

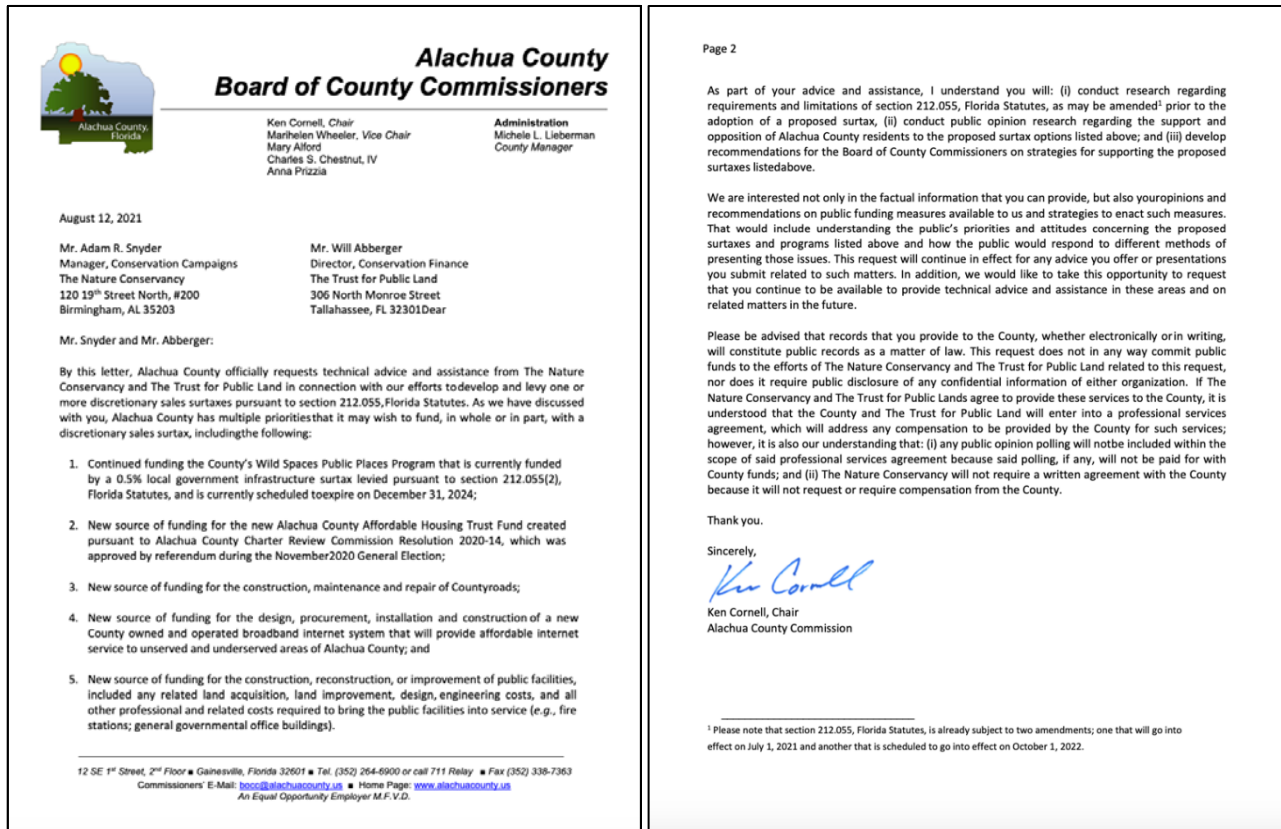
CONSERVATION FINANCE FEASIBILITY STUDY | DECEMBER 2021

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# ALACHUA COUNTY, FLORIDA



THE  
TRUST  
**FOR**  
**PUBLIC**  
**LAND**



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## INTRODUCTION

The Trust for Public Land is a national nonprofit land conservation organization that creates parks and protects land for people, ensuring healthy, livable communities for generations to come. In Florida, the Trust for Public Land has protected more than 169,000 acres of waterfront, greenways, archaeological sites, and key wildlife habitat areas, and has assisted with funding and acquisition of many parks, trails, and historic sites. In Alachua County these include Boulware Springs, Blues Creek Ravine and Fox Pond (in cooperation with Alachua Conservation Trust), the Sixth Street Trail, and Lochloosa Slough.

To help public agencies or land trusts acquire land, the Trust for Public Land's Conservation Finance program assists communities in identifying and securing public financing. The Trust for Public Land offers technical assistance to elected officials, public agencies and community groups to design, pass and implement public funding measures that reflect popular priorities.

