Secretary of the Department of Environmental Protection, or designee, be given the delegated authority to approve future leases or subleases, so long as the lease or sublease continues to promote agricultural production pursuant to Section 98, Chapter 2024-228, Laws of Florida.

The Board of Trustees has previously received compensation for subleases that generate revenue. This typically occurs when the use is inconsistent with the original intent of the Board of Trustees' lease.

Item 4A, cont.

However, in this case, the property use under any sublease will be consistent with, and promote, the Board of Trustees' original intent for the use of the property as stipulated in Section 98, Chapter 2024-228, Laws of Florida, for the Caloosahatchee Big Cypress Corridor. Therefore, the Board of Trustees will not receive compensation for any sublease. Instead, the land manager will receive the proceeds, which will provide funding for the management of the subject property.

Upon approval, the initial lease term with I.M.G. Enterprises, Inc. will be 10 years, with an option for two five-year renewals.

In the event the above-described lease expires or otherwise terminates, the Department shall pursue an alternate land manager. The land manager shall be a state agency, local government, or a private entity that is fully capable of carrying out management of the land in accordance with the purposes for which it was acquired.

Comprehensive Plan

This acquisition is consistent with section 187.201(9), F.S., the Natural Systems and Recreational Lands' section of the State Comprehensive Plan.

(Attachment 4A, Pages 1-22)

RECOMMEND: **APPROVAL**

Item 4B **Tamiami Citrus, LLC Option Agreement/ Caloosahatchee Big Cypress Corridor/ Delegation**

REQUEST: Consideration of (1) an option agreement to acquire approximately 2,577 acres within the Caloosahatchee Big Cypress Corridor from Tamiami Citrus, LLC, pursuant to Section 98, Chapter 2024-228, Laws of Florida; (2) 10-year land lease to Tamiami Citrus, LLC, with an option for two five-year renewal terms; (3) delegation of authority to the Secretary of the Department of Environmental Protection, or designee, to approve leases or subleases to for-profit corporations; and (4) a determination that awarding leases or subleases to for-profit corporations without conducting a competitive bid is in the public interest pursuant to Rule 18-2.018(2)(i), F.A.C.

VOTING REQUIREMENT FOR APPROVAL: (1) Two members, one of whom is the Governor, when four members are voting; or any two members, when three members are voting; and (2) three votes.

COUNTY: Collier

LOCATION: Sections 34 through 36, Township 47 South, Range 30 East, Sections 01 through 03, 11 through 13, and 24, Township 48 South, Range 30 East

Item 4B, cont.

CONSIDERATION: \$18,000,000

<u>PARCEL</u>	<u>ACRES</u>	<u>APPRAISED BY</u>		<u>APPROVED</u>	<u>SELLER'S</u> <u>PURCHASE</u> <u>PRICE</u>	<u>TRUSTEES'</u> <u>PURCHASE</u> <u>PRICE</u>	<u>OPTION</u> <u>DATE</u>
		Jonas (10/01/2024)	Williams (10/01/2024)				
Tamiami Citrus, LLC	2,577	\$16,600,000	\$19,000,000	\$19,000,000	\$N/A*	\$18,000,000 (95%)	**120 days after BOT Approval

*Property was assembled in 2015 and 2016.
 **\$6,984 per acre.

STAFF REMARKS: The subject property is located within the Caloosahatchee Big Cypress Corridor, which was established by Section 98, Chapter 2024-228, Laws of Florida. This authorizes the Department to acquire lands within this corridor that also lie within the Florida Wildlife Corridor. As defined in the Laws of Florida, the corridor contains approximately 75,000 acres, of which 28,843 acres have been acquired or are under agreement to be acquired.

Property Description

The subject property consists of two non-contiguous tracts totaling 2,577 acres within the Caloosahatchee Big Cypress Corridor located in Collier County. The property helps to build connectivity between the Florida Panther National Wildlife Refuge and Big Cypress National Preserve to Dinner Island Wildlife Management Area. Protection of these ecologically critical habitats and agricultural lands provides safe passage and dispersal routes for a wide range of imperiled species and plants, including the Florida panther, and protects the integrity and functionality of agricultural activities threatened by development. The property serves as a primary zone for the federally endangered Florida panther and lies within a wildlife corridor of the Florida Ecological Greenways Network.

Mortgages and Liens

All mortgages and liens will be satisfied at the time of closing. On June 22, 1999, the Board of Trustees approved a staff recommendation to delegate to the Department the authority to review and evaluate marketability issues as they arise on all Chapter 259, F.S., acquisitions and to resolve them appropriately. The Department will review, evaluate, and implement an appropriate resolution for any title issues that arise prior to closing.

Closing Information

A title insurance commitment, survey, and environmental site evaluation will be provided by the buyer prior to closing.

Land Management

The subject property will be managed by Tamiami Citrus, LLC through a lease pursuant to Section 98, Chapter 2024-228, Laws of Florida, for the Caloosahatchee Big Cypress Corridor. The lease fees shall be established by fair market value based on an appraisal and paid annually to the Board of Trustees. The lease fee shall be adjusted annually in accordance with the use of the property. The annual lease fee shall never decrease below the original base lease fee. A new lease fee shall be established based on an appraisal prior to exercising any option to renew. Any required appraisal will

Item 4B, cont.

be at the sole cost of the Lessee.

Historic use of the subject property has provided for agricultural activities generating income for private users. Pursuant to Rule 18-2.018(2)(i), F.A.C., the Board of Trustees shall authorize uses of uplands that will generate income or revenue to a private user or will limit or preempt use by the general public, on the basis of competitive bidding unless the Board of Trustees determine it to be in the public interest to do otherwise. In order to protect the integrity and functionality of the subject property's agricultural uses, pursuant Section 98, Chapter 2024-228, Laws of Florida, through leases or subleases, Department staff believe it is in the public interest to approve any such lease or sublease to for-profit corporations without competitively bidding. In addition, to expedite future authorizations for agricultural uses, it is requested that the Secretary of the Department of Environmental Protection, or designee, be given the delegated authority to approve future leases or subleases, so long as the lease or sublease continues to promote agricultural production pursuant to Section 98, Chapter 2024-228, Laws of Florida.

