

NOTICE OF PROPOSED RULE

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

FLORIDA FOREST SERVICE

CHAPTER 5I-7 - RURAL AND FAMILY LANDS PROTECTION PROGRAM

RULE NOS.:     RULE TITLES:

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PURPOSE AND EFFECT: The purpose of this rulemaking is to modernize and update the department's rules for the Rural and Family Lands Protection Program and to increase efficiency in reviewing applications and acquiring conservation easements.

SUMMARY: The proposed rule revises the definitions, application, review, appraisal, and approval processes, for the Rural and Family Lands Protection Program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS (SERC) AND LEGISLATIVE RATIFICATION: The Agency has determined that this rule will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or, if no SERC is required, the information expressly relied upon and described herein: The Department's economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in section 120.541(2)(a), Florida Statutes. As part of this analysis, the Department relied upon the fact that the Rural and Family Lands Protection Program is a voluntary program where applicants may apply for the Department to potentially purchase conservation easements from landowners and there is no fee to apply for participation in the program. Further, the revisions made in the proposed rule impose nominal administrative or clerical requirements on the applicants.

Any person who wishes to provide information regarding the statement of estimated regulatory costs or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 259.105(3)(i), 570.07(23), 570.71(10), F.S.

LAW IMPLEMENTED: 259.105(3)(i), 570.70, 570.71, 570.715, F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alan Davis, Land Planning Coordinator / FFS Rule Coordinator; [Alan.Davis@FDACS.gov](mailto:Alan.Davis@FDACS.gov).

THE FULL TEXT OF THE PROPOSED RULE IS:

**CHAPTER 5I-7**

**RURAL AND FAMILY LANDS PROTECTION PROGRAM**

5I-7.001 Program Goals and Objectives Purpose

5I-7.002 Definitions

- 5I-7.003 Project Eligibility ~~Program Goals and Objectives~~
- 5I-7.004 Application Procedures and Requirements
- 5I-7.005 Technical Review and Evaluation of Project Applications
- 5I-7.006 Program Review and Evaluation of Project Applications
- 5I-7.007 Ranking, Review and Approval of Priority Project Acquisition List
- 5I-7.008 Title and Survey
- 5I-7.009 Appraisal Procedures, Report Requirements and Determining Maximum Amounts
- 5I-7.010 Negotiations and Purchase Instruments
- 5I-7.011 Board Action
- 5I-7.012 Closing
- 5I-7.013 Multi-Party Acquisitions
- 5I-7.014 Compliance, Monitoring and Enforcement

**5I-7.001 Program Goals and Objectives Purpose.**

(1) Pursuant to Section 570.70, F.S., the Rural and Family Lands Protection Program’s goals and objectives are to bring under public protection lands that serve to limit subdivision and conversion of agricultural and natural areas that provide economic, open space, water, and wildlife benefits by acquiring interests in land such as perpetual, less-than-fee acquisitions, agricultural protection agreements, and resource conservation agreements and innovative planning and development strategies in rural areas. The purpose of this chapter is to provide uniform and efficient procedures for the application, priority ranking, and acquisition of perpetual less than fee simple interests on working agricultural lands, title to which will vest in the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida.

~~(2) This chapter is promulgated pursuant to Sections 570.71 and 259.105, F.S. and establishes an application process and criteria for the use of program funds to protect rural and agricultural lands through perpetual easements.~~

~~(3) This chapter also establishes appraisal and title review processes, and a method to assure compliance with the terms of the perpetual easements.~~

~~(2)(4) Acquisitions described procedures provided for~~ in this rule are for voluntary, negotiated acquisitions and conveyances under agreements for purchase of perpetual less-than-fee simple interests.

Rulemaking Authority 570.07(23), 570.71(10), 259.105(3)(i) FS. Law Implemented, ~~570.70, 570.71(10), 570.715,~~  
259.105(3)(i) FS. History—New 11-3-08, Amended.

#### **5I-7.002 Definitions.**

For the purposes of this chapter, the following terms are defined as follows:

~~(1)~~ “~~Acquisition project~~” means a parcel or parcels of land proposed for acquisition in accordance with Section 570.71, F.S., and this rule.

(2) through (3) renumbered as (1) through (2).

~~(3)~~~~(4)~~ “Agricultural Lands” means lands on which Agriculture is conducted.

~~(4)~~~~(12)~~ “Aquifer Groundwater Recharge Areas” means regions ~~areas~~ that provide water to an aquifer that is critical to springs, sinks, lakes, rivers, other natural systems, or water supply.

(5) “Baseline Documentation Report” means a report used for long term ~~P~~erpetual ~~E~~asement monitoring that documents existing land conditions at the time of execution of the easement.

(6) through (11) No change.

~~(12)~~~~(13)~~ “Natural Floodplain” means Federal Emergency Management Agency (FEMA) “special flood hazard areas (SFHA)” associated with major rivers. In counties where no FEMA data is available, the ~~N~~atural ~~F~~loodplain is estimated based on water management district landcover data, landsat data, and National Wetlands Inventory data.

~~(13)~~~~(14)~~ “Outparcel” means land within the boundaries of a parcel which is not owned or under the control of the parent tract owner or is intended to be excluded from the ~~P~~roject by the parent tract owner.

~~(14)~~~~(15)~~ “Perpetual Easement” means a ~~c~~onservation ~~e~~asement as defined in Section ~~570.71(2)(a)~~ ~~704.06~~, F.S., or a ~~r~~ural ~~l~~ands ~~p~~rotection ~~e~~asement as defined in Section 570.71(3), F.S.

~~(15)~~~~(16)~~ “Program” means the Rural and Family Lands Protection Program (RFLPP).

~~(16)~~~~(17)~~ “Project” means the a proposed acquisition of a Perpetual Easement as provided for in Sections 570.71 and ~~704.06~~, F.S.

~~(17)~~~~(18)~~ “Significant Natural Areas” as contained outlined in Section 570.71(1)(c), F.S., means areas of relatively undisturbed agricultural lands or water features that promote healthy functioning habitats with important to native plant and wildlife species and hydrology habitat or water resources.

~~(18)~~~~(22)~~ “Species Habitat” means an environment consisting of an assemblage of plants, animals, soils, and associated processes that provide a plant or animal with its physical and chemical requirements.

(19) “Supplemental Standards” means the Supplemental Appraisal Standards for Board of Trustees Land, which contains appraisal requirements that establish public policy and add to the standard appraisal procedures and practices of the appraisal profession for the development and reporting of all appraisal services, including those outlined in Chapters 253 and ~~570~~ 259, F.S., and in accordance with ~~which is incorporated by reference in Rule subsection 18-1.002(23)~~ ~~1.002(27)~~, F.A.C.