Since 1996, The Trust for Public Land has supported more than 600 successful ballot measures that have created \$83 billion in new funding for parks, land conservation, restoration, and more. Voters have approved 83 percent of the ballot measures supported by the Trust for Public Land. This includes 34 of 40 local measures in Florida that went to ballot since 1996. The Trust for Public Land assisted with passage of Alachua County's Wild Spaces & Public Places half cent sales tax in both 2008 and 2016. Most recently in Florida, The Trust for Public Land supported four measures in 2020: Collier County, Volusia County (two measures), and Manatee County, all of which passed with at least 71 percent support.<sup>1</sup>

Funding parks and conservation priorities is a very tangible step communities take to improve quality of life, guide land use, manage growth, provide recreation amenities, and protect natural landscapes and critical ecosystems. This study provides an analysis of Alachua County's Wild Spaces Public Places surtax, with the potential to increase the local government infrastructure surtax and fund additional priorities such as affordable housing. This research provides a fact-based reference document that can be used to evaluate options from an objective vantage point.<sup>2</sup> The report is not a needs assessment and does not directly address prioritizing park or recreation amenities. As a next step, The Trust for Public Land will conduct a public opinion survey that tests ballot language, tax tolerance, and program priorities of voters in the county using private funds.

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<sup>1</sup> The Trust for Public Land, LandVote, [www.landvote.org](http://www.landvote.org)

<sup>2</sup> The contents of this report are based on the best available public information at the time of research and drafting, September-November 2021. This feasibility study is not a legal document and should not be relied upon as a legal opinion.



## EXECUTIVE SUMMARY

The Trust for Public Land has undertaken a feasibility analysis to explore the local government infrastructure surtax for Alachua County. Given the substantial investment of time and resources required for a successful ballot measure campaign, preliminary research is essential to determine the feasibility of such an effort. This report provides a brief examination of the local sales tax. This report first reviews the county's background, including basic demographics and governance. Next, the report analyzes the possibility of extending or increasing the local infrastructure surtax for funding conservation, parks and trails, as well as other priorities such as affordable housing and transportation, including their legal authority and revenue raising capacity. Finally, since the sales tax would require approval by voters, this report provides pertinent election information, such as voter turnout history and election results.

The Appendices provide a list of county conservation measures in Florida from 2000 to 2020; a draft timeline for a potential ballot measure in 2022; ParkServe data for the cities of Gainesville and Alachua; and Forest Carbon data for Alachua County as a whole.

Alachua County is currently levying its local government infrastructure surtax at 0.5 percent, and the tax will expire in 2024. The infrastructure surtax can be levied at 0.5 or 1 percent, so the county could increase its tax to 1 percent. The County Attorney's office has indicated that considering two 0.5 percent questions for infrastructure on the same ballot is not currently allowed under statute. If the infrastructure tax was increased to 1 percent, it could be expected to generate about \$49 million per year and cost the median income family an additional \$57 per year (\$114 total). Voter approval of 50 percent plus one is required.

Next steps should include matching the funding options to the needs of the county to support conservation, parks, and potentially other infrastructure purposes, and seeking to understand voter attitudes toward a specific set of funding proposals through various means.

## BACKGROUND

### Overview

Alachua County was established by an Act of the Florida Legislature in 1824 when Duval County was split to form Alachua, Duval and Nassau Counties. Subsequent Legislatures further divided Alachua County to establish Levy, Gilchrist, Marion, Putnam and Clay Counties. Since the 1920's, Alachua County has contained approximately 977 square miles and is included within the Gainesville Metropolitan Statistical Area. Alachua County is located in North Central Florida, midway between the Atlantic and Gulf Coasts. In addition to Gainesville, which is the county seat and primary population center, there are eight other incorporated municipalities located within the county: Alachua, Archer, Hawthorne, High Springs, LaCrosse, Micanopy, Newberry and Waldo.