The Board of Trustees has previously received compensation for subleases that generate revenue. This typically occurs when the use is inconsistent with the original intent of the Board of Trustees' lease. However, in this case, the property use under any sublease will be consistent with, and promote, the Board of Trustees' original intent for the use of the property as stipulated in Section 98, Chapter 2024-228, Laws of Florida, for the Caloosahatchee Big Cypress Corridor. Therefore, the Board of Trustees will not receive compensation for any sublease. Instead, the land manager will receive the proceeds, which will provide funding for the management of the subject property.

Upon approval, the initial lease term with Tamiami Citrus, LLC will be 10 years, with an option for two five-year renewals.

In the event the above-described lease expires or otherwise terminates, the Department shall pursue an alternate land manager. The land manager shall be a state agency, local government, or a private entity that is fully capable of carrying out management of the land in accordance with the purposes for which it was acquired.

Comprehensive Plan

This acquisition is consistent with section 187.201(9), F.S., the Natural Systems and Recreational Lands' section of the State Comprehensive Plan.

(Attachment 4B, Pages 1-53)

RECOMMEND: APPROVAL

Item 4C Board of Trustees/ Rayonier Forest Resources, L.P./ Waccasassa Watershed Florida Forever Project/ Delegation

REQUEST: Consideration of delegation of authority to the Secretary of the Department of Environmental Protection, or designee, to amend, approve, and execute an option agreement between the Board of Trustees and Rayonier Forest Resources, L.P. for approximately 21,625 acres within the Waccasassa Watershed Florida Forever project subject to appraisal and not to exceed the approved value.

VOTING REQUIREMENT FOR APPROVAL: Three votes

COUNTY: Levy

LOCATION: Sections 12, 13, 24, 25, 27 and 33 through 36, Township 12 South, Range 15 East, Sections 02 through 04, 09, 10, 12 through 19, 21 through 24, and 27, Township 13 South, Range 16 East, Sections 05 through 07 and 17 through 20, Township 13 South, Range 17 East, Sections 01 through 03, 10 through 14, 23 and 24, Township 13 South, Range 15 East, Sections 07, 18, 19, 30 and 31, Township 12 South, Range 16 East

STAFF REMARKS: The subject parcel is located within the Waccasassa Watershed Florida Forever project, ranked number 20 in the Florida Forever Partnership and Regional Incentives project category, approved by the Board of Trustees on March 5, 2025. The project contains 44,893 acres, of which 21,658 acres have been acquired or are under agreement to be acquired.

Project Description

The Waccasassa Watershed Florida Forever project will help ensure the water quality and quantity of Chunky Pond, Waccasassa River, Waccasassa Bay, and the Waccasassa watershed. The Waccasassa Watershed Florida Forever project also helps to increase connectivity amongst conservation lands, including two Outstanding Florida Waterways: Waccasassa Bay State Preserve and Big Bend Seagrasses Aquatic Preserve. The project's close proximity to a variety of conservation lands expands the protection of surface water and imperiled species habitat. The project will help to conserve several natural community types which include hydric hammock, basin swamp, mesic hammock, wet flatwoods, and floodplain swamp.

Property Description

The 21,625-acre subject property is located in central Levy County and is comprised of two tracts divided by Highway 24 and the Waccasassa River. The west tract shares its eastern boundary with Devil's Hammock Wildlife Management Area and Upper Waccasassa Conservation Area and the east tract adjoins Goethe State Forest at its southeastern corner. Both tracts contain two tributaries of the Waccasassa River: Magee Branch and Otter Creek. Acquisition of the subject property will provide an upland buffer to protect the water quality and quantity of the Waccasassa River and the downstream estuaries of the Big Bend Seagrasses Aquatic Preserve.

Additionally, an unrecorded historical site was discovered on the property. This site features a significant concentration of rare, rectangular turpentine pot fragments-remnants of Florida's once-

Item 4C, cont.

thriving turpentine industry. The Florida Department of State's Division of Historical Resources has suggested that there may be additional unrecorded sites on the subject property.

Acquisition of the subject property would increase connectivity between conservation lands, protect water sources, and provide recreational opportunities such as hiking, hunting, fishing, and wildlife viewing. The subject property is mainly comprised of pine flatwoods but also contains native areas that provide open habitat to support endangered wildlife such as the bald eagle, gopher tortoise, Florida black bear, and swallow-tailed kite. This property lies within a wildlife corridor of the Florida Ecological Greenways Network.

Mortgages and Liens

All mortgages and liens will be satisfied at the time of closing. On June 22, 1999, the Board of Trustees approved a staff recommendation to delegate to the Department the authority to review and evaluate marketability issues as they arise on all Chapter 259, F.S., acquisitions and to resolve them appropriately. Therefore, the Department will review, evaluate, and implement an appropriate resolution for any title issues that arise prior to closing.

Closing Information

A title insurance commitment, a survey, and an environmental site assessment will be provided by the buyer prior to closing.

Managing Agency

The subject property will be managed by the Department of Agriculture and Consumer Services' Florida Forest Service as an addition to the Goethe State Forest.

Comprehensive Plan

This acquisition is consistent with section 187.201(9), F.S., the Natural Systems and Recreational Lands' section of the State Comprehensive Plan.

Delegated Authority

The requested delegated authority to the Secretary of the Department, or designee, would be as follows:

Amend, approve, and execute an option agreement between the Board of Trustees of the Internal Improvement Trust Fund and Rayonier Forest Resources, L.P., subject to appraisal and not to exceed approved value.

(Attachment 4C, Pages 1-2)

RECOMMEND: APPROVAL

Item 5 Aquaculture Lease in St. Johns County

REQUEST: Approval to issue a new 5-acre, 10-year sovereignty submerged land aquaculture lease to authorize use of the bottom for clam aquaculture.