(20) No change.

(21) “Water Resources” means water bodies, Aquifer Recharge Areas, aquifers, wetlands, and watersheds. *Rulemaking Authority 570.07(23), 570.71(10), 259.105(3)(i) FS. Law Implemented 570.70; 570.71(40), 570.715, 259.105(3)(i) FS. History—New 11-3-08, Amended 4-14-15, Amended \_\_\_\_\_.*

**5I-7.003 Project Eligibility Program Goals and Objectives.**

In order to be eligible ~~qualify~~ for acquisition pursuant to this rule chapter, a Project agricultural land must be consistent with the Program Goals and Objectives as stated in Rule 5I-7.001, F.A.C., ~~must protect the integrity and function of working landscapes, ensure opportunities for viable agricultural activities on working lands threatened by conversion to other uses,~~ and meet at least one of the following public purposes consistent with Sections 570.71(1) ~~259.105(3)(i)~~, F.S.:

- (1) Promotion and improvement of wildlife habitat;
- (2) Protection and enhancement of water bodies, Aquifer Recharge Areas, wetlands, and watersheds;
- (3) Perpetuation of open space on lands with Significant Natural Areas; or
- (4) Protection of Agricultural Lands threatened by conversion to other uses.

~~Perpetuate open space on working lands that contain significant natural areas;~~

~~(2) Protect, restore or enhance water bodies, aquifer recharge areas including uplands and springsheds, wetlands, or watersheds;~~

~~(3) Consistent with subsection 5I 7.003(3), F.A.C., promote a more complete pattern of protection, including buffers to natural areas, ecological greenways, functioning ecosystems; and military installations as provided in Sections 259.105(2)(h)1. 3., F.S.;~~

~~(4) Promote the restoration, enhancement or management of species habitat, consistent with the purposes for which the easement is acquired.~~

Rulemaking Authority 570.07(23), 570.71(10), 259.105(3)(i) FS. Law Implemented ~~570.70, 570.71(10), 259.105(3)(i)~~  
FS. History—New 11-3-08, Amended \_\_\_\_\_.

**5I-7.004 Application Procedures and Requirements.**

(1) For purposes of Sections 259.105(3)(i), 570.70(5), and 570.71, F.S., anyone submitting an application for consideration of a Project under this rule shall utilize Form FDACS-11207, Rural & Family Lands Protection Program Application, Rev. 04/23 5/13, hereby incorporated by reference; and Copies are immediately available on the internet at: <http://www.flrules.org/Gateway/reference.asp?No-Ref-XXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No-Ref-05106> or by sending a request to the following mail or email address. When an application review cycle is announced, a Applications must be submitted by mail or e-mail to:

Florida Department of Agriculture and Consumer Services

Rural and Family Lands Protection Program

Florida Forest Service

3125 Conner Boulevard, Suite “J”,

Tallahassee, FL 32399-1650,

RFLPP@FDACS.gov.

Applications must be delivered by 5:00 p.m., Eastern Standard Time, on the final day of the application period, as announced pursuant to 5I-7.004(2), F.A.C.

(2) When an application review cycle is initiated by the Department, The Department shall publish a Notice of Application Review Cycle announcing the opening of an application review cycle and the ~~with a~~ date by which new applications must be received. The notice shall include any funding priority criteria that will be considered in addition to the preferences set forth in Section 570.71(10), F.S. The All notices shall be published in the Florida Administrative Register, and available on the internet at: <http://www.flrules.org/> ~~no less than 45 days prior to the application review cycle deadline.~~

(3) When an application review cycle is initiated by the Department, a All Projects on the existing Project acquisition priority list will be carried over without submission of a new application, unless the landowner notifies the Department in writing that the Project is withdrawn from the list. Landowners with property on the existing Project acquisition priority list shall submit descriptions of any changes to use or conditions on the property by the deadline for submission of new applications published in the Notice of Application Review Cycle. If the Project no longer

meets the Program eligibility criteria set forth in Rule subsection 5I-7.003 5I-5.007(3), F.A.C., due to changes to use or conditions on the property, Division staff shall recommend to the Rural and Family Lands Selection Committee that the Project be deemed ineligible. When an application review cycle is initiated by the Department, aAll new and existing Projects will either be ranked or re-ranked in accordance with Rule 5I-7.007, F.A.C.

(4) Each acquisition Project application received shall, within 30 days of receipt, be reviewed by Division staff to verify sufficiency of information and that on its face it is eligible for further review and evaluation in accordance with this chapter section.

(a) ~~Incomplete applications shall be returned to~~ The Department shall notify the applicant with a notice of letter stating every deficiency; provided, via the applicant's preferred method of contact as indicated on the application, setting forth a description of the stating deficiency; and instructions for completion and resubmission. If the required supplemental information is not received in writing via the methods described in 5I-7.004(1), F.A.C., within five (5) business days of the applicant's receipt of the notice of deficiency by the application review cycle deadline, the application entire file will be rejected, and returned to the applicant.

(b) Applications determined to be ineligible shall be returned to the applicant with an explanation of the reason that the Project was determined to be ineligible.

(c) Applications received after the application review cycle deadline described in 5I-7.004(1), F.A.C., shall not be considered in the next group of projects will not be considered and will be returned to the applicant.

(5) Requests to modify the boundary of for a Project on the Project acquisition list boundary modification of currently approved projects by for acreage additions or reductions of 15% or more less of the total approved Project area must shall be submitted by the landowner prior to the application review cycle deadline and shall be considered for approval by the Rural and Family Lands Selection Committee with the next group of new Projects. Should the Committee approve the modification, a new total Project acreage would be established.

(6) If the landowner contemplates a division of the property, the size and scope of such division must shall be specified in the application and must go before the Selection Committee for approval. No division of the property will be allowed after the approval and ranking of the Project without the written consent of the Department. The division must not result in any parcel being below the median size of farms in the county, as determined by the ~~most recent~~ USDA Median Size of Farms by County Table, Version 2017 September 2014, hereby incorporated by reference and immediately available on the internet at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>

[http://www.flrules.org/Gateway/reference.asp?No=Ref\\_05108](http://www.flrules.org/Gateway/reference.asp?No=Ref_05108) or by sending a request to [RFLPP@FDACS.gov](mailto:RFLPP@FDACS.gov) or the mailing address provided in 5I-7.004, F.A.C.

