

**SUWANNEE RIVER WATER MANAGEMENT DISTRICT
LANDS COMMITTEE MEETING AGENDA**

GoTo Webinar Link:<https://attendee.gotowebinar.com/register/7821906343365978383>

Public Comment Form Link: www.MySuwanneeRiver.com/Comments

Open to Public

Limited Seating Capacity and Following CDC Guidelines Regarding Social Distancing

May 11, 2021
Following Board Meeting

District Headquarters
Live Oak, Florida

1. Call to Order / Committee Roll Call
2. Public Comments

General Discussion / Updates

3. Bailey Brothers Conservation Easement Update– Dixie/Lafayette
4. GBD21-0003 - Updated Water Resource Guidelines for Acquisition and Surplus of Lands Directive

Exchanges

None

Land Acquisition / Property Offers

5. Rayonier Lake Sampson Tract – Bradford County

Conservation Easement Modification Requests

None

Surplus Lands

None

6. Announcements
7. Adjournment

A person may not lobby the District until such person has registered as a lobbyist with the Contracts and Procurement Coordinator by filing a registration form.

Definitions:

•"Lobbies" is defined as seeking to influence a district policy or procurement decision or an attempt to obtain the goodwill of a district official or employee. (112.3261(1)(b), Florida Statutes [F.S.]

•"Lobbyist" is a person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity. (112.3215(1)(h), F.S.)

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Lands Committee

FROM: Stephen Schroeder, Chief, Office of Administration

THRU: Tim Alexander, Deputy Executive Director, Business and Community Services

DATE: April 23, 2021

RE: Governing Board Directive 21-0003, Updated Water Resource Guidelines for Acquisition and Surplus of Lands

RECOMMENDATION

Approval of Governing Board Directive 21-0003, Water Resource Guidelines for Acquisition and Surplus of Lands

BACKGROUND

The proposed revisions update the directive to reflect current practice regarding land acquisition and surplus; clarify the Governing Board's policy reflecting a preference for less than fee acquisitions when possible; clarify staff responsibilities in the area of surplus properties and provide clarification for disposition of funds derived from the sale of surplus properties. The revisions also delete obsolete language and define additional relevant terms.

The proposed revisions are part of an ongoing staff initiative to simplify and clarify District Directive, Policies and Procedures. The revised directive will supersede Directive GBD19-0005.

SCS/rl
Attachments

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

GOVERNING BOARD DIRECTIVE



Directive Number: GBD19-0005

Date Approved: July 9, 2019

Subject: Water Resource Guidelines for Acquisition and Surplus of Lands

Approval: _____
Virginia Johns, Chair

Richard Schwab, Secretary/Treasurer

1.0 Reference to Prior Directive

Supersedes Directives 99-01 LA, 06-01 LA, 2009-01 LA, 2011-03LM, 2011-01LM, 2015-001, GBD17-0002, GBD18-0003, ~~and~~ GBD19-0001, and GBD 19-0005.

2.0 Purpose and Intent

The purpose of this Directive is to provide water resource guidelines for consideration in the land acquisition and surplus processes, establish procedures for determination of surplus lands, and create procedures for disposition of revenue derived from the disposal of lands acquired with Preservation 2000 and Florida Forever funds.

3.0 Statement of Policy

It is the policy of the Governing Board that the acquisition of a less than fee interest shall be the primary consideration in all acquisitions. If the offeror is unwilling to negotiate a less than fee transaction, the staff shall provide justification for the acquisition of a fee interest over a less than fee interest including at a minimum the additional benefits of fee ownership over a less than fee ownership. These benefits could include but are not limited to enhancement of fee lands already owned by the District, increased public access, increased hunting accessibility for the public and decreased costs for and obstacles to conducting projects on the property. Staff shall seek to reserve the right to implement future water resource projects within a conservation easement wherever practicable.

34.0 Definitions

- A. For the purpose of this directive, surplus lands are defined as those District-owned property interests no longer need to be owned to further the District's land conservation purposes of flood control, water storage, water management, conservation and protection of water resources, aquifer recharge, water resource and water supply development, and preservation of wetlands, streams, and lakes or that either need not be acquired-owned in for a potential or a proposed project, or no longer need to be owned to further the District's land conservation purposes of flood control, water storage, water management, conservation and protection of water resources, aquifer recharge, water resource and water

~~supply development, and preservation of wetlands, streams, and lakes, as per section 373.016, Florida Statutes (F.S.).~~

~~B.~~ The term "Current appraisal" shall mean, for purposes of section 4.B.9 for properties valued at \$25,000 or less, an appraisal conducted not more than 360 days prior to submission to the District. In all other instances it shall mean an appraisal conducted not more than 180 days prior to the date of submission to the District.

