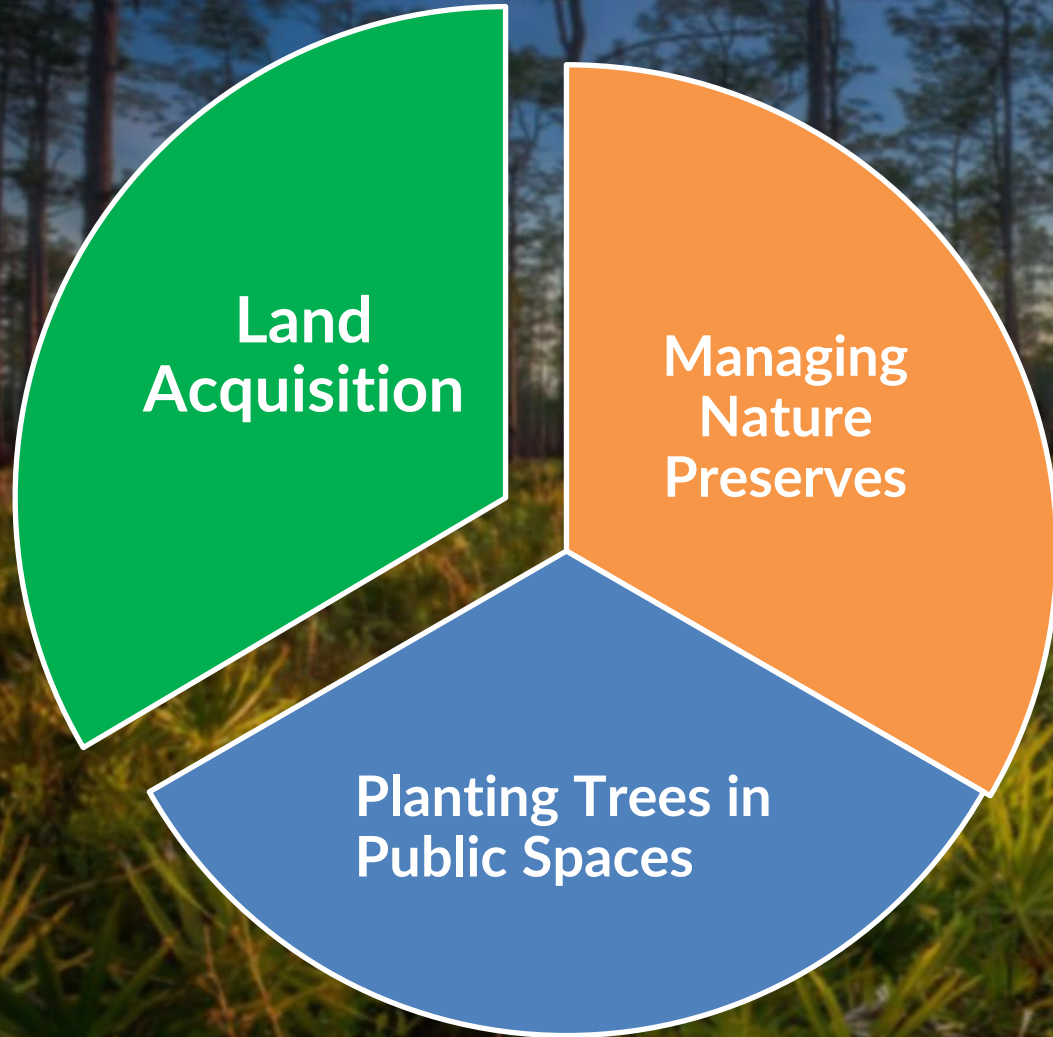


Alachua County Forever

*Agricultural Land Protection Strategy Update
BoCC Special Meeting
5/5/2026*



ACF Primary Land Conservation Functions

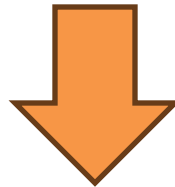


ACF purchases land and development rights from willing landowners and manages and restores those lands to protect environmental resources and provide recreational access.

A strategy within Alachua County Forever:

ACF Mission:

Acquire, improve, and manage environmentally significant lands that protect water resources, wildlife habitat and natural areas suitable for resource-based recreation.



ACF's Agricultural Land Protection Strategy Mission:

To increase farmland conservation within Alachua County through the purchase of agricultural land conservation easements, and promote open, scenic space.”

Agricultural Land Protection Strategy

Establishment Motions – 9/10/24

1. Adopt BOCC Resolution codifying mission & ranking matrix & citizen board structure and operational process. **DONE AND RESOLUTION REVISED IN 2025**
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).
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. **ONGOING**
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. **ONGOING**
7. Add sink holes and karst features to the ranking criteria. **DONE**

UPDATES TODAY

1. USDA NRCS Partnership Update
2. FDACS Partnership terms

Funding Partnership Update

USDA NRCS - Agricultural Easement Program

- **Easement Structure** – Base easement would be County easement template, County would hold title, USDA receives minimum deed terms. USDA pays 50% of easement cost.
 - Partnership dependent upon USDA funding.
 - 2025/26 - 34 properties were submitted, 11 were funded (primarily in S FL).
 - 2025/2026 - Land Conservation staff prepared applications for 9 farms. No Alachua County properties were funded.

USDA Minimum Easement Deed Terms

Attached to all easements where NRCS is a partner:

SECTION II - PROTECTION OF THE UNITED STATES' INTERESTS

- Third Party Right of Enforcement for USDA
- Proportionate Share of Easement Value due to USDA if Easement is terminated.
- Approval of any amendments
- Environmental Warranty
- General Disclaimer and Grantor Warranty

Funding Partnership Update

FDACS - Rural and Family Lands Protection Program

– **Easement Structure** – Base easement is FDACS template. Highly flexible for landowner agricultural uses, specific conservation values are included but not the emphasis. State has offered choice of 2 options:

Option 1: State solely holds title and County is allowed third party right of enforcement established through a secondary agreement between the State and County. Opinions from CAO and ISOB outside counsel that surtax funds are not authorized as this does not meet the legal requirement to “acquire any interest in land for conservation” in the Surtax Ordinance Section 4.a. i. of Ordinance No. 2022-08 in accordance with Section 212.055(2), Florida Statutes.

Infrastructure Surtax Citizen Oversight Board

Meetings on September 2025 and January 2026

- **Infrastructure Surtax Citizen Oversight Board:** On January 12, 2026, the Infrastructure Surtax Citizen Oversight Board determined that Option 1 was not eligible for the use of surtax funds after discussing the issue in their September 2025 meeting and receiving a legal opinion from outside counsel.

Rural and Family Lands Protection Easement

Option 2: State allows County to be named as co-grantee in easement deed. County would have a Property interest but no enforcement rights. Provides a 7-day notice to accompany FDACS on monitoring events. Specifically removes all other rights of entry & monitoring, and all rights of enforcement.

How is this different than past ACF easements/partnerships?

- County holds title and has rights of enforcement on all previous easements.
- State easement cites to Chapter 570, Florida Statutes which provides for a Rural Lands Protection Easement as opposed to only Section 704.06, Florida Statutes.
- Easement language allows for any future agricultural activity referenced in statute to be allowed on the easement property.
- Easement language allows State to freely assign to any other governmental entity.

Note: Easements would not generally be included on the Alachua County Registry of Protected Public Places.

OPTIONS TO CONSIDER

1. Modify objectives of Agricultural Land Protection Strategy.
2. Only seek partnerships that retain county rights and interests.
3. Establish funding limits when county receives fewer rights or interest.
4. Partner with RFLPP under Option 2 (title but no right of enforcement).
5. Other options?

STAFF RECOMMENDATIONS

1. Receive updates on strategy implementation and funding partnerships.
2. Request Board policy direction with regards to FDACS – Rural and Family Lands Protection Program Partnerships.

QUESTIONS?