*Rulemaking Authority 570.07(23), 570.71(10), 259.105(3)(i) FS. Law Implemented 570.70, 570.71(10), 259.105(3)(i) FS. History—New 11-3-08, Amended 4-14-15, Amended \_\_\_\_\_.*

**5I-7.005 Technical Review and Evaluation of Project Applications.**

(1) Once complete and timely submitted, the application shall receive an independent review ~~within 45 days~~ by members of a Technical Review Team appointed by the Commissioner ~~or his designee~~ and coordinated by the Division, who will evaluate each Project as it relates to their area of expertise or program disciplines.

(2) The Technical Review Team will be authorized to perform a site visit to each new Project by selected team member(s) for the purposes shall consist of inspecting, observing, and evaluating property characteristics, and no fewer than three (3) representatives from the following disciplines: the degree of quality of both the agricultural operations and the suitability for long-term agricultural use. The site visit will provide for an exchange of information between the landowner, property manager, and technical review team members.

~~(a) Divisions within the Department with expertise in the types of agricultural activities currently in place within the project and contemplated for the future. The representatives from the Department shall be responsible for an evaluation of the agricultural operation, whether BMPs are being implemented, and suitability of land for long term agricultural use.~~

~~(b) The Florida Natural Areas Inventory, a scientific organization proficient in biological natural resource based evaluations, which shall perform a scientific assessment of natural resource attributes of each property.~~

~~(c) A state or local agency responsible for land planning and growth management, which shall perform an assessment of the level of threat of conversion to non agricultural use including, at a minimum, the land use designation of the property and surrounding area; development trends in the surrounding area that might serve to adversely impact future agriculture, or conversely, encourage the continuation of agriculture; and any known state or local rural land area designation applicable to the property.~~

~~(d) Geographically applicable water management district on projects where hydrological considerations are integral to the proposal, which shall assess the potential benefits of the property relating to floodplain, surface water, wetlands and aquifer recharge.~~



~~(e) Adjacent public land managers, if applicable, who shall assess the benefits of the property relating to buffering and connectivity.~~

~~(f) Other agencies or organizations deemed necessary by the Department, based upon the specific nature of the property involved in the application, to effectuate a thorough review and evaluation of an application.~~

(3) The Project evaluation process will also include a desk review by the Technical Review Team to analyze available data, maps, and information related to the property, its natural features and Species Habitat, hydrology, agricultural operation, and potential for conversion to non-agricultural use.

~~(4)(3) The Review by Technical Review Team members will prepare a report of their findings to the Division for each Project consist of an evaluation of each project. The report will include an evaluation of Pproject eligibility (in Rule 5I-7.003, F.A.C.) and the degree to which the Pproject meets application based on the Pprogram goals and objectives (in Rule 5I-7.001, F.A.C.) applicable to each team member's particular area of expertise as outlined in subsection (2) above.~~

~~(4) Upon completion of the review, a narrative of each team member's findings shall be provided to the Department along with an evaluation of the extent to which the project achieves the goals and objectives in Rule 5I-7.003, F.A.C.~~

~~Rulemaking Authority 570.07(23), 570.71(10), 259.105(3)(i) FS. Law Implemented 570.70, 570.71(40), 259.105(3)(i) FS. History--New 11-3-08, Amended \_\_\_\_\_.~~

#### **5I-7.006 Program Review and Evaluation of Project Applications.**

(1) Division staff shall prepare a Project Program Evaluation Report for each Pproject after ~~within 30 days of~~ receipt of the findings of the Technical Review Team.

(2) The Project Evaluation Report shall include:

(a) A compilation of all Technical Review Team ~~member~~ reports, a summary of the information in the application, and any additional information relied upon by the team members. If applicable, this shall include a determination that the Pproject does not meet the eligibility requirements for the RFLPP, or a recommendation that a Pproject, or portion thereof, might be more suitably acquired by a separate another Florida Forever land acquisition program such as pursuant to Section 259.105(3)(b), F.S., and the goals and objectives of that program. When such a recommendation is made, the landowner shall be contacted and provided the reason why the Pproject is ineligible, or that another

program may be appropriate. If requested by the landowner after the landowner applies to another program, the Department shall coordinate with the other program(s) by transferring all data and technical reviews that are available.

(b) Confirmation of the Project boundary as contained in the application and any recommended boundary adjustments.

(c) A recommended monitoring entity for the Project and a brief rationale for the recommendation, if said entity is different from the Department.

(d) Known or potential opportunities for cost sharing partnerships with complementary local, state and federal programs. A potential cost sharing opportunity or program shall be considered complementary if:

1. The goals, objectives and eligibility criteria of the partnering programs are compatible;
2. The property owner is willing to comply with the requirements of all entities or programs engaged in the partnership; and
3. Funding is or will be available from participating programs to cost-share the proposed Perpetual Easement.

(e) Whether the property is ~~within~~ one or more of the following:

1. Within an agricultural area as determined by a local government comprehensive plan pursuant to Section 163.3177(6)(a), F.S.;

2. is Within a rural land stewardship area pursuant to Section 163.3248 ~~163.3177(11)(d)~~, F.S.; or

3. is Classified as agricultural pursuant to Section 193.461, F.S.; or is part of an Agricultural Cooperative.

(f) No change.

*Rulemaking Authority 570.07(23), 570.71(10), 259.105(3)(i) FS. Law Implemented ~~570.70, 570.71(10), 259.105(3)(i)~~  
FS. History—New 11-3-08, Amended \_\_\_\_\_.*

**5I-7.007 Ranking, Review and Approval of Priority Project Acquisition List.**

(1) No change.

(2) Rural and Family Lands Selection Committee members shall independently evaluate Projects based on consideration of the Project Program Evaluation Report detailed in Rule 5I-7.006, F.A.C., giving preference to ranch and timberlands managed using practices that provide multiple use and sustained yield of the renewable surface resources with the goal of sustaining the economic and ecological integrity of the property while allowing the agricultural business to operate and prosper, in accordance with 570.71(10), F.S., or other priorities established in the Notice of Application Review Cycle.