~~B.C.~~ The term Less than Fee shall mean a conservation easement.

45.0 Elements of Directive

A. Land Acquisition Process:

~~1.~~ Property offers shall be in accordance with Rule 40B-9.041, Florida Administrative Code. ~~All bona fide offers must be received by the District by February 1 for funding consideration in the following fiscal year commencing October 1, unless otherwise authorized by the Lands Committee and Governing Board. As defined in that Rule, a Bona Fide offer must include the following:~~

~~a. County property appraiser's parcel ID number.~~

~~b. An aerial map or other documentation upon which the property boundaries are shown or described;~~

~~c. A copy of the deed showing the current owner of record for the property being offered;~~

~~d. The owner's initial asking price for the property;~~

~~e. Identification of any easements, deed restrictions, mineral interests, or other rights held by persons other than the fee title owner; and,~~

~~f. Identification of any existing purchase agreement, option contract, listing agreement, or any other agency arrangement or agreement entered into by the seller relating to the subject property~~

~~1. — 2.~~ Staff shall develop and maintain a ~~qualified project~~ proposed acquisition list which shall be presented to the Lands Committee and Governing Board. ~~for approval to identify priority projects.~~

~~Staff shall seek to reserve the right to implement future water resource projects within a conservation easement wherever practicable.~~

~~2.~~ 3. Regulatory Mitigation Conservation Easements are excluded from the process in ~~45.0 A.1-3.~~

- a. Regulatory Mitigation Conservation Easements for preservation of natural systems are not required to be approved by the Lands Committee or Governing Board.
- b. Regulatory Mitigation Conservation Easements as determined by staff to be inconsistent with natural system preservation shall be considered by the Lands Committee and Governing Board.

B. Surplus Lands Process:

Determination of surplus lands shall be as follows:

1. ~~Staff shall periodically review fee ownership of the District and identify parcels for potential surplus. A review shall be conducted of all potential surplus lands. Additional surplus parcels may be identified where a request is submitted by a member of the public or as part of a potential exchange of lands. All parcels identified as potential surplus shall be submitted to the Lands Committee at any regularly scheduled meeting at which public comment will be received~~
2. ~~Potential surplus lands for consideration shall be presented to the Lands Committee at a regular scheduled Committee meeting in which public comment will be received.~~
- 3.2. The Lands Committee approved list of potential surplus lands shall be posted on the District website to inform the public of the next meeting in which the Governing Board will consider the proposed lands for surplus.
- 4.3. No lands shall be recommended to the Lands Committee or Governing Board for consideration as surplus unless an on-site inspection has been conducted by District staff within the four months prior to the recommendation.
- 5.4. At a regular-scheduled Governing Board meeting of which notice was given, the Governing Board shall receive public comment with regards to the lands considered for surplus. For lands acquired for conservation purposes as specified in sections 373.089(6)(c) and (d), F.S., including all lands in which the title was vested in the District prior to July 1, 1999, the Governing Board must determine the lands are no longer needed for conservation purposes by an affirmative vote of two-thirds of the Governing Board membership (six Board members) consistent with Article X, Section 18 of the Florida Constitution. All other lands may be designated as surplus and approved for disposal by a simple majority vote of the Governing Board.
- 6.5. At the time of the Governing Board's determination of lands as surplus, the Governing Board may also consider retention of a conservation easement or deed restrictions over the property as a condition of the ultimate sale or exchange of the District's fee interest in the property.
- 7.6. At the time of the Governing Board's determination of lands as surplus, the Governing Board may also consider reservation of rights that may be needed for implementation of projects (restoration or water resource development) as a condition of the ultimate sale or exchange of the District's fee interest in the property.
- 8.7. A bona fide offer to purchase surplus lands shall consist of a written offer and a monetary deposit to be determined by the Lands Committee.
- 9.8. For surplus properties without a current appraisal, upon receipt of a bona fide offer to purchase, an appraisal shall be initiated only at the direction of the Lands Committee. ~~for surplus properties without a current appraisal.~~
- 10.9. Requests for undeclared lands to be surplus shall be initiated only upon receipt of a current appraisal performed by an appraiser ~~from the District's approved appraisal list or payment to the District to perform an appraisal.~~ listed as qualified on the Florida Department of Environmental Protection website.
- 11.10. Request for ~~undeclared~~ lands to be surplus and or subdivided shall be initiated only upon receipt of payment for a survey and appraisal.