VOTING REQUIREMENT FOR APPROVAL: Three votes

COUNTY: St. Johns

APPLICANT: Aewryna Shellfish Inc.

LOCATION: Tolomato River, St. Johns County, Florida

CONSIDERATION: An annual fee of \$133.65 for the 5-acre parcel, representing a base annual rental fee of \$16.73 per acre or fraction thereof; and an annual surcharge of \$10.00 per acre or fraction thereof, pursuant to Rule 18-21.022, F.A.C. The annual fee and surcharge collected will be deposited in the General Inspection Trust Fund, pursuant to sections 597.010(5)(b) and (7), F.S.

STAFF REMARKS:

The requested lease parcel is approximately 5 acres and is located in the Tolomato River in St. Johns County. The Applicant is requesting authorization from the Board of Trustees, pursuant to section 253.68(1), F.S., for a new aquaculture lease for the purpose of culturing shellfish on the bottom.

The Applicant will be required to apply for an Aquaculture Certificate of Registration and comply with all applicable Department of Agriculture and Consumer Services' (FDACS) Aquaculture Best Management Practices. The proposed lease will be subject to the terms and conditions applied to other aquaculture leases issued throughout the state for the same purposes, including the provision that the transfer or sale of the lease will not be approved during the first 5 years of the lease term. Upon approval, the lease will be surveyed by the Applicant.

Agency Review

FDACS has conducted resource assessments and determined that the proposed lease and associated aquaculture activities will not result in adverse impacts to seagrasses, existing shellfish beds, natural reefs, or other sensitive habitats. The proposed lease is located in the Guana River Marsh Aquatic Preserve and the Guana Tolomato Matanzas National Estuary Research Reserve. FDACS has coordinated review and comments of the proposed lease with the Florida Department of Environmental Protection, Florida Fish and Wildlife Conservation Commission, Florida Department of State's Division of Historical Resources, and St. Johns County Board of County Commissioners, pursuant to Rule 18-21.021, F.A.C.

Special Conditions

The proposed lease will be subject to the terms and conditions applied to other aquaculture leases issued throughout the state for the same purposes, including the provision that the transfer or sale of the lease will not be approved during the first 5 years of the lease term. The proposed gear is authorized under the FDACS general permit from the U.S. Army Corps of Engineers.

Item 5, cont.

Public Interest

The Florida Aquatic Preserve Act provides that no further sale, lease, or transfer of sovereignty submerged lands shall be approved within an aquatic preserve, unless the sale, lease, or transfer is in the public interest. The Aquatic Preserve Act specifically provides that “aquaculture is in the public interest and aquaculture leases may be authorized in aquatic preserves...” [section 258.42(1)(b), F.S.] Accordingly, FDACS recommends that the Board of Trustees find that the lease is in the public interest, as set forth in statute.

Noticing

The proposed lease was noticed pursuant to section 253.70, F.S., and no objections were received.

Comprehensive Plan

A consideration of the status of any local government comprehensive plan was not made for this item. FDACS has determined that the proposed action is not subject to the local government planning process.

(Attachment 5, Pages 1-25)

RECOMMEND: **APPROVAL**

Item 6A Ryals Citrus and Cattle, LLC Option Agreement/ Ryals Citrus and Cattle/ FDACS/ Rural and Family Lands Protection Program

REQUEST: Consideration of (1) an option agreement to acquire a perpetual rural lands protection easement over approximately 3,722 acres within the Ryals Citrus and Cattle project of the Florida Department of Agriculture and Consumer Services’ (FDACS) Rural and Family Lands Protection Program (RFLPP) from Ryals Citrus and Cattle, LLC, a Florida limited liability company; (2) authorization to execute an amendment to the rural lands easement to meet the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS) Agricultural Land Easements (ALE) program guidelines to add an exhibit that describes the subsequently approved boundaries and location of the adjusted building envelope; and (3) designation of FDACS/RFLPP as the monitoring agency.

VOTING REQUIREMENT FOR APPROVAL: Two members, one of whom is the Governor, when four members are voting; or any two members, when three members are voting.

APPLICANT: Florida Department of Agriculture and Consumer Services, Rural and Family Lands Protection Program

COUNTY: Charlotte

Item 6A, cont.

LOCATION: Portions of Section 04 through 09, Township 40 South, Range 25 East, and Portions of Section 01 through 03, and 10 through 13, and 15, Township 40 South, Range 24 East, in Charlotte County

CONSIDERATION: \$13,215,000 (\$6,607,500 or 50 percent of the acquisition cost may be provided through a grant from the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS) Agricultural Land Easements (ALE) program with third party enforcement rights over easement.)

<u>PARCEL</u>	<u>ACRES</u>	<u>APPRAISED BY</u>		<u>APPROVED VALUE</u>	<u>SELLER'S PURCHASE PRICE</u>	<u>TRUSTEES' PURCHASE PRICE</u>	<u>OPTION DATE</u>
		Marr (11/13/24)	String (11/13/24)				
Ryals Citrus and Cattle, LLC	3,722	\$13,215,000	\$12,650,000	\$13,215,000*	\$**	\$13,215,000*** (100%)	120 days after BOT approval

*Fee value was determined to be \$23,265,000 and \$23,800,000.
 **Property was assembled over the last 100 years.
 *** The total purchase price for the rural lands protection easement is \$3,550 per acre.

STAFF REMARKS: This acquisition was negotiated by FDACS under its RFLPP from the 2024 approved list. If approved, this project will be the 117th perpetual easement proposed for acquisition, with a total of approximately 199,921.17 acres preserved under the RFLPP. If approved, this will complete the project acquisition.