~~(3) Eligible projects are those that protect the integrity and function of working landscapes, ensure opportunities for viable agricultural activities on working lands threatened by conversion to other uses, and meet at least one of the following public purposes consistent with Sections 259.105(3)(i) and 570.71(1), F.S.:~~

~~(a) Perpetuate open space on working lands that contain significant natural areas;~~

~~(b) Protect, restore or enhance water bodies, aquifer recharge areas including uplands and springsheds, wetlands or watersheds;~~

~~(c) Consistent with subsection 5I 7.003(1), F.A.C., promote a more complete pattern of protection, including buffers to natural areas, ecological greenways, functioning ecosystems; and military installations as provided in Sections 259.105(2)(h)1. 3., F.S.~~

~~(d) Promote the restoration, enhancement or management of species habitat, consistent with the purposes for which the easement is acquired~~

~~(3)(4) The Rural and Family Lands Selection Committee shall consider the list of Pprojects at a public meeting(s) conducted pursuant to Section 120.525, F.S. The purpose of the meeting(s) shall be to receive public comment, consider the eligibility of new applications and Pprojects on the existing Project acquisition priority list, and after the final meeting by majority vote approve ~~adopt~~ a list of Pprojects in ~~tiered~~ priority order that qualify for acquisition under the Program. The Department will establish the time limit for public comment in advance of the public meeting(s).~~

~~(4)(5) Upon approval of the Project acquisition list by the Rural and Family Lands Selection Committee Each year that cash disbursements or bonds are to be issued pursuant to Section 259.105, F.S., the Department shall present Projects on the Project acquisition the priority list to the Council, approved by the Rural and Family Lands Selection Committee, for review ~~by the Council~~ at a regularly scheduled public meeting, as provided in Section 259.105(14).~~

~~(5)(6) Following review by the Council, The Department shall present the Project acquisition priority list to the Board for approval, along with supporting information outlined in subsection ~~(6)(7)~~ below. The Board is authorized to remove Pprojects from the list, but may not add Pprojects or change Pproject rankings, as provided in Section 259.105(14) ~~259.105 (15)~~, F.S.~~

~~(6)(7) The Department shall submit to the Board, with its Project acquisition priority list, a report that includes, but is not limited to, the following information for each Pproject listed:~~

(a) A summary of the ~~P~~project evaluation, including the type of agricultural activities currently on the property, the natural resource benefits of the ~~P~~project, and the current threat of conversion to non-agricultural uses; and

(b) A map delineating ~~P~~project boundaries, and, where applicable, proximity to other protected lands.

~~(7)(8)~~ The combined value of all ~~P~~projects recommended to the Board by the Department may exceed the amount of money available for acquisition.

~~(8)(9)~~ Upon approval of the Project acquisition priority list by the Board and subject to the availability of funds, the Department may proceed with the acquisition process for ~~P~~perpetual ~~E~~easements, including appraisals, survey and title review.

~~(9)(10)~~ All acquisition ~~P~~projects approved by the Board shall be eligible for funding, with available resources targeted initially toward the highest ranked ~~P~~projects. However, the Board is authorized to approve the purchase of any ~~P~~project from the list, pursuant to Sections 259.105, ~~570.70 and 570.71, F.S.~~, as well as boundary amendments to completed Projects previously ranked and acquired pursuant to prior lists. The boundary amendment shall not exceed 15% of the total Project acreage previously approved and does not need to be independently ranked. Such amendments must benefit both the Landowner and the Program, create a cohesive and consistent Project, and resolve issues such as title defects, road and plat abandonment, and in-holdings acquired subsequent to closing on the original Project acreage.

~~(10)(11)~~ A Project acquisition priority list approved by the Board shall replace all prior lists. ~~If a project from a prior list is removed, all acquisition activities shall cease, unless there is a fully executed contract on the property.~~

~~(11)~~ In the event there is no application review cycle initiated during the calendar year, the previously-approved Project acquisition list may be used, subject to the availability of funds, until the Board approves a Project acquisition list. The Board may also re-approve the previous Project acquisition list.

*Rulemaking Authority 570.07(23), 570.71(10), 259.105(3)(i) FS. Law Implemented 570.70, 570.71(10), 259.105, 259.04(1)(c) FS. History—New 11-3-08, Amended 4-14-15, Amended \_\_\_\_\_.*

#### **5I-7.008 Title and Survey.**

(1) Initial Title Report. ~~In order for the Department to obtain appraisals,~~ A title report shall be obtained from a licensed title company or title attorney authorized to do business in the State of Florida. The title report shall include an adequate legal description of the property to be acquired sufficient to inform the Department and the appraisers of

the status of ownership, encumbrances, exceptions, reservations, previous ownership history, and tax assessment history.

(2) No change.

(3) Condition of Title. The objective of negotiations for acquisition of property interests is to obtain all the landowner's rights, title and interest in the property as are necessary for the planned easement. All exceptions, reservations, encroachments or other adverse conditions that are disclosed in the course of preparing to negotiate, negotiating, contracting or closing shall be individually examined and evaluated as to possible adverse effect on the objectives in acquiring the property interest. Such matters will be disclosed to the Board at the time the Pproject is submitted on the Department's agenda for consideration by the Board.

(4) Prior to closing, a certified survey must be obtained, unless the requirement is waived by the Department Board if it determines that the available information is adequate to establish the boundaries of the property. The Department shall use surveyors licensed by the State of Florida. Any certified survey shall be reviewed to ensure that it complies with the standards of practice for surveys set forth in Rule Chapter 5J-17, F.A.C. ~~to ensure that it complies with the land acquisition survey standards of the Department of Environmental Protection, Division of State Lands, Bureau of Survey and Mapping, dated September 3, 2002, incorporated by reference and available on the internet at: [http://www.dep.state.fl.us/lands/surv\\_map/default.htm](http://www.dep.state.fl.us/lands/surv_map/default.htm) or by sending a request to: Department of Environmental Protection, Bureau of Survey and Mapping, 3900 Commonwealth Boulevard, MS #105, Tallahassee, Florida 32399-3000 or by phone at (850)245-2606 or by Fax at (850)245-2645. The Department shall only use surveyors from the list of approved surveyors under contracts developed and maintained by the Bureau of Survey and Mapping.~~ *Rulemaking Authority 570.07(23), 570.71(10), 259.105(3)(i) FS. Law Implemented 570.70, 570.71(10), 570.715, 259.105(3)(i) FS. History—New 11-3-08, Amended \_\_\_\_\_.*

#### **5I-7.009 Appraisal Procedures, Report Requirements and Determining Maximum Amounts.**

(1) The Department shall only use appraisers and review appraisers licensed or certified ~~from the list of approved appraisers developed and maintained in accordance with pursuant to Chapter 475, F.S. subsections 18-1.007(1) and (2), F.A.C.~~ The Department is authorized to contract directly with qualified appraisers and review appraisers pursuant to Chapter 287, F.S. ~~or coordinate through the Department of Environmental Protection, Division of State Lands for review appraisal services.~~

(2) Specific Project Appraiser Selection. Appraisers to be solicited for appraisal assignments will be those with competency in the area of specialization required by the proposed appraisal assignment, with additional consideration given to production time, cost efficiency, and contemplation of additional appraisal services in a specific Project area.