Alachua County Population	
Alachua	10,574
Archer	1,140
Gainesville	141,085
Hawthorne	1,478
High Springs	6,215
LaCrosse	316
Micanopy	648
Newberry	7,342
Waldo	846
Unincorporated Alachua County	108,824
Countywide Total	278,468
Source: 2020 U.S. Census	

Alachua County is a major educational and health care center with a number of associated firms and industries. Alachua County is the home of the University of Florida with approximately 56,000 students. It contains a Medical College and major teaching hospital, Law, Engineering, Business, Accounting, Agriculture, Architecture and Veterinary Schools along with several other colleges. The stability of the county economy is attributable mainly to the University of Florida, UF Health, the VA Medical Center and the other governmental employers in the area, who provide approximately 44 percent of the jobs. Unemployment in the area was 4 percent on September 30, 2020 compared to a state rate of 7.6 percent.<sup>3</sup>

### Alachua County Forever

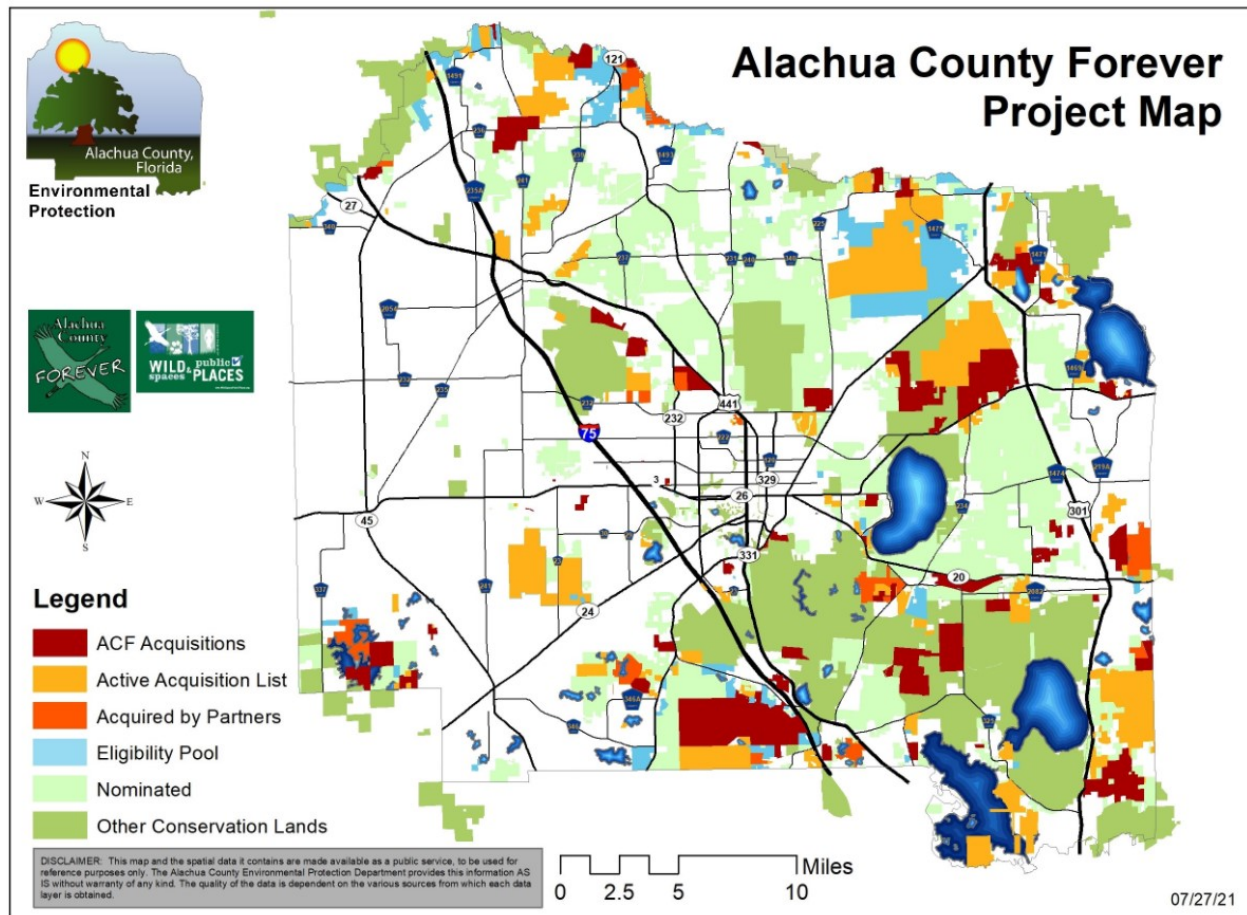
The Office of Land Conservation and Management implements the Alachua County Forever Program through the acquisition and management of environmentally significant lands. Acquisitions are currently funded through the Wild Spaces and Public Places one-half cent sales tax, which continued the program established in 2000 with a voter approved \$29 million bond. Nominations for acquisition arise from the general public and are vetted by the Land Conservation Board and the Board of County Commissioners prior to the commencement of negotiations. Alachua Conservation Trust (a private land trust) provides acquisition services to augment staff through negotiations, contract development and approval, due diligence, and closing. The acquisition team coordinates with complementary programs to secure external funding or management support whenever possible.