Project Description

This is 4,099-acre cattle operation split into three large blocks along the Prairie Creek. This property consists of a mix of crops and pasture. An intact mesic flatwood is found on the southeast corner, and small isolated marshes are scattered throughout. The two western tracts partially encompass the Prairie Creek Preserve, providing additional buffer area. Surrounding land uses are predominantly agricultural, with a residential development immediately south. The project site is enrolled in the FDACS Best Management Practices (BMP) program. It is entirely located within the Florida Wildlife Corridor.

Property Description

Ryals Citrus and Cattle is primarily a cow-calf operation. The family also diversified into watermelon farming. The family began ranching this land 100 years ago.

The subject property consists of 3,722 acres in north central Charlotte County. The property is located approximately 12 miles east of Port Charlotte and Punta Gorda. The property is adjacent to the first Ryals Citrus and Cattle property acquired in 2023 and protects the Prairie Creek, a headwater of the Peace River. Charlotte County's Prairie Creek Preserve is situated between the two western parcels and several other conservation areas are located within the vicinity.

Partnership Agreement

RFLPP is partnering with NRCS ALE program. If approved, NRCS will provide 50 percent or \$6,607,500 of the final purchase price. NRCS will have third party enforcement rights over the

Item 6A, cont.

easement and RFLPP staff will provide a monitoring report per the “Minimum Terms for Agricultural Land Easements.”

Prohibited Uses

- Dumping of non-biodegradable, toxic, or hazardous substances, trash garbage, wastes, abandoned vehicles, appliances, machinery, or similar material is prohibited;
- Activities that affect the hydrology of the land or that detrimentally affect water conservation, erosion control, soil conservation, fish and wildlife habitat, etc. The exploration for and extraction of oil, gas, minerals, dolostone, peat, muck, marl, limestone, limerock, kaolin, fuller’s earth, phosphate, common clays, gravel, shell, sand, and similar substances either directly or indirectly by Grantor or on Grantor’s behalf, etc. Limited mining is allowed to combat erosion or flooding or for limited on-farm agricultural uses;
- Planting of nuisance exotic or non-native plants as listed by the Exotic Pest Plant Council (EPPC) or its successor. The Grantor shall, to the extent practical, control and prevent the spread of nuisance exotics or non-native plants on the Property;
- Concentrated animal feeding operations not in compliance with federal and state laws, rules, and regulations, as amended;
- New construction or placing of temporary or permanent buildings, mobile homes, or other structures in, on, or above the ground of the Property except as may be permitted hereinafter, or as necessary by Grantor for maintenance or normal operations of the Property or during emergency situations or as may otherwise be specifically provided for in the Easement;
- Construction or placing of roads, billboards or other advertising, utilities, or structures, except those structures and unpaved roads necessary for the agricultural operations on the land or structures necessary for other activities allowed under the Easement, and except for linear facilities described in section 704.06(11), F.S. Grantee may erect and maintain signs designating the Property as land under the protection of Grantee;
- Fertilizer use for agriculture activities shall be in accordance with agricultural BMPs recommended by the Natural Resources Conservation Service or the FDACS, whichever is more stringent, as those BMPs may be amended. No agricultural activities shall occur within a 100-foot buffer around sinkholes and other karst features that are connected to spring conduits, except as provided in the applicable BMPs;
- Actions or activities that may reasonably be expected to adversely affect threatened or endangered species;
- Any subdivision of the Property is prohibited;
- Commercial water wells on the Property;
- Harvesting of cypress trees in the Significant Natural Areas (SNAs);
- Mitigation banks not authorized and in compliance with Florida Statutes and Administrative Rules, as amended or rules of applicable federal mitigation bank programs;
- Construction or conversion of SNAs to more improved areas; and
- Conversion of forested areas to non-forested areas as shown in the Baseline Documentation Report (BDR) within the SNAs.

Item 6A, cont.

Owner's Reserved Rights

- Grantor has, and shall be deemed hereby to have retained, the underlying fee simple absolute title in the Property;
- Agricultural and Related Rights. (i) The right to continued use of the Property for agricultural purposes and uses identified in the BDR; (ii) The right to convert any property not designated an SNA (as delineated in the BDR) to other agricultural and silviculture purposes and uses; (iii) The right to engage in cattle grazing as set forth in the BDR, including the right to maintain, utilize, restore, fertilize, and mow improved pasture; (iv) The right, as part of cattle operations, to supplement the cattle using minerals and hay; (v) The right to use current technologies on the Property, including fertilizers, pesticides and herbicides commonly used on agricultural property in the State of Florida at such time; and (vi) The right to install, use, maintain, replace and repair non-commercial groundwater wells on the Property. Any and all agricultural uses shall be conducted in accordance with BMPs and in compliance with all laws, rules, and regulations;
- The right to conduct silvicultural operations, provided that prior to any timbering in an SNA, Grantor shall consult with Grantee concerning reforestation methods and methods are consistent with the perpetual protection of the SNAs;
- The right to conduct prescribed burning on the Property; provided, however, that Grantor shall obtain and comply with a prescribed fire authorization from the FDACS' FFS or its successor agency;
- The right to mortgage the Property; provided, however, that the Mortgagee's lien shall be inferior to and lower in priority than this Easement;
- The right to contest tax appraisals, assessments, taxes, and other charges on the Property;
- The right to continue to use, maintain, repair, and reconstruct, all existing buildings, barns, animal pens, outbuildings, fences, roads, ponds, wells, utilities, drainage ditches, and such other facilities on the Property as depicted in the BDR, except on SNAs;
- The right to sell, devise or otherwise transfer ownership of the Property to a third party. This right, however, does not include the right to sell the remaining property rights on the Property for the purposes of a rural lands protection easement or other restriction that would divest the Property of its use under the terms and conditions of the Easement;
- The right to exclusive use of the improvements on the Property;
- Grantor shall obtain and comply with all permits for management of stormwater, water wells, and consumptive uses as may be required by the water management district or any agency having jurisdiction over those activities;
- The right to construct buildings or other structures incident to agricultural uses carried on in accordance with sound agricultural practices. Grantor must first obtain the advanced written approval of grantee before constructing buildings or other structures incident to agricultural uses. Such buildings shall not be used as residences;
- The right to establish (by survey, fencing, or marking) and maintain property lines around the perimeter of the Property to protect the Property from trespassing and to assist Grantor in the management of the Property in accordance with the Easement;
- The right to observe, maintain, photograph and film, introduce and stock native fish or wildlife on the Property, to use the Property for hiking, horseback riding, and agritourism, provided

Item 6A, cont.