~~(3) Through competitive bidding, multiple bids will be sought with the objective of obtaining the best possible services efficiently and at the most reasonable cost.~~

~~(4) Solicitations will include selection criteria to be used in making the final selection of the appraiser to be awarded the appraisal services required.~~

(5) renumbered to (3).

~~(4)(6)~~ The development and reporting of all appraisal services by the appraiser and review appraiser shall be in accordance ~~consistent~~ with the Uniform Standards of Professional Appraisal Practices (USPAP), Supplemental Standards, as adopted in Rule 18-1.002 (23), F.A.C., this rule (Chapter 5I-7), and the Department's specific assignment to the appraiser.

(7) through (9) renumbered as (5) through (7).

~~(8)(10)~~ When two appraisals are required under Section 570.715(1)(b)1, 259.041(7)(b), F.S., a third appraisal shall be obtained if the two appraisals differ significantly. Two appraisals shall be considered to differ significantly if the higher of the two values exceeds 120% of the lower value. However, a third appraisal shall not be obtained if the decision is made by the Department to attempt to negotiate an acquisition price of no more than 120% of the lower of the two appraisals.

~~(9)(11)~~ Determining the maximum amount:

(a) The maximum amount that may be paid for a Perpetual Easement shall be the value indicated in a single approved appraisal if only one appraisal is required. If two appraisals are obtained and approved when only one is required by law, the maximum value shall be the higher of the appraisals, regardless of their divergence.

(b) through (c) No change.

~~(10)(12)~~ Appraisal Reviews:

(a) Appraisal reviews will be conducted for each parcel by qualified review appraisers in accordance with USPAP requirements. Appraisals and appraisal review reports shall be submitted to the Department for the purpose of determining maximum amounts that may be paid for Perpetual Easements.

(b) No change.

~~(11)(13)~~ All appraisers will be required to ~~comply with Section 259.041(7)(e), F.S., and~~ submit an affidavit, pursuant to Section 570.715(1)(b)2., F.S., substantiating that they have no vested or fiduciary interest in any property for which appraisal services will be awarded.

(14) renumbered as (12).

*Rulemaking Authority 570.07(23), 570.71(10), 259.105(3)(i) FS. Law Implemented 570.70; 570.71(10), 570.715, 259.105(3)(i) FS. History—New 11-3-08, Amended 4-14-15, Amended \_\_\_\_\_.*

#### **5I-7.010 Negotiations and Purchase Instruments.**

(1) Initial contact with the landowner by the Department may be established prior to negotiations, provided such contact is limited to the following:

(a) No change.

(b) To confirm the owner's interest in conveying a Perpetual Easement to the State and establish the terms of the proposed easement for appraisal purposes;

(c) through (f) No change.

(g) To discuss other information pertinent to the acquisition process in general; and

(h) No change.

(2) The Department is authorized to initiate purchase negotiations only upon receipt of the ~~approved~~ appraisal(s) reports in accordance with this chapter rule.

(3) through (5) No change.

(6) Pursuant to Section 570.715(5), F.S., All offers, counter offers and appraisal(s) reports shall be confidential and exempt from the provisions of Section 119.07(1), F.S., as provided in Section 570.715(5), F.S., until an option contract is executed or, if an option contract is not executed, until two (2) weeks before an option contract, contract, or agreement for purchase is considered for approval by the Board. However, the Department has the authority, at its discretion, to disclose appraisal(s) ~~reports~~ to private landowners during negotiations for acquisitions under this Program if the Department determines that disclosure of such reports will bring the proposed acquisition to closure.

(7) No change.

(8) Purchase Instruments. The final negotiated purchase shall be placed in the form of a written purchase instrument signed by the owner and the Department, subject to approval by the Board and legislative appropriation.

(9) through (10) No change.

(11) All agreements involving the purchase of a Perpetual Easement shall be reviewed and approved at a duly noticed meeting by the Board.

(12) through (13) No change.

*Rulemaking Authority 570.07(23), 570.71(10), 259.105(3)(i) FS. Law Implemented 570.70, 570.71(10), 570.715, 259.105(3)(i) FS. History–New 11-3-08, Amended.*

**5I-7.011 Board Action.**

(1) The Department shall furnish the following at the time a purchase is considered by the Board:

(a) The ~~original of the~~ purchase instrument.

(b) through (c) No change.

(d) Summary of ~~The approved~~ appraisal review reports.

(e) A written statement by the Department outlining the public interest for which the acquisition is being made, citing statutory authority, and stating that the property proposed for purchase is within a Project on the Department's Project acquisition program list.

(f) through (h) No change.

(i) ~~All disclosures required by Sections 375.031(1) and 380.08(2), F.S.~~

(j) through (k) renumbered.

~~(2) The Department shall submit the proposed acquisition for consideration by the Board within 45 days after receipt from the landowner by the Department of the materials required by subsection (1) above. The Department shall supply a copy of the proposed purchase instrument and all supporting documentation to the Board for its review.~~

~~(2)(3)~~The Department shall obtain authorization from the Board prior to purchase, ~~and pursuant to the provisions of Chapters 570 and 259, F.S.,~~ for all acquisitions of interests in land wherein, title thereto which will vest in the Board.

*Rulemaking Authority 570.07(23), 570.71(10), 259.105(3)(i) FS. Law Implemented 570.70, 570.71(10), 570.715, 259.105(3)(i) FS. History–New 11-3-08, Amended.*

**5I-7.012 Closing.**

(1) through (3) No change.



(4) All original documents including recorded documents shall be forwarded to the Department ~~within 30 days~~ ~~after receipt~~ by the closing agent from the county clerk. The Department shall forward all recorded documents and a copy of the title insurance policy to the Department of Environmental Protection, Division of State Lands within 30 days after receipt by the Department for inclusion in the Board's land title records system.

*Rulemaking Authority 570.07(23), 570.71(10), 259.105(3)(i) FS. Law Implemented ~~570.70, 570.71(10), 570.715, 259.105(3)(i) FS. History—New 11-3-08, Amended 4-14-15.~~*

#### **5I-7.013 Multi-Party Acquisitions.**

(1) The Department may enter into an acquisition agreement with a cooperating entity, which may consist of another state agency, a water management district, a local government or a nonprofit organization as defined in Section 570.715(5) ~~259.041(7)(e)~~, F.S., for any property that has been authorized for acquisition pursuant to Section 570.71, F.S.