The Office of Land Conservation and Management ensures that all real property interests acquired under Alachua County Forever and Balu Forest are managed in accordance with adopted policies and plans to meet the objectives of the program. The program actively manages over 15,000 acres and assists partners with an additional 9,568 acres. New acquisitions will add to these totals. Active management includes the maintenance of 149 miles of roads, trails, and fire lines; 1,600 acres of prescribed burning; timber harvests; treatment of invasive species; and development of resource-based recreation.<sup>4</sup>

<sup>3</sup> Alachua County Annual Comprehensive Financial Report For the Fiscal Year Ended September 30, 2020

<sup>4</sup> Alachua County FY22 County Manager's Budget Book

As of February 2021 Alachua County Forever has spent \$57 million and leveraged more than \$42 million from partners to protect more than 25,000 acres.<sup>5</sup>



## Governance

Alachua County is a charter county established under the Constitution and the laws of the State of Florida. The county operates under the County Manager form of government with a board of five elected members.<sup>6</sup> All commissioners are elected at-large to four year terms.<sup>7</sup>

Alachua County Board of County Commissioners		
Name	District	Next Election
Mary Alford	District 1	2024
Marihelen Wheeler	District 2, Vice Chair	2022
Anna Prizzia	District 3	2024
Ken Cornell	District 4, Chair	2022
Charles Chestnut, IV	District 5	2024

<sup>5</sup> <https://alachuacounty.us/Depts/landconservation/Pages/LandConservation.aspx>

<sup>6</sup> Alachua County Annual Comprehensive Financial Report For the Fiscal Year Ended September 30, 2020

<sup>7</sup> <https://alachuacounty.us/Depts/BOCC/Pages/BOCC.aspx>

## Demographics

The table below provides a summary of Alachua County's demographic information compared to Florida and the country as a whole. The table includes data such as population, race, education, and income levels. Note that income and poverty data include off-campus University of Florida and Santa Fe College students, which increases the reported poverty rate and decreases the reported per capita income. According to a 2007 article in the Gainesville Sun, "In 2005, the Alachua County Commission paid the Census Bureau to recalculate the poverty rate by excluding students. The report presented to county commissioners indicated that without students - 26,085 of whom met federal poverty guidelines - the poverty rate dropped from 22.8 percent to 13.9 percent."<sup>8</sup> Similarly, a 2014 article by Ben Casselman published on fivethirtyeight.com analyzed the impact of college students on economic data, and found that with students included the median household income within Gainesville was \$28,000, but without them it was \$35,000.<sup>9</sup>

Alachua County Demographics				
Fact		Alachua County	Florida	United States
Population	Population estimates, July 1, 2019, (V2019)	269,043	21,477,737	328,239,523
	Population estimates base, April 1, 2010, (V2019)	247,337	18,804,564	308,758,105
	Population, percent change - April 1, 2010 (estimates base) to July 1, 2019, (V2019)	8.80%	14.20%	6.30%
	Population, Census, April 1, 2020	278,468	21,538,187	331,449,281
Age	Persons under 5 years, percent	5.10%	5.30%	6.00%
	Persons under 18 years, percent	17.90%	19.70%	22.30%
	Persons 65 years and over, percent	14.60%	20.90%	16.50%
Race and Hispanic Origin	White alone, percent	69.90%	77.30%	76.30%
	Black or African American alone, percent (a)	20.60%	16.90%	13.40%
	American Indian and Alaska Native alone, percent (a)	0.40%	0.50%	1.30%
	Asian alone, percent (a)	6.20%	3.00%	5.90%
	Native Hawaiian and Other Pacific Islander alone, percent (a)	0.10%	0.10%	0.20%
	Two or More Races, percent	2.90%	2.20%	2.80%
	Hispanic or Latino, percent (b)	10.50%	26.40%	18.50%
	White alone, not Hispanic or Latino, percent	60.60%	53.20%	60.10%
Housing	Median value of owner-occupied housing units, 2015-2019	\$186,700	\$215,300	\$217,500
	Households, 2015-2019	97,995	7,736,311	120,756,048
Families	Language other than English spoken at home, percent of persons age 5 years+, 2015-2019	14.20%	29.40%	21.60%
Education	High school graduate or higher, percent of persons age 25 years+, 2015-2019	92.60%	88.20%	88.00%
	Bachelor's degree or higher, percent of persons age 25 years+, 2015-2019	43.30%	29.90%	32.10%
Health	With a disability, under age 65 years, percent, 2015-2019	7.40%	8.60%	8.60%
	Persons without health insurance, under age 65 years, percent	12.40%	16.30%	10.20%
Income and Poverty	Median household income (in 2019 dollars), 2015-2019	\$49,689	\$55,660	\$62,843
	Per capita income in past 12 months (in 2019 dollars), 2015-2019	\$28,646	\$31,619	\$34,103
	Persons in poverty, percent	18.40%	12.70%	11.40%
Source: US Census Quickfacts				
Notes: (a) Includes persons reporting only one race				
(b) Hispanics may be of any race, so also are included in applicable race categories				

<sup>8</sup> Jeff Adelson, "Gainesville poverty up -- or is it?" Published August 29, 2007.

<sup>9</sup> <https://fivethirtyeight.com/features/inequality-in-college-towns/>



## Budget

The proposed FY22 budget totals \$564 million. Property taxes are the largest source of revenue for the county. The table below provides an overview of the FY22 budget.<sup>10</sup>

Sources and Uses Summary			
Sources	FY20 Actuals	FY21 Adopted Budget	FY22 County Manager Proposed Budget
Taxes	182,261,654	182,984,488	195,416,691
Permits, Fees & Spec Assess	29,643,851	29,556,699	33,294,460
Intergovernmental Revenue	59,098,863	35,938,907	36,637,468
Charges for Services	71,200,690	75,945,193	82,760,106
Judgments, Fines & Forfeit	371,638	465,500	520,500
Miscellaneous Revenues	12,703,036	9,680,615	10,485,482
<b>Total Sources</b>	<b>355,279,732</b>	<b>334,571,402</b>	<b>359,114,707</b>
<b>Non-Operating Revenues</b>			
Operating Transfers In	54,052,767	32,722,435	36,612,486
Debt Proceeds	8,760,001	10,000,000	34,500,000
Transfers from Constitutional Officers	4,874,617	1,549,965	650,500
Non Operating Sources	-	107,579,429	133,316,978
<b>Total Non-Operating Revenues</b>	<b>67,687,385</b>	<b>151,851,829</b>	<b>205,079,964</b>
<b>TOTAL REVENUES</b>	<b>422,967,117</b>	<b>486,423,231</b>	<b>564,194,671</b>
<b>Uses</b>			
Personal Services	82,479,129	82,828,192	89,499,519
Operating Expenditures	112,187,221	137,486,313	172,004,989
Capital Outlay	24,055,101	59,785,164	74,427,048
Debt Service	11,582,718	12,744,610	11,815,475
<b>Total Uses</b>	<b>230,304,169</b>	<b>292,844,279</b>	<b>347,747,031</b>
<b>Non-Operating Expenses</b>			
Grants and Aids	13,380,342	12,369,062	13,382,203
Clerk	2,785,283	2,937,508	3,058,508
Property Appraiser	5,447,556	5,543,689	5,988,387
Sheriff	87,959,090	88,872,730	92,957,286
Supervisor of Elections	571,004	-	-
Transfers Out	54,052,767	32,722,435	36,626,144
Reserves	-	51,484,372	64,562,356
Other Non-Operating	(317,554)	(350,844)	(127,244)
<b>Total Non-Operating Expenses</b>	<b>163,878,488</b>	<b>193,578,952</b>	<b>216,447,640</b>
<b>TOTAL EXPENSES</b>	<b>394,182,657</b>	<b>486,423,231</b>	<b>564,194,671</b>

<sup>10</sup> Alachua County FY22 County Manager's Budget Book

## CHOOSING A LOCAL FUNDING STRATEGY

Generally, there are three broad-based types of revenue sources available to local governments to pay for parks, land conservation and other capital priorities: discretionary annual spending (i.e. budget appropriation), creation of dedicated funding streams such as voter-approved special taxes, and the issuance of bonds. The financing options utilized by a community will depend on a variety of factors such as taxing capacity, budgetary resources, voter preferences, and political will. While most local governments can create funding for park and recreation through their budgetary process, this either happens infrequently or does not yield adequate funding.

