



Agenda Item Summary

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Agenda Item Name:

Alachua County Forever -Agricultural Land Protection Strategy Updates

Presenter:

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Description:

Updates on the Alachua County Forever – Agricultural Land Protection Strategy including: Partner funding updates/opportunities, Repeal and Replace BOCC Resolution 24-081 (Exhibit 1) with revised Resolution 25-XXX (Exhibit 2), and additions to the agricultural easement category of the Active Acquisition List.

Recommended Action:

1. Receive updates on strategy implementation.
2. Adopt Resolution 25-XXX repealing and replacing Resolution 24-081 to amend the process for selecting and acquiring agriculturally significant lands.
3. Approve and authorize addition of six properties to the Agricultural Easement Category-Full Price List of the Active Acquisition List:
 - a) Lochloosa Forest Connector – Powell, Sanborn and Sanborn
 - b) Lochloosa Slough Flatwoods – Daniel Hall
 - c) Lochloosa Forest Connector –Ashley Wood and Sara-Nett Wood
 - d) Santa Fe River – Charles Davis
 - e) Watermelon Pond – DeCubellis
 - f) Hasan Flatwoods – Roger Davis

Prior Board Motions:

On March 22, 2022, the Board adopted Ordinance 2022-08 (Exhibit 4), repealing Ordinance 16-06 (“the current 0.50 percent local government infrastructure sales surtax”) effective December 31, 2022, and levying a new 1.0 percent local government infrastructure sales surtax on certain transactions occurring within Alachua County from which taxes are payable to the State of Florida under the provisions of chapter 212, Florida Statutes, for a period of ten years, beginning January 1, 2023, and ending December 31, 2032 (“new surtax”); providing that the levy of the new surtax, and the repeal of the current 0.50 percent local government infrastructure sales surtax, shall not be effective unless approved at a referendum election; providing for use of the proceeds of the new surtax; providing that 50.0 percent of the proceeds of the new surtax shall be used to acquire and improve lands for conservation, protection of natural resources, or public recreation, and to operate and maintain parks, recreational programs and recreational facilities throughout the county (“Wild Spaces Public Places

uses” or “WSPP uses”); providing that 50.0 percent of the proceeds of the new surtax shall be used to repair roads and improve road safety, construct or renovate fire stations and other public facilities, acquire lands for affordable housing, and fund economic development projects pursuant to Florida Statute 212.055(2)(d)(3), Florida Statutes (“non-WSPP uses”); providing that not more than 15.0 percent of the proceeds of the new surtax may be used to fund economic development projects pursuant to Florida Statute 212.055(2)(d)(3), Florida statutes; providing for authorization and legislative findings; providing for a referendum election on November 8, 2022; providing ballot language; providing for distribution among the governments of Alachua County and eligible municipalities pursuant to the formula provided in section 218.62, Florida Statutes; providing for severability; providing an effective date.

On September 10, 2024, the Board established the agricultural land protection strategy with the following motions:

1. Adopt BOCC Resolution 24-081 codifying mission & ranking matrix & citizen board structure and operational process.
2. Allocate \$10M of Wild Spaces and Public Places funding to acquisition of agricultural land conservation easements through the Agricultural Land Protection Strategy (and authorize staff to fund 3 existing projects with this funding: Hasan Flatwoods -Roger Davis, Lochloosa Connector-Richardson Brothers, and High Springs-Shires).
3. For Partner-Funded Easements, establish and require Minimum Easement Deed Requirements that retain county rights (enforcement, inspection, etc.).
4. Direct staff to prioritize projects with cost-sharing from partners or landowner donation.
5. Consider identified Staffing/Operational needs in upcoming budget cycles.
6. Direct staff to return in FY26 with recommendations for amendment after initial implementation, including re-evaluation of small farm (40 acre or less) inclusion and climate action plan concurrency.
7. Add sink holes and karst features to the ranking criteria.