(2) No change.

(3) An acquisition agreement may provide for the sharing of appraisals, offers, and other negotiation matters between the Department and the cooperating entity; provided, however the agreement shall require the cooperating entity to follow Department procedures and this chapter when acquiring appraisals and to deliver to the Department all negotiation files after negotiations with the owner have terminated. As a condition of the sharing of confidential information, the cooperating entity must agree to maintain, on its behalf and on behalf of its employees and agents, the confidentiality of appraisals, ~~offers, and other negotiation matters~~, as required by Section 570.715(5) ~~259.041(8)(e)~~, F.S., and this chapter, and the cooperating entity must obtain the consent of the Department prior to disclosing the information to any other person.

*Rulemaking Authority 570.07(23), 570.71(10), 259.105(3)(i) FS. Law Implemented ~~570.70, 570.71(10), 570.715, 259.105(3)(i) FS. History—New 11-3-08, Amended \_\_\_\_\_.~~*

#### **5I-7.014 Compliance, Monitoring and Enforcement.**

(1) All ~~P~~erpetual ~~E~~asements acquired pursuant to this rule shall include provisions for assuring compliance, monitoring and enforcement of the terms and conditions of such ~~P~~erpetual ~~E~~asements.

(2) The Department shall procure or require any landowner to provide any reports, maps, studies, or documents the Department deems necessary to document the existence and location of property boundaries, structures,

environmental issues, conservation values, and natural features on the property in conjunction with and prior to closing for the purpose of developing a Baseline Documentation Report.

(3) All ~~P~~erpetual ~~E~~asements shall require the landowner to enroll in, implement, and adhere to all applicable Florida Department of Agriculture and Consumer Services Best Management Practices (BMPs), such as those adopted in Rule Titles 5I, 5L, and 5M, F.A.C.

(4) The Department shall determine the frequency of easement monitoring ~~monitor all perpetual easements~~. All ~~P~~erpetual ~~E~~asements shall be monitored utilizing Form FDACS-11208, Rural & Family Lands Protection Program Easement Monitoring Form, Rev. 04/23 ~~12/14~~, hereby incorporated by reference and immediately available on the internet at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> ~~http://www.flrules.org/Gateway/reference.asp?No=Ref-05107~~ or by sending a request to: the Florida Department of Agriculture and Consumer Services, Florida Forest Service, 3125 Conner Boulevard, Suite “J”, Tallahassee, FL 32399-1650.

(5) No change.

(6) The Department shall review all monitoring reports for compliance with monitoring specifications and consistency with terms and conditions of the ~~P~~erpetual ~~E~~asement ~~utilizing Form FDACS 11208, Rural & Family Lands Protection Program Easement Monitoring Form, 12/14.~~

*Rulemaking Authority 570.07(23), 570.71(10), 259.105(3)(i) FS. Law Implemented ~~570.70, 570.71(10), 259.105(3)(i)~~ FS. History—New 11-3-08, Amended 4-14-15, Amended \_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE:

Alan Davis, Land Planning Coordinator and FFS Rule Coordinator

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:

Wilton Simpson, Commissioner of Agriculture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 22, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 17, 2023



WILTON SIMPSON  
COMMISSIONER

Florida Department of Agriculture and Consumer Services  
Florida Forest Service



**RURAL & FAMILY LANDS PROTECTION  
PROGRAM APPLICATION**

Sections 570.70 and 570.71, F.S.; Rule 5I-7.004, F.A.C.

APPLICATION FOR: PERPETUAL AGRICULTURAL PROTECTION EASEMENT OR CONSERVATION EASEMENT for permanent protection of land for agricultural purposes. Program involves the sale and conveyance of development rights and agreement to enroll in and implement all applicable agricultural Best Management Practices (BMPs) to protect natural resource values.

PROPERTY NAME: \_\_\_\_\_ (EXAMPLE: DOUBLE X RANCH)

PROPERTY LOCATION: SECTION \_\_\_\_\_ TOWNSHIP \_\_\_\_\_ SOUTH/NORTH RANGE \_\_\_\_\_ EAST/WEST

STREET ADDRESS OF PROPERTY: \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_ COUNTY \_\_\_\_\_

OWNER(S) OF RECORD OF PROPERTY:

NAME: \_\_\_\_\_

REGISTERED AGENT (IF APPLICABLE): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_ E-MAIL ADDRESS: \_\_\_\_\_

CONTACT INFORMATION FOR SITE VISIT:  CHECK HERE IF SAME AS ABOVE

NAME: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_ PREFERRED METHOD OF CONTACT: MAIL/EMAIL (CIRCLE)

ESTIMATED TOTAL LAND AREA: \_\_\_\_\_ ACRES

UPLANDS: \_\_\_\_\_ ACRES

WETLANDS: \_\_\_\_\_ ACRES

LAND USES ON PROPERTY:

TIMBER: \_\_\_\_\_ ACRES OTHER AGRICULTURAL: \_\_\_\_\_ ACRES

RANCH: \_\_\_\_\_ ACRES NATURAL AREA: \_\_\_\_\_ ACRES

### ADDITIONAL PROPERTY INFORMATION

On separate pieces of paper, use the corresponding headings, please a type a response to 1-10 and check applicable check boxes:

1. General description of the agricultural activities
2. Description of any outparcels not part of this application  
*Note: locate each outparcel on the map provided with the application*
3. List of known encumbrances and encroachments, including mortgages and other debt secured by the property
4. Agricultural or environmental assistance programs applied for or existing on property

Include the following:

- a. Name of the program (CRP, FLEP, WHIP, WRP, etc.)
  - b. The program sponsor (federal, state, county)
  - c. Type of agreement (easement conveyed, 10 yr., etc.)
  - d. Agreement in place or applied for (if application is in process)
- Check this box if there are no programs existing or applied for on the property.
5. A list of all Best Management Practices that the property is enrolled in. Include the length of enrollment.  
 I agree to enroll in and implement all applicable BMPs and understand that, if the property is acquired through this program, the property will be monitored for BMP compliance.
  6. A general description of Species Habitat, including any plants or animals on the property.
  7. A general description of the property's Water Resource values and benefits, emphasizing any Aquifer Recharge areas and the property's Natural Floodplain.
  8. A description of existing or planned development on or near the property that could adversely affect:
    - a) The continuation of agricultural activities; or,
    - b) Natural resource values (Species Habitat, Aquifer Recharge, or Natural Floodplain).
  9. A description of why you are interested in pursuing a perpetual agricultural protection easement. Explain the benefits you hope to realize by granting the easement, including but not limited to perpetuation of agriculture, protection of natural resource values, and/or income and estate tax benefits.
  10. A clear statement of the property rights to be acquired under the easement and those rights to be retained by the property owner.