In the Trust for Public Land's experience, local governments that create funding via the budget process often provide substantially less funding than those that create funding through ballot measures. As elected officials go through the process of making critical budgetary decisions, funding for land conservation tends to lag behind other public purposes and well behind what voters would likely be willing to support. It is often quite difficult to raise taxes without an indisputable public mandate for the intended purpose.

Conservation and parks ballot measures provide a tangible means to implement a local government's vision. With their own funding, local governments are better positioned to secure scarce funding from state or federal governments or private philanthropic partners. Having a predictable funding source empowers the municipality, county, or special district to establish long-term conservation priorities that protect the most valuable resources, are geographically distributed, and otherwise meet important community goals and values.

Nationwide, a range of public financing options has been utilized by local jurisdictions to fund parks and open space, including general obligation bonds, the local sales tax, and the property tax. The ability of local governments and special districts to establish dedicated funding sources depends upon state enabling authority.

Ballot measures are not right for every local government or they might not be the best approach at the moment. Budget appropriations and other revenue mechanisms that can be implemented by the local government, such as impact fees or developer contributions, may well serve as short-term funding options while parks and conservation proponents develop a strategy and cultivate broad support for longer-term financing options.

### Local Conservation Finance in Florida

The State of Florida authorizes local communities to use various revenue sources for parks and recreation purposes including property taxes, sales taxes, and general obligation bonds. The sales tax and general obligation bonds require approval by the electorate, and in various communities in the state, they have enjoyed widespread support.

Florida voters have approved 81 of 98 local conservation finance measures (83 percent) from 1996 to 2020. General obligation bonds are the most popular public finance mechanism in Florida for parks and open space, followed by the local sales tax.

The table on the following page illustrates the number and type of local conservation finance measures that have gone before Florida voters since 1996.

Florida Local Conservation Finance Ballot Measures, 1996-2020					
Finance Mechanism	Number of Measures	Number Passed	% Passed	Conservation Funds Approved	Total Funds Approved
Bond	58	51	88%	\$1,503,490,000	\$3,718,510,000
Sales tax	23	15	65%	\$882,139,705	\$9,292,392,992
Property tax	15	13	87%	\$1,242,485,900	\$1,465,634,980
Other*	2	2	100%		
Total	98	81	83%	\$3,628,115,605	\$14,476,537,972
Source: The Trust for Public Land's LandVote Database, September 2021.					
*Other: General revenue/budget allocation					

## SALES TAX

Each sale, admission, storage, or rental in Florida is taxable, unless the transaction is exempt. Sales tax is added to the price of taxable goods or services and collected from the purchaser at the time of sale. Florida's general state sales tax rate is 6 percent with the following exceptions: 4 percent on amusement machine receipts, 5.5 percent on the lease or license of commercial real property, and 6.95 percent on electricity.<sup>11</sup> Groceries, medicine and certain other necessities are exempt.

Alachua County currently levies a local government infrastructure surtax of 0.5 percent, which will expire in 2024. The infrastructure surtax may be levied at 0.5 or 1 percent, and Alachua County could increase its local government infrastructure surtax to 1 percent.<sup>12</sup> Revenues can be used to finance, plan, and construct infrastructure; to acquire any interest in land for public recreation, conservation, or protection of natural resources or to prevent or satisfy private property rights claims resulting from limitations imposed by the designation of an area of critical state concern; to provide loans, grants, or rebates to residential or commercial property owners who make energy efficiency improvements to their residential or commercial property, if a local government ordinance authorizing such use is approved by referendum; or to finance the closure of county-owned or municipally owned solid waste landfills that have been closed or are required to be closed by order of the Department of Environmental Protection. In general, the proceeds and any interest may not be used for the operational expenses of infrastructure.<sup>13</sup>

However, a county having a population greater than 75,000 in which the taxable value of real property is less than 60 percent of the just value of real property for ad valorem tax purposes for the tax year in which an infrastructure surtax referendum is placed before the voters, and the municipalities within such a county, may use the proceeds and interest of the surtax for operation and maintenance of parks and recreation programs and facilities established with the proceeds of the surtax throughout the duration of the surtax levy or while interest earnings accruing from the proceeds of the surtax are available for such use, whichever period is longer.<sup>14</sup>

For 2021, Alachua County's total taxable value (\$17,324,142,598) is 52 percent of the total just value (\$33,140,169,374).<sup>15</sup> This percentage will need to be recalculated for a 2022 election; however, if the election were held in 2021, Alachua County (population 278,468) would qualify to be able to use infrastructure surtax proceeds for operation and maintenance of parks and recreation programs and facilities established with the proceeds of the surtax.