Six properties have previously been added to the Active Acquisition List by the Board after review and recommendation by the LCB:

- a) On January 25, 2022 the BoCC added the Santa Fe River – Charles Davis property (Exhibit 3-a) to the bargain share list
- b) On January 25, 2022 the BoCC added the Hasan Flatwoods – Roger Davis (Exhibit 3-b) property to the bargain share list
- c) On June 28, 2022 the BoCC added the Lochloosa Slough Flatwoods – Daniel Hall (Exhibit 3-c) property to the full price list.
- d) On January 1, 2025 the BoCC added the Lochloosa Forest Connector – Powell, Sanborn and Sanborn property (Exhibit 3-d) to the full price list.
- e) On January 14, 2025 the BoCC added the Watermelon Pond – DeCubellis property (Exhibit 3-e) to the full price list.
- f) On June 25, 2024, the BoCC added the Lochloosa Connector –Ashley and Sara-Nett Wood property (Exhibit 3-f) to the full price list.

Fiscal Note:

No direct fiscal impact is associated with this action. Any property acquisition contracts negotiated by staff will be brought back to the Board for authorization of associated expenditures. Emphasis on cost sharing for agricultural easement acquisitions will be maintained at the staff level, but the amount of potential cost share partners may be reduced, with an anticipated result being fewer acquisitions with cost share partnerships.

Strategic Guide:

Environment

Background:

COST SHARE PARTNERSHIP UPDATE

At adoption of the agricultural land protection strategy in September 2024, the BOCC directed staff to prioritize agricultural easement projects with cost-sharing (from partners or landowner donation). The expected potential partners were the federal government through the USDA-NRCS Agricultural Lands Easement Program (USDA-ALE) and the state government through the FDACS – Rural and Family Lands Protection Program (RFLPP). Other partnerships including landowner donation and other local state or federal grants may also be obtained.

Legal review (Exhibit 4) of the BOCC Ordinance 2022-08 (Exhibit 5) identified the language stating surtax proceeds may be used to "...To acquire any interest in land for conservation, public recreation, and protection of natural resources, including but not limited to the protection of drinking water sources, water quality, and wildlife habitat; and....". State of Florida policy is to not share title with acquisition partners. Instead, State practice is to provide acquisition partners with third party right of enforcement. Opinion from the County Attorney's Office and from the outside counsel to the Infrastructure Surtax Oversight Board state that funding a partner's acquisition of land for conservation as fee-simple or less-than fee, in which Alachua County does not receive title or shared title, does not meet the standard of "acquisition".

RESOLUTION REVISIONS

Staff from the Land Conservation Program, County Attorney's Office, and members of the Agricultural Land Conservation Board have identified revisions to Resolution 24-081 to improve clarity and workflow assignments of the ALCB. Several scrivener's errors have been corrected. Some sections of the resolution have been re-ordered for clarity. Additional descriptive detail has been added to some sections. Decision-making responsibility of the ALCB related to current or potential cost-share opportunities on specific properties has been revised from the original multi-category decision process to a more straightforward assessment of property being recommended for addition to the Active Acquisition List in either the full price list or cost-share list (requiring a 25% funding partner). The resolution directs staff to prioritize cost-share whenever possible.

ACTIVE ACQUISITION LIST UPDATE:

On November 4, 2025, the Agricultural Land Conservation Board reviewed eight properties on the County's Active Acquisition List for alignment with the goals of the agricultural land protection strategy. These properties were previously evaluated and placed on the Active Acquisition List in the Environmentally Significant Lands category. The ALCB moved to recommend that five of those properties be recommended to the BoCC as additions as to the Agricultural Easement category of the Active Acquisition List. This action will authorize staff to work with the landowners to negotiate agricultural easements on this properties, while seeking, but not requiring cost-share.

On January 25, 2022 the BoCC added the Hasan Flatwoods – Roger Davis property Active Acquisition List - Bargain Share List. On September 10, 2024, the BOCC authorized the Hasan Flatwoods – Roger Davis property to be acquired through the agricultural land easement category. At that time funding partnership for this property was anticipated through FDACS-RFLPP. Staff recommend the property now be added to the Full Price List of the agricultural easement category.

Comp Plan Reference:

Policy 6.0 Land Conservation Program within the Conservation and Open Space Element, states "Establish and maintain a land conservation program for the purchase, preservation, and management

of natural areas and open space to complement the regulatory approaches identified in other section of this element.”