**SUPPORTING DOCUMENTATION TO BE SUBMITTED WITH APPLICATION**

**A paper or digital copy of each of the following supporting documents must be submitted with the application:**

- Vesting deed, or deeds if the property was acquired in multiple transactions
- Abstract of title or title insurance policy, if available
- Boundary survey and environmental site assessment, if available
- Management or stewardship plan, if available
- Copies of county tax maps, plat maps, or Florida Department of Transportation county general highway maps, with the boundaries of the project and any outparcels clearly delineated
- **A legible or electronic copy of the property appraiser’s tax identification card(s) with the tax assessed value and acreage of each parcel, description and approximate value of improvements, ad valorem taxes assessed, and the names and addresses of each owner identified**

LANDOWNER/GRANTOR:

\_\_\_\_\_

**Print Name**

\_\_\_\_\_

**Signature**

\_\_\_\_\_

**Print Name**

\_\_\_\_\_

**Signature**

\_\_\_\_\_

**Date**

MAIL COMPLETED APPLICATION TO:  
RURAL & FAMILY LANDS PROTECTION PROGRAM  
DIRECTOR’S OFFICE  
3125 CONNER BOULEVARD  
SUITE “J”  
TALLAHASSEE, FLORIDA 32399-1650

QUESTIONS AND INFORMATION:  
PROGRAM ADMINISTRATOR  
RURAL & FAMILY LANDS PROTECTION PROGRAM  
(850) 681-5828

E-MAIL COMPLETED APPLICATION TO:  
RFLPP@FDACS.GOV

**USDA Median Size of Farms by County Table**

County	Acres
Alachua	111
Baker	102
Bay	387
Bradford	120
Brevard	300
Broward	11
Calhoun	409
Charlotte	368
Citrus	92
Clay	Withheld to avoid disclosing data for individual operations. Previously 20.
Collier	461
Columbia	109
DeSoto	440
Dixie	240
Duval	82
Escambia	91
Flagler	683
Franklin	Withheld to avoid disclosing data for individual operations. Previously 20.
Gadsden	127
Gilchrist	146
Glades	1,211
Gulf	Withheld to avoid disclosing data for individual operations. Previously 56.
Hamilton	261
Hardee	363
Hendry	993
Hernando	67
Highlands	380
Hillsborough	80
Holmes	140
Indian River	406
Jackson	238
Jefferson	284
Lafayette	364
Lake	108

County	Acres
Lee	109
Leon	282
Levy	177
Liberty	313
Madison	251
Manatee	256
Marion	83
Martin	259
Miami-Dade	29
Monroe	4
Nassau	124
Okaloosa	97
Okeechobee	497
Orange	176
Osceola	1,339
Palm Beach	376
Pasco	164
Pinellas	16
Polk	234
Putnam	150
St. Johns	136
St. Lucie	545
Santa Rosa	122
Sarasota	244
Seminole	187
Sumter	135
Suwannee	157
Taylor	245
Union	175
Volusia	73
Wakulla	113
Walton	179
Washington	104

Data for this table was extracted from the USDA,  
Census of Agriculture, 2017 Census Publication,  
which is available online at:

[Census of Agriculture - 2017 Census Publications - State and County Profiles - Florida \(usda.gov\)](https://www.usda.gov/census-of-agriculture-2017-census-publications-state-and-county-profiles-florida)



Florida Department of Agriculture and Consumer Services  
Florida Forest Service (FFS)



**RURAL & FAMILY LANDS PROTECTION PROGRAM  
EASEMENT MONITORING FORM**

**WILTON SIMPSON  
COMMISSIONER**

Sections 570.70 and 570.71, F.S.; Rule 5I-7.014, F.A.C.

Conservation Easement Project: \_\_\_\_\_ Acres: \_\_\_\_\_

FDACS Contract #: \_\_\_\_\_ County: \_\_\_\_\_

Landowner(s)/representative(s): \_\_\_\_\_

Monitor: \_\_\_\_\_ Monitoring Date: \_\_\_\_\_

Monitoring Assistance (if any) /Name: \_\_\_\_\_ Agency: \_\_\_\_\_

Monitoring Assistance (if any) /Name: \_\_\_\_\_ Agency: \_\_\_\_\_

Purpose of Monitoring Site Inspection:

- Document compliance with the terms of the conservation easement
- Assure property is enrolled in and Grantor is implementing all applicable Best Management Practices (BMPs)
- Outline the activities on the property during preceding year(s)
- Review any proposed activities to assure compliance with the terms of the conservation easement

Please document below responses to each question explaining any activities/changes on the property during the past year as they relate to the Recitals, Prohibited Uses, and Grantor's Reserved Rights established in the Deed of Conservation Easement. The conservation easement should be reviewed prior to the monitoring inspection to ensure all provisions and restrictions considered during the site inspection are properly documented in this report.

A.	<p>Has there been any timber harvesting on the property? If so, on how many acres? _____ Using what harvest type? _____</p> <p>Was the harvesting in a Significant Natural Area (SNA)? If so, was the grantor contacted?</p> <p>Was cypress harvested?</p>
B.	Has there been any use of the property which would impair or destroy SNAs?
C.	Has there been any construction in SNAs?

	<p>Has there been any improvements to SNA?</p> <p>Has there been any conversion of SNAs?</p>
D.	Has there been any conversion of forested areas, to non-forested areas?
E.	Has there been any conversion of areas not in improved pasture, to improved pasture?
F.	Has there been any dumping of trash, solid or liquid waste, or toxic or hazardous substances on the property?
G.	Has there been any exploration, excavation, extraction, mining, or drilling on the Property for any of the restricted substances identified in the conservation easement (CE)?
H.	<p>Has there been any hydrological modifications to, or dredging, on the property?</p> <p>Have there been any water wells or water bodies constructed? If so, what permits, if any, were obtained?</p> <p>Has there been any construction, repair, or improvements to any water control structures?</p> <p>Are there any commercial water wells on the property?</p> <p>Are any activities occurring on the property that affect soil conservation or are detrimental to fish and wildlife habitat?</p>
I.	<p>Has there been any use of fertilizer on the property?</p> <p>If so, at what application rate?</p>
J.	<p>Has there been any use of pesticides or herbicides on the property? (list chemicals used)</p> <p>If so, did process application follow instructions on the label?</p>
K.	<p>List all the BMPs that are applicable to the property:</p> <ul style="list-style-type: none"> <li>- Agricultural BMPs:</li> <li>- Silvicultural BMPs:</li> <li>- Wildlife BMPs:</li> </ul> <p>Is the property enrolled in all the applicable BMP's indicated above?</p> <p>Are all those BMPs being implemented and complied with?</p>
L.	<p>Are there any exotic, nuisance, non-native or invasive species present?</p> <p>Is the Grantor, to the extent possible, attempting to control or prevent their spread?</p>



	If so, list actions taken or response needed:
M.	<p>Have there been any new roads or trails constructed on the property?</p> <p>Any existing roads, culverts, or road ditches repaired?</p> <p>Have any motorized vehicles been driven off roads and/or trails for purposes other than performing agricultural operations?</p>
N.	<p>Has there been any new interior or boundary fencing constructed?</p> <p>If required by the CE, has the Grantee approved any/all new or replacement fencing?</p> <p>Are the fences wildlife/game friendly?</p>
O.	<p>Have any new structures or buildings been constructed on the property to support the agricultural operation? If so, what is the structure's Square Footage? _____</p> <p>Have any of the agricultural support buildings been enlarged? If so, what is the structure's Square Footage? _____</p> <p>Does the total square footage exceed the maximum area allowed in the CE?</p> <p>Was construction within an SNA?</p>
P.	<p>Has there been any construction of any new residential structures? If so, what is the structure's Square Footage? _____</p> <p>Have any of the existing residential structures been enlarged? If so, what is the structure's Square Footage? _____</p> <p>Does the total square footage exceed the maximum allowed in the CE?</p> <p>Is the location within the approved building envelope?</p>
Q.	<p>Have other silvicultural activities been performed on the property? If so, on how many acres?</p> <ul style="list-style-type: none"> <li>- Site preparation _____ acres</li> <li>- Tree planting _____ acres</li> <li>- Mechanical treatments _____ acres</li> <li>- Herbicide treatments _____ acres</li> </ul> <p>Have any palm trees or other potential landscape and/or ornamental plants been harvested?</p> <p>Has there been any prescribed burning on the property? If so, on how many acres _____</p>

	<p>Did firelines comply with all applicable BMPs?</p> <p>Was a burn authorization obtained?</p> <p>If required by the CE, were firelines approved and/or maintained according to CE?</p>
R.	<p>Have the following agricultural operations occurred on the property?</p> <ul style="list-style-type: none"> <li>- Improved pasture: _____ acres. Any increase in acres? Y / N</li> <li>- Row crops: _____ acres. Any increase in acres? Y / N</li> <li>- Sod: _____ acres. Any increase in acres? Y / N</li> <li>- Citrus groves: _____ acres. Any increase in acres? Y / N</li> <li>- Food plots: _____ acres. Any increase in acres? Y / N</li> <li>- Ponds: _____ acres. Any increase in number or acres? Y / N</li> </ul> <p>Are agricultural operations occurring outside of SNA's or other areas, as required by the CE?</p> <p>If cattle are present on the property, the cattle stocking rate 1 cow/calf per _____ acre(s)</p>
S.	<p>Have any activities occurred that may reasonably be expected to adversely affect threatened or endangered species? If so, what activities?</p>
T.	<p>Has the property been leased by any private parties (non-family) for the purposes of hunting or fishing?</p> <p>Have any animals been introduced or stocked? If so, list the species:</p> <p>Have any fish been introduced or stoked? If so, list the species:</p> <p>Is there any other visitation, recreation, or other public use occurring on the property? If so, what kind?</p>
U.	<p>Are there any changes in land use on nearby properties that the grantor or monitor anticipates will impact the subject property?</p> <p>If so, what type?</p>
V.	<p>Describe any new management or agricultural activities planned for next 12-18 months:</p> <ol style="list-style-type: none"> <li>1.</li> <li>2.</li> </ol> <p>Is the activity consistent with the terms and conditions of the CE?</p>

**PHOTOGRAPHIC DOCUMENTATION:** Provide photos representative of major agricultural land uses and/or physical changes since last monitoring inspection. The Photo Location Map and other pictures (pics) must be printed and attached to final Monitoring Report.

PIC	LOCATION	Orientation, Looking...	PHOTO CONTENT - DESCRIPTION OF LAND USE OR PHYSICAL CHANGE
1			
2			

3			
4			
5			
6			
7			
8			
9			
10			

**LANDOWNER REMARKS**

A.	Comments about the program:
B.	Requests/Questions:

**MONITOR REMARKS**

A.	General observations:
B.	Describe response taken by landowner to actions requested during last site inspection: 1. 2. 3.
C.	Is the Grantor or their representative charged with any follow-up or corrective action, based on the current site inspection? 1. 2. 3.
D.	Is the Baseline Documentation Report adequate for future monitoring? Y / N  If not, why?

## REPORT PREPARATION

	PRINT NAME	SIGNATURE	DATE
Landowner/Grantor or Representative			
Landowner/Grantor or Representative			
Monitor			

## REPORT REVIEW (To Be Completed at FFS State Office)

### Purpose of Monitoring Report Review:

To assure the site inspection complies with all monitoring requirements.

To affirm the property is enrolled in, and land managers are implementing, all applicable BMPs.

To affirm all land management activities are consistent with the terms and conditions of the CE.

To review landowners' response to any follow-up or corrective action requested at a *previous* site inspection(s).

To review any new actions or activities proposed during the *current* site inspection to ensure compliance with the CE.

To review any suggested updates to the property's Baseline Documentation Report.

A.	Has a site inspection been performed? Were all pertinent monitoring specifications completed?
B.	Were all conditions/activities/management strategies observed during the site inspection consistent with the terms of the CE?  If not, complete section "D" below.
C.	Did the landowner or their representative remedy the activities or conditions identified during the previous site inspection? Has their response been acceptable?  If not, why?
D.	Is the follow-up/corrective action charged to the landowner reasonable and consistent with the terms and conditions of the CE?
E.	If the site monitor suggested updates to the property's Baseline Documentation Report, are those suggestions reasonable and consistent with the terms and conditions of the CE?

## REPORT ACCEPTANCE

By signing below, the reviewer and the FFS Director's Office acknowledges receipt of monitoring report and accepts its findings, including any corrective actions documented in this report.

	PRINT NAME	SIGNATURE	DATE
REVIEWER			
FFS DIRECTOR			