On November 8, 2016, Alachua County voters passed the Wild Spaces Public Places (WSPP) surtax with 60 percent support, an eight-year, half-cent sales tax to acquire and improve conservation lands and create, improve and maintain parks and recreational facilities within Alachua County. The tax took effect on January 1, 2017. The Wild Spaces Public Places Citizens Oversight Board assures citizens and elected officials that funds approved through the referendum are expended only to:

- a. Acquire and improve environmentally sensitive lands to protect drinking water sources, water quality, and wildlife habitat, and,
- b. Create, improve and maintain parks and recreational facilities as permitted by Florida Statutes, the referendum ballot language, and ordinances.

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<sup>11</sup> [https://floridarevenue.com/taxes/taxesfees/Pages/sales\\_tax.aspx](https://floridarevenue.com/taxes/taxesfees/Pages/sales_tax.aspx)

<sup>12</sup> The surtax may be levied at the rate of 0.5 or 1 percent.

<sup>13</sup> 212.055 (2) (d)

<sup>14</sup> 212.055 (2) (g)

<sup>15</sup> Florida Department of Revenue, Just Value Reports and Taxable Value Reports



- c. Notwithstanding the above, Alachua County may utilize a portion of its proceeds to establish a fund for the purpose of providing matching grants to the municipalities within the county for projects that meet the requirements of subsections (a) or (b), and which, in the sole discretion of Alachua County, have countywide significance.<sup>16</sup>

Alachua County could increase the infrastructure tax to 1 percent, and dedicate some of the additional revenues to other infrastructure purposes such as affordable housing, transportation or other eligible capital purposes while continuing to fund WSPP. The increase would require voter approval. The Florida Department of Revenue's Office of Tax Research estimates that a 1 percent infrastructure sales tax could generate about \$49 million per year.<sup>17</sup> The Trust for Public Land estimates this tax increase would cost the median household an additional \$57 per year (\$114 total) and spending by residents would account for 23 percent of the revenues. The remaining revenues would come from visitor and business spending.

<b>Alachua County Sales Tax Revenue &amp; Cost Estimates</b>				
<b>Sales Tax Rate</b>	<b>Annual Revenue*</b>	<b>Annual Cost per Household</b>	<b>Total Revenue Attributed to Resident Spending</b>	<b>% Revenue Attributed to Resident Spending</b>
0.5%	\$24,557,358	\$57	\$5,599,665	23%
1.0%	\$49,114,715	\$114	\$11,199,329	23%

*\*Florida Department of Revenue's Office of Tax Research*

Counties are required to share revenues of a local infrastructure surtax with municipalities. Alachua County follows the default formula for the current WSPP half cent sales tax. The table below estimates what the county and each of the municipalities would receive from a 1 percent infrastructure surtax, according to the default formula in s. 218.62, F.S., which is calculated as follows: "The proportion for each county government shall be computed by dividing the sum of the unincorporated area population plus two-thirds of the incorporated area population by the sum of the total county population plus two-thirds of the incorporated area population. The proportion for each municipal government shall be computed by dividing the population of that municipality by the sum of the total county population plus two-thirds of the incorporated area population."

<b>Local Discretionary Sales Surtax Revenue Estimates for FY Ending September 30, 2022</b>		
<b>Local Government</b>	<b>Distribution %</b>	<b>Estimated Distribution</b>
Alachua BOCC	56.98%	\$27,983,460
Alachua	2.76%	\$1,355,988
Archer	0.32%	\$155,932
Gainesville	35.45%	\$17,410,774
Hawthorne	0.39%	\$189,476
High Springs	1.75%	\$861,512
La Crosse	0.10%	\$51,157
Micanopy	0.18%	\$86,643
Newberry	1.82%	\$895,703
Waldo	0.25%	\$124,072
Countywide Total	100%	\$49,114,715

*Source: Florida Department of Revenue's Office of Tax Research*

<sup>16</sup> <https://alachuacounty.us/Depts/LandConservation/wspp/Pages/WildSpacesPublicPlaces.aspx>