

# Delegation of Authority for Land Acquisition Agreements



Draft Rule – Consent Agenda  
October 7, 2020



**Florida Fish and Wildlife Conservation Commission**

This is a draft rule to amend the Delegations of Authority in Rule 68-1.009, F.A.C. to allow the Executive Director to approve land acquisition agreements for additions to the Wildlife Management Area system for up to \$1,000,000.

Division: Habitat and Species Conservation

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All photos are by FWC unless otherwise noted.

## Summary

- Allows the Executive Director to approve acquisition agreements (purchase or option agreements) up to \$1,000,000 in Commission funding.
- Will help streamline and expedite the acquisition process, which is undertaken in partnership with the Division of State Lands.
  - Final approval for acquisitions is provided by the Governor and Cabinet.
- Lands acquired by FWC are important for the conservation of fish and wildlife and to provide public access for hunting and other recreational activities.



Florida Forever acquisitions are led by the Florida Department of Environmental Protection, with a small portion of funds allocated in some years to the FWC for the acquisition of inholdings or areas adjacent to Wildlife Management Areas. The update to the Delegation of Authority would allow the Executive Director to enter into agreements for purchases using up to \$1,000,000 of FWC funds. Acquisition agreements exceeding \$1,000,000 in Commission funding would be subject to Commission approval.

FWC identifies lands within or adjacent to FWC-managed areas important for the conservation of fish and wildlife, that serve as a link or corridor to other publicly owned property, enhance the protection or management of the property, would create a more manageable boundary configuration, have a high resource value that would otherwise be unprotected, or that could be acquired at substantially less than fair market value. Land acquisition projects are developed through a comprehensive team approach, working in close cooperation with our land management and planning staff, regional and field biologists, and research units. FWC's land acquisition programs are authorized by Chapters 253, 259 and 372, F.S. and must comply with the land acquisition requirements, standards and practices, procedures and criteria set forth in these statutes as well as those within Chapter 18-1, F.A.C.

# Delegation of Authority - Amendments

- Rule 68-1.009, F.A.C.
- Delegations of Authority by the FWC to the Executive Director document.



Delegations of Authority to the Executive Director are incorporated into Rule 68-1.009, F.A.C. by reference. The proposed changes will update the date of incorporation and amend the current delegation that requires final approval by the Commission. This modified delegation will allow the Executive Director to approve acquisition agreements (purchase or option agreements) that include up to \$1,000,000 in Commission funding, or when exceeding \$1,000,000, are subject to Commission approval.

This delegation is consistent with previous temporary delegations granted to the Executive Director that authorized the Executive Director to approve acquisition agreements until final approval could be obtained at a subsequent Commission meeting. If this delegation is approved, these sporadic, temporary delegations would not be needed, allowing the Executive Director to approve those land purchases unless they are more than \$1,000,000 in FWC funds. The last temporary delegation was in July 2017.

## Staff Recommendation

- Approval of the delegation of authority to allow the Executive Director to approve acquisition agreements up to \$1,000,000 in Commission funding.
- Approval to publish notices of proposed rule for 68-1.009, F.A.C., and adopt as final without further hearing unless requested.

*If approved, this rule revision would be noticed and filed for adoption as allowed by Chapter 120.54(3), F.S., with no further public hearings.*