C. Disposal of Surplus Lands:

The District will follow the procedures in sections 373.056 and 373.089, F.S., when selling, conveying, and/or disposing of interests in real property as surplus lands.

Staff may contract with one or more real estate brokers for purposes of listing for sale surplus parcels. Staff shall maintain an updated surplus property webpage on the District's website which, at a minimum, will list all parcels declared as surplus, provide a general location map of the parcel, provide the County property appraisers parcel ID number, and identify any interest to be retained by the District.

All surplus land shall be sold at or above the current appraised value.

D. Revenue Derived from the Proceeds of Surplus Lands:

1. Revenue derived from the sale of Preservation 2000 lands shall be deposited into the Florida Forever Trust Fund within the Florida Department of Environmental Protection in accordance with section 259.101(5)(c), F.S.
2. Revenue derived from the sale of property acquired with Florida Forever ~~lands-funds~~ shall be deposited into a Florida Forever restricted fund which shall be used to implement the District's Florida Forever Work Plan.
3. Florida Forever Program funds that are unencumbered shall be managed pursuant to section 259.105, F.S.
4. The District's lands database shall be used to track and monitor sales of surplus lands and disclosed within the Annual Florida Forever Work Plan updates.

E. Water Resource Evaluation Guidelines for Acquisition and Surplus:

The following water resource guidelines shall be used to screen voluntary property offers to sell lands for potential acquisition and to screen lands for potential surplus. Screening for water resources guidelines shall use the best available data. Staff shall present the screening results to the Lands Committee and Governing Board.

1. The extent to which the lands provide protection of Outstanding Florida Springs and Priority Focus Areas;
2. The extent to which the lands provide protection for Outstanding Florida Springs, Priority Focus Areas, and other springs (either directly or indirectly);
3. The extent to which the lands provide protection of surface waters (wetlands, lakes, springs, and streams);
4. The extent to which the lands provide flood protection;
5. The extent to which the lands are needed for implementation of water resource development projects, restoration, or other projects;
6. The extent to which the lands provide conservation and protection of water resource values consistent with the objectives of the District's Florida Forever Work Plan;
7. The extent to which the lands benefit existing acquisition holdings; and
8. The extent to which the lands enhance land management objectives.

F. Land Acquisition Guidelines:

The detailed assessment of an owner's voluntary offer to sell lands shall seek to minimize the potential acquisition of surplus lands by employing the following practices prior to acquisition:

1. Project objectives shall be clearly stated;
2. Delineate project boundaries to meet project objectives;
3. Keep acquisitions within the project boundaries during negotiations whenever possible by offering alternatives such as the purchase of a conservation easement over lands adjacent to the project area; and
4. An analysis of potential surplus lands within an acquisition project when recommending an acquisition for approval to the Lands Committee and Governing Board.

G. Surplus Lands Guidelines:

The following factors shall be considered in the analysis of the District's land holdings for determining which lands are no longer needed for conservation and make a recommendation for potential surplus.

1. The results of the screening as defined by the Water Resource Evaluation Guidelines for Acquisition and Surplus.
2. The extent to which disposing of the lands will adversely affect management effectiveness and efficiency.
3. The extent to which the lands are currently used by the public for recreational purposes.
4. Whether disposal of the lands would result in a net loss of lands open to public hunting.
5. The extent to which the lands provide other significant archaeological, historical, or ecological value.
6. The extent to which the lands provide a valuable linkage to conservation property owned by the District or other publicly owned conservation lands.
7. The extent to which the lands would be accessible to a future owner without causing adverse impacts to natural resources or hindering the District's management of the property (including prescribed fire management).
8. The extent to which the lands are marketable.
9. The extent to which concerns of other public conservation land managers or members of the public have been addressed.
10. The extent to which disposing of the lands will adversely affect potential future water resource development projects.
11. The extent to which lands are more suitable for management by others due to size or location with the District retaining a conservation easement.
12. The extent to which lands acquired for projects are no longer being pursued or the project is completed and the land or a portion thereof is no longer needed.
13. The extent to which lands acquired with Preservation 2000 or Florida Forever funds, the intent of the Act as prescribed in section 259.101(6), F.S.
14. For lands with merchantable timber, the extent to which disposing of the land would reduce timber revenue available to the District.
15. Access to public or private water and/or wastewater utilities.
16. Additional tools and data that become available.

