

MEMORANDUM



To: Florida Fish and Wildlife Conservation Commissioners
From: Dr. Thomas Eason, Director, Division of Habitat and Species Conservation
Date: April 13, 2016
Subject: Land Acquisition Delegations

Purpose:

Request that the Commission delegate approval of acquisition agreements less than \$500,000 to the Executive Director, in consultation with the Chairman, and also provide the Executive Director a temporary Delegation of Authority to grant final approval of Acquisition Agreements exceeding \$500,000.00 in value, in consultation with the Chairman, until the September 2016 Commission Meeting.

Summary:

Florida Forever is the state's long-standing conservation and recreation land acquisition program. Land acquisition is overseen by the Acquisition and Restoration Council, a 10-member group with representatives from four state agencies (including FWC), four appointees of the Governor, one appointee by the Fish and Wildlife Conservation Commission (FWC), and one appointee by the Commissioner of Agriculture and Consumer Services (DACS). ARC has responsibility for the evaluation, selection and ranking of state land acquisition projects on the *Florida Forever* priority list, as well as the review of management plans and land uses for all state-owned conservation lands. The Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust Fund (Trustees) approve the priority list ranking recommended by ARC annually and also vote on acquisitions of major projects which are titled to the State of Florida. All state agencies that have state land management responsibilities receive allocations for purchase of inholdings and additions. FWC is designated by statute to receive 1.5% of funds appropriated into the program by the legislature.

FWC's inholdings and additions acquisition program is directed towards conserving wildlife habitat and improving the management of adjacent Wildlife Management Areas and Wildlife and Environmental Areas. Funding amounts have fluctuated over the years, however, funds that are available are able to be spent by the Commission to acquire land solely or in partnership with other state agencies, for conservation and public use. Any acquisitions must first be approved by the Commission, and then the trustees as such lands are titled to the State of Florida. FWC only pursues parcels which have previously been identified as important inholdings or additions and approved by the Commission in the *Florida Fish and Wildlife Conservation Commission Florida Forever Inholdings and Additions Acquisition List* (last updated in November, 2011). Typically, land acquisition staff would negotiate on behalf of both the Commission and the Trustees with property owners and bring a proposed agreement to the Commission for approval, after which would be consideration by the Trustees.

In 1999, the Trustees delegated approval of acquisition agreements for parcels having a value of less than \$250,000 to the Division of State Lands, in order to allow the real estate process to move forward in a more expeditious fashion. That delegation was increased to \$500,000 in 2011. In the early years following formation of the Commission, a similar delegation of authority was passed giving the Executive Director authority to move forward on Acquisition Agreements less than \$250,000. Staff recommends the Commission establish a similar level for the delegation of acquisitions less than \$500,000 to the Executive Director, in consultation with the Chairman.

Staff is recommending the temporary delegation for approving parcels with values in excess of \$500,000 in order to avoid delay of a potential upcoming acquisition that may require approval prior to the June 21-23, 2016, Commission meeting. Currently, staff is involved with negotiations for the acquisition of potential project(s), the scheduling of which is anticipated to seek approval from the Governor and Cabinet prior to the June Commission meeting. If an Acquisition Agreement for one of these project(s) was ready for execution, the Executive Director, in consultation with the Chairman, would be able to approve the acquisition to move forward for the Trustees' consideration.

Staff Recommendation:

Approve a Delegation of Authority for the Executive Director to approve Acquisition Agreements less than \$500,000 in value, in consultation with the Chairman, and a temporary Delegation of Authority to grant final approval of Acquisition Agreements exceeding \$500,000.00, in consultation with the Chairman, until the September 2016 Commission Meeting.

Staff Contact and/or Presenter:

Dr. Thomas Eason, Director, Division of Habitat and Species Conservation