Grantor complies with Florida Statutes and Administrative Rules, as amended. Grantor reserves, and shall continue to own, the hunting and fishing rights, and Grantor may lease and sell such rights;

- The right to install connections to normal utility systems, such as electric, cable, water and sewer, and telephone. If a connection to a sewer system is not available, this right shall include the right to install a septic system. The granting of easements or rights-of-way for power lines, gas lines, sewer lines, water lines, telecommunications towers, and wind farms is prohibited, unless approved by Grantee. Notwithstanding this prohibition, the Grantor may grant or modify easements for utility connections necessary to serve the permitted uses of the Property that are consistent with the Easement's purposes. Existing utilities may be repaired at their current location;
- The right to reserve one (1) building envelope to develop up to 15,000 square feet of impervious surfaces for residential purposes. The Building Envelope will not exceed 10 contiguous acres and is limited to one single family residence and ancillary structures within the Building Envelope. Any such development may not be constructed within an SNA;
- The right to engage in ecosystem services markets under other programs provided such action shall be in compliance with all applicable laws, statutes, rules, and ordinances, and not contrary to the terms of this Easement; and
- Owner is subject to the Minimum Terms for Agricultural Land Easements.

Encumbrances

There are no known encumbrances on the property that adversely affect marketability, or the ability to enforce the rights granted under the easement.

Mortgages and Liens

All mortgages and liens will be satisfied or subordinated at the time of closing. FDACS staff will review, evaluate, and implement an appropriate resolution for these and any other title issues that arise prior to closing.

Closing Information

A title insurance commitment, survey, baseline documentation report, and environmental site assessment of the property will be provided by RFLPP prior to closing.

Monitoring Agency

This perpetual rural lands protection easement will be monitored by the RFLPP.

Comprehensive Plan

This acquisition is consistent with section 187.201(22), F.S., the Agriculture Section of the State Comprehensive Plan.

(Attachment 6A, Pages 1-97)

RECOMMEND: APPROVAL

Item 6B Williams Heritage, LLLP Option Agreement/ Williams Property/ FDACS/ Rural and Family Lands Protection Program

REQUEST: Consideration of (1) an option agreement to acquire a perpetual rural lands protection easement over approximately 1,782.57 acres within the Williams Property project of the Florida Department of Agriculture and Consumer Services' (FDACS) Rural and Family Lands Protection Program (RFLPP) from Williams Heritage, LLLP, a Florida limited partnership; and (2) designation of FDACS/RFLPP as the monitoring agency.

VOTING REQUIREMENT FOR APPROVAL: Two members, one of whom is the Governor, when four members are voting; or any two members, when three members are voting.

APPLICANT: Florida Department of Agriculture and Consumer Services, Rural and Family Lands Protection Program

COUNTY: Levy

LOCATION: Portions of Section 31 through 33, Township 12 South, Range 15 East, and Portions of Section 06, Township 13 South, Range 15 East, in Levy County

CONSIDERATION: \$6,060,000

<u>PARCEL</u>	<u>ACRES</u>	APPRAISED BY		<u>APPROVED</u> <u>VALUE</u>	<u>SELLER'S</u> <u>PURCHASE</u> <u>PRICE</u>	<u>TRUSTEES'</u> <u>PURCHASE</u> <u>PRICE</u>	<u>OPTION</u> <u>DATE</u>
		Marr (10/30/24)	Rhodes (10/30/24)				
Williams Heritage, LLLP	1,782.57	\$6,060,000	\$5,710,000	\$6,060,000*	\$3,400,000**	\$6,060,000*** (100%)	120 days after BOT approval

*Fee value was determined to be \$9,805,000 and \$9,450,000.

**Property was purchased December 2, 2010.

*** The total purchase price for the rural lands protection easement is \$3,400 per acre.

STAFF REMARKS: This acquisition was negotiated by FDACS under its RFLPP from the 2024 approved list. If approved, this project will be the 118th perpetual easement proposed for acquisition, with a total of approximately 201,708.74 acres preserved under the RFLPP. There are an additional three ownership entities consisting of 1,784.07 acres under contract with Thomas and Anne Williams, Williams Family Investments, LLC and Thomas Williams that will be processed under RFLPP statutory authority. If this item is approved, all the ownerships will close simultaneously and complete the project.

Project Description

This is a 3,751-acre pine plantation, center-pivot crops and cattle ranch northwest of Otter Creek. It is primarily well-managed pine plantation with several large blocks of center-pivot cropland and a few large cattle pastures. A large basin swamp with mature wetlands, hardwoods, and cypress flows within and along the eastern boundary and into Otter Creek. A large section of upland pine plantation in the center of the site contains species and structure that is more characteristic of rare sandhill vegetative community than pine plantation. Surrounding lands are similar croplands, plantation, and wetlands.

Item 6B, cont.

The property abuts U.S. Highway 19 on the northeast. The project site is enrolled in the FDACS Best Management Practices (BMP) program. It is entirely located within the Florida Wildlife Corridor.

Property Description

The Williams Project is a family-run agricultural operation. They farm corn, peanuts, watermelon, cabbage, green beans, rye and oats. They also run a cattle and silvicultural operation. The property consists of approximately 209 acres of improved pasture where bahiagrass is the dominant vegetation, approximately 650 acres is irrigated row crops, approximately 1,914 acres of timber, approximately 110 acres of cypress and approximately 618 acres of wetlands. Protecting this property will contribute to enhanced water quality, aquifer recharge, flow attenuation, and flood hazard reduction.

Prohibited Uses

- Dumping of non-biodegradable, toxic, or hazardous substances, trash garbage, wastes, abandoned vehicles, appliances, machinery, or similar material is prohibited;
- Activities that affect the hydrology of the land or that detrimentally affect water conservation, erosion control, soil conservation, fish and wildlife habitat, etc. The exploration for and extraction of oil, gas, minerals, dolostone, peat, muck, marl, limestone, limerock, kaolin, fuller's earth, phosphate, common clays, gravel, shell, sand, and similar substances either directly or indirectly by Grantor or on Grantor's behalf, etc. Limited mining is allowed to combat erosion or flooding or for limited on-farm agricultural uses;
- Planting of nuisance exotic or non-native plants as listed by the Exotic Pest Plant Council (EPPC) or its successor. The Grantor shall, to the extent practical, control and prevent the spread of nuisance exotics or non-native plants on the Property;
- Concentrated animal feeding operations not in compliance with federal and state laws, rules, and regulations, as amended;
- New construction or placing of temporary or permanent buildings, mobile homes, or other structures in, on, or above the ground of the Property except as may be permitted hereinafter, or as necessary by Grantor for maintenance or normal operations of the Property or during emergency situations or as may otherwise be specifically provided for in the Easement;
- Construction or placing of roads, billboards or other advertising, utilities, or structures, except those structures and unpaved roads necessary for the agricultural operations on the land or structures necessary for other activities allowed under the Easement, and except for linear facilities described in section 704.06(11), F.S. Grantee may erect and maintain signs designating the Property as land under the protection of Grantee;
- Fertilizer use for agriculture activities shall be in accordance with agricultural BMPs recommended by the Natural Resources Conservation Service or the FDACS, whichever is more stringent, as those BMPs may be amended. No agricultural activities shall occur within a 100-foot buffer around sinkholes and other karst features that are connected to spring conduits, except as provided in the applicable BMPs;
- Actions or activities that may reasonably be expected to adversely affect threatened or endangered species;
- Any subdivision of the Property inconsistent with the division of land pursuant to Rule Chapter 5I-7, F.A.C., as amended;
- Commercial water wells on the Property;

Item 6B, cont.

- Harvesting of cypress trees in the Significant Natural Areas (SNAs);
- Mitigation banks not authorized and in compliance with Florida Statutes and Administrative Rules, as amended or rules of applicable federal mitigation bank programs;
- Construction or conversion of SNAs to more improved areas; and
- Conversion of forested areas to non-forested areas as shown in the Baseline Documentation Report (BDR) within the SNAs.

Owner's Reserved Rights

- Grantor has, and shall be deemed hereby to have retained, the underlying fee simple absolute title in the Property;
- Agricultural and Related Rights. (i) The right to continued use of the Property for agricultural purposes and uses identified in the BDR; (ii) The right to convert any property not designated an SNA (as delineated in the BDR) to other agricultural and silviculture purposes and uses; (iii) The right to engage in cattle grazing as set forth in the BDR, including the right to maintain, utilize, restore, fertilize, and mow improved pasture; (iv) The right, as part of cattle operations, to supplement the cattle using minerals and hay; (v) The right to use current technologies on the Property, including fertilizers, pesticides and herbicides commonly used on agricultural property in the State of Florida at such time; and (vi) The right to install, use, maintain, replace and repair non-commercial groundwater wells on the Property. Any and all agricultural uses shall be conducted in accordance with BMPs and in compliance with all laws, rules, and regulations;
- The right to conduct silvicultural operations, provided that prior to any timbering in an SNA, Grantor shall consult with Grantee concerning reforestation methods and methods are consistent with the perpetual protection of the SNAs;
- The right to conduct prescribed burning on the Property; provided, however, that Grantor shall obtain and comply with a prescribed fire authorization from the FDACS' FFS or its successor agency;
- The right to mortgage the Property; provided, however, that the Mortgagee's lien shall be inferior to and lower in priority than this Easement;
- The right to contest tax appraisals, assessments, taxes, and other charges on the Property;
- The right to continue to use, maintain, repair, and reconstruct, all existing buildings, barns, animal pens, outbuildings, fences, roads, ponds, wells, utilities, drainage ditches, and such other facilities on the Property as depicted in the BDR, except on SNAs;
- The right to sell, devise or otherwise transfer ownership of the Property to a third party. This right, however, does not include the right to sell the remaining property rights on the Property for the purposes of a rural lands protection easement or other restriction that would divest the Property of its use under the terms and conditions of the Easement;
- The right to exclusive use of the improvements on the Property;
- Grantor shall obtain and comply with all permits for management of stormwater, water wells, and consumptive uses as may be required by the water management district or any agency having jurisdiction over those activities;
- The right to construct buildings or other structures incident to agricultural uses carried on in accordance with sound agricultural practices. Grantor must first obtain the advanced written

Item 6B, cont.

approval of grantee before constructing buildings or other structures incident to agricultural uses. Such buildings shall not be used as residences;

- The right to establish (by survey, fencing, or marking) and maintain property lines around the perimeter of the Property to protect the Property from trespassing and to assist Grantor in the management of the Property in accordance with the Easement;
- The right to observe, maintain, photograph and film, introduce and stock native fish or wildlife on the Property, to use the Property for hiking, horseback riding, and agritourism, provided Grantor complies with Florida Statutes and Administrative Rules, as amended. Grantor reserves, and shall continue to own, the hunting and fishing rights, and Grantor may lease and sell such rights;
- The right to install connections to normal utility systems, such as electric, cable, water and sewer, and telephone. If a connection to a sewer system is not available, this right shall include the right to install a septic system. The granting of easements or rights-of-way for power lines, gas lines, sewer lines, water lines, telecommunications towers, and wind farms is prohibited, unless approved by Grantee. Notwithstanding this prohibition, the Grantor may grant or modify easements for utility connections necessary to serve the permitted uses of the Property that are consistent with the Easement's purposes. Existing utilities may be repaired at their current location;
- The right to subdivide the Property into not more than two individual parcels of not less than approximately 400 acres each; and
- The right to engage in ecosystem services markets under other programs provided such action shall be in compliance with all applicable laws, statutes, rules, and ordinances, and not contrary to the terms of this Easement.

Encumbrances

There are no known encumbrances on the property that adversely affect marketability, or the ability to enforce the rights granted under the easement.

Mortgages and Liens

All mortgages and liens will be satisfied or subordinated at the time of closing. FDACS staff will review, evaluate, and implement an appropriate resolution for these and any other title issues that arise prior to closing.

Closing Information

A title insurance commitment, survey, baseline documentation report, and environmental site assessment of the property will be provided by RFLPP prior to closing.

Monitoring Agency

This perpetual rural lands protection easement will be monitored by the RFLPP.

Comprehensive Plan

This acquisition is consistent with section 187.201(22), F.S., the Agriculture Section of the State Comprehensive Plan.

Item 6B, cont.

(Attachment 6B, Pages 1-93)

RECOMMEND: APPROVAL

Item 6C **Headwaters Ranch, LLC Option Agreement/ Headwaters Ranch/ FDACS/ Rural and Family Lands Protection Program**

REQUEST: Consideration of (1) an option agreement to acquire a perpetual rural lands protection easement over approximately 993.07 acres within the Headwaters Ranch project of the Florida Department of Agriculture and Consumer Services' (FDACS) Rural and Family Lands Protection Program (RFLPP) from Headwaters Ranch, LLC, a Florida limited liability company; and (2) designation of FDACS/RFLPP as the monitoring agency.

VOTING REQUIREMENT FOR APPROVAL: Two members, one of whom is the Governor, when four members are voting; or any two members, when three members are voting.

APPLICANT: Florida Department of Agriculture and Consumer Services, Rural and Family Lands Protection Program

COUNTY: Lake

LOCATION: Portions of Section 28 through 32, Township 24 South, Range 25 East, in Lake County

CONSIDERATION: \$6,000,000 (\$3,200,000 or 53 percent of the acquisition cost may be provided by the Southwest Florida Water Management District (SWFWMD) with third party enforcement rights over the easement. If approved, this will reduce the Board of Trustees acquisition cost to 47 percent or \$2,850,000.)

<u>PARCEL</u>	<u>ACRES</u>	<u>APPRAISED BY</u>		<u>APPROVED VALUE</u>	<u>SELLER'S PURCHASE PRICE</u>	<u>TRUSTEES' PURCHASE PRICE</u>	<u>OPTION DATE</u>
		Marr (01/17/25)	Jones (09/18/24)				
Headwaters Ranch, LLC	993.07	\$5,460,000	\$6,000,000	\$6,000,000*	\$2,000,000**	\$6,000,000*** (100%)	120 days after BOT approval

*Fee value was determined to be \$8,690,000 and \$9,250,000.
 **Property was purchased December 28, 2021.
 *** The total purchase price for the rural lands protection easement is \$6,042 per acre.

STAFF REMARKS: This acquisition was negotiated by FDACS under its RFLPP from the 2023 approved list. If approved, this project will be the 119th perpetual easement proposed for acquisition, with a total of approximately 202,701.81 acres preserved under the RFLPP. If approved, this will complete the project acquisition.

Item 6C, cont.

Project Description

This is a 1,003-acre cattle ranch providing a riparian buffer to the Withlacoochee River which runs through the property. It is comprised of pasture, altered open land, natural forested uplands, and forested wetlands. The property falls within the Green Swamp Florida Forever project and is due east of the Green Swamp Wilderness Area. Small portions of the property along with several adjacent areas are projected to develop by 2040 in the UF development projections. This property overlaps a strategic corridor within the Florida Ecological Greenways Network. The project site is enrolled in the FDACS Best Management Practices (BMP) program. It is entirely located within the Florida Wildlife Corridor.

Property Description

This is a cattle ranch comprised of improved pasture, food plots as well as bottom land hardwood areas and native vegetation. Sod has previously been cut on the property in the past and could easily be converted for more intense row crop uses. The headwaters of the Withlacoochee River run through the property. The Withlacoochee River has been designated by the State of Florida as an Outstanding Florida Waterway. Typical central Florida plant and animal species, including storks, cranes, alligators, bobcat, and bear on mainly pasture and bottomland hardwood forests.

Partnership Agreement

RFLPP is partnering with SWFWMD. If approved, SWFWMD will provide 53 percent or \$3,200,000 of the final purchase price. SWFWMD will have third party enforcement rights over the easement.

Prohibited Uses

- Dumping of non-biodegradable, toxic, or hazardous substances, trash garbage, wastes, abandoned vehicles, appliances, machinery, or similar material is prohibited;
- Activities that affect the hydrology of the land or that detrimentally affect water conservation, erosion control, soil conservation, fish and wildlife habitat, etc. The exploration for and extraction of oil, gas, minerals, dolostone, peat, muck, marl, limestone, limerock, kaolin, fuller's earth, phosphate, common clays, gravel, shell, sand, and similar substances either directly or indirectly by Grantor or on Grantor's behalf, etc. Limited mining is allowed to combat erosion or flooding or for limited on-farm agricultural uses;
- Planting of nuisance exotic or non-native plants as listed by the Exotic Pest Plant Council (EPPC) or its successor. The Grantor shall, to the extent practical, control and prevent the spread of nuisance exotics or non-native plants on the Property;
- Concentrated animal feeding operations not in compliance with federal and state laws, rules, and regulations, as amended;
- New construction or placing of temporary or permanent buildings, mobile homes, or other structures in, on, or above the ground of the Property except as may be permitted hereinafter, or as necessary by Grantor for maintenance or normal operations of the Property or during emergency situations or as may otherwise be specifically provided for in the Easement;
- Construction or placing of roads, billboards or other advertising, utilities, or structures, except those structures and unpaved roads necessary for the agricultural operations on the land or structures necessary for other activities allowed under the Easement, and except for linear facilities described in section 704.06(11), F.S. Grantee may erect and maintain signs

Item 6C, cont.

designating the Property as land under the protection of Grantee;

- Fertilizer use for agriculture activities shall be in accordance with agricultural BMPs recommended by the Natural Resources Conservation Service or the FDACS, whichever is more stringent, as those BMPs may be amended. No agricultural activities shall occur within a 100-foot buffer around sinkholes and other karst features that are connected to spring conduits, except as provided in the applicable BMPs;
- Actions or activities that may reasonably be expected to adversely affect threatened or endangered species;
- Any subdivision of the Property inconsistent with the division of land pursuant to Rule Chapter 5I-7, F.A.C., as amended;
- Commercial water wells on the Property;
- Harvesting of cypress trees in the Significant Natural Areas (SNAs);
- Mitigation banks not authorized and in compliance with Florida Statutes and Administrative Rules, as amended or rules of applicable federal mitigation bank programs;
- Construction or conversion of SNAs to more improved areas; and
- Conversion of forested areas to non-forested areas as shown in the Baseline Documentation Report (BDR) within the SNAs.

Owner's Reserved Rights

- Grantor has, and shall be deemed hereby to have retained, the underlying fee simple absolute title in the Property;
- Agricultural and Related Rights. (i) The right to continued use of the Property for agricultural purposes and uses identified in the BDR; (ii) The right to convert any property not designated an SNA (as delineated in the BDR) to other agricultural and silviculture purposes and uses; (iii) The right to engage in cattle grazing as set forth in the BDR, including the right to maintain, utilize, restore, fertilize, and mow improved pasture; (iv) The right, as part of cattle operations, to supplement the cattle using minerals and hay; (v) The right to use current technologies on the Property, including fertilizers, pesticides and herbicides commonly used on agricultural property in the State of Florida at such time; and (vi) The right to install, use, maintain, replace and repair non-commercial groundwater wells on the Property. Any and all agricultural uses shall be conducted in accordance with BMPs and in compliance with all laws, rules, and regulations;
- The right to conduct silvicultural operations, provided that prior to any timbering in an SNA, Grantor shall consult with Grantee concerning reforestation methods and methods are consistent with the perpetual protection of the SNAs;
- The right to conduct prescribed burning on the Property; provided, however, that Grantor shall obtain and comply with a prescribed fire authorization from the FDACS' FFS or its successor agency;
- The right to mortgage the Property; provided, however, that the Mortgagee's lien shall be inferior to and lower in priority than this Easement;
- The right to contest tax appraisals, assessments, taxes, and other charges on the Property;
- The right to continue to use, maintain, repair, and reconstruct, all existing buildings, barns, animal pens, outbuildings, fences, roads, ponds, wells, utilities, drainage ditches, and such

Item 6C, cont.

- other facilities on the Property as depicted in the BDR, except on SNAs;
- The right to sell, devise or otherwise transfer ownership of the Property to a third party. This right, however, does not include the right to sell the remaining property rights on the Property for the purposes of a rural lands protection easement or other restriction that would divest the Property of its use under the terms and conditions of the Easement;
 - The right to exclusive use of the improvements on the Property;
 - Grantor shall obtain and comply with all permits for management of stormwater, water wells, and consumptive uses as may be required by the water management district or any agency having jurisdiction over those activities;
 - The right to construct buildings or other structures incident to agricultural uses carried on in accordance with sound agricultural practices. Grantor must first obtain the advanced written approval of grantee before constructing buildings or other structures incident to agricultural uses. Such buildings shall not be used as residences;
 - The right to establish (by survey, fencing, or marking) and maintain property lines around the perimeter of the Property to protect the Property from trespassing and to assist Grantor in the management of the Property in accordance with the Easement;
 - The right to observe, maintain, photograph and film, introduce and stock native fish or wildlife on the Property, to use the Property for hiking, horseback riding, and agritourism, provided Grantor complies with Florida Statutes and Administrative Rules, as amended. Grantor reserves, and shall continue to own, the hunting and fishing rights, and Grantor may lease and sell such rights;
 - The right to install connections to normal utility systems, such as electric, cable, water and sewer, and telephone. If a connection to a sewer system is not available, this right shall include the right to install a septic system. The granting of easements or rights-of-way for power lines, gas lines, sewer lines, water lines, telecommunications towers, and wind farms is prohibited, unless approved by Grantee. Notwithstanding this prohibition, the Grantor may grant or modify easements for utility connections necessary to serve the permitted uses of the Property that are consistent with the Easement's purposes. Existing utilities may be repaired at their current location;
 - The right to subdivide the Property into not more than three individual parcels of not less than approximately 300 acres each;
 - The right to reserve one building envelope to develop up to 15,000 square feet of impervious surfaces for residential purposes. The Building Envelope will not exceed 5 contiguous acres and is limited to one single family residence and ancillary structures within the Building Envelope. Any such development may not be constructed within an SNA; and
 - The right to engage in ecosystem services markets under other programs provided such action shall be in compliance with all applicable laws, statutes, rules, and ordinances, and not contrary to the terms of this Easement.

Encumbrances

There are no known encumbrances on the property that adversely affect marketability, or the ability to enforce the rights granted under the easement.

Item 6C, cont.

Mortgages and Liens

All mortgages and liens will be satisfied or subordinated at the time of closing. FDACS staff will review, evaluate, and implement an appropriate resolution for these and any other title issues that arise prior to closing.

Closing Information

A title insurance commitment, survey, baseline documentation report, and environmental site assessment of the property will be provided by RFLPP prior to closing.

Monitoring Agency

This perpetual rural lands protection easement will be monitored by the RFLPP.

Comprehensive Plan

This acquisition is consistent with section 187.201(22), F.S., the Agriculture Section of the State Comprehensive Plan.

(Attachment 6C, Pages 1-83)

RECOMMEND: APPROVAL