H. Surplus of Lands to Governmental Entities Guidelines:

The following criteria shall be considered in addition to the surplus lands guidelines for determining surplus potential:

1. Whether the community is designated as a REDI (Rural Economic Development Initiative) eligible community pursuant to section 288.0656, F.S.
2. Whether a long-term lease would accomplish the goals of the local governmental entity.

I. Surplus of Parcels Valued at \$25,000 or Less Guidelines:

The following criteria shall be considered in addition to the surplus lands guidelines for determining surplus potential:

1. The proximity to District or other public conservation lands.
2. The ability of District to manage parcel.

J. Lands Committee Expenditure Authority:

The Lands Committee is authorized to approve acquisition and surplus assessment expenditures or other related land activity expenditures up to \$30,000.

SUWANNEE RIVER WATER MANAGEMENT DISTRICT

GOVERNING BOARD DIRECTIVE



Directive Number: GBD21-0003

Date Approved: _____

Subject: Water Resource Guidelines for Acquisition and Surplus of Lands

Approval: _____
Virginia Johns, Chair

Charles Keith, Secretary/Treasurer

1.0 Reference to Prior Directive

Supersedes Directives 99-01LA, 06-01LA, 2009-01 LA, 2011-03LM, 2011-01LM, 2015-001, GBD17-0002, GBD18-0003, GBD19-0001, and GBD 19-0005.

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 - d. The owner's initial asking price for the property;
 - e. Identification of any easements, deed restrictions, mineral interests, or other rights held by persons other than the fee title owner; and,
 - f. Identification of any existing purchase agreement, option contract, listing agreement, or any other agency arrangement or agreement entered into by the seller relating to the subject property.
2. Staff shall develop and maintain a proposed acquisition list which shall be presented to the Lands Committee and Governing Board.
3. Regulatory Mitigation Conservation Easements are excluded from the process in 5.0 A.:
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SUWANNEE RIVER WATER MANAGEMENT DISTRICT

MEMORANDUM

TO: Lands Committee
FROM: Pat Webster, Chief, Office of Agriculture and Environmental Projects
THRU: Tim Alexander, Deputy Executive Director, Business and Community Services
DATE: April 21, 2021
RE: Rayonier Lake Sampson Tract – Bradford County

RECOMMENDATION

Authorize the Executive Director to contract with North Florida Land Trust to begin negotiations with Rayonier regarding the purchase of approximately 30 acres in Bradford County for a not to exceed amount of \$30,000.

BACKGROUND

In May 2020, the District executed a contract with Florida Department of Environmental Protection (FDEP) for the Bradford County Silviculture Enhancement and Recharge Project. One component of this project is to replace the drainage well that was in Lake Sampson. This new drainage well would be designed to take waters above a defined lake elevation to potentially limit lake flooding and recharge water to the aquifer for the benefit of the Santa Fe River.

In discussions with FDEP permitting, this new well must be of similar capacity and location within the basin as the original well. This “like for like” requirement is required to replace the old well without permitting of the well itself. The well site and conveyance structures are anticipated to require permitting. The Rayonier Tract is located within 2,500 feet of the estimated location of the original well and has upland areas where the new well could be placed. It also is of sufficient size to provide a buffer around the well and its associated structures and has public road frontage for access. There is approximately 900 feet of frontage on Lake Sampson.

Staff plans to utilize North Florida Land Trust to assist with the real estate due diligence and negotiations.

A location map is attached.

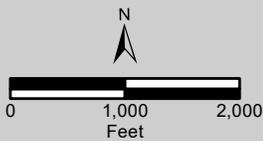
RH/rl
Attachment



- Rayonier Lake Sampson Tract
- Bradford Ditches
- Old Lake Sampson Drainage Well_est.location

Rayonier Lake Sampson Tract

Bradford County



Note: This map was created by the Suwannee River Water Management District (SRWMD) to be used for planning purposes only. SRWMD shall not be held liable for any injury or damage caused by the use of data distributed as a public records request regardless of their use or application. SRWMD does not guarantee the accuracy, or suitability for any use of these data, and no warranty is expressed or implied. For more information please contact the SRWMD at 386-362-1001.
 Map Created on 4/21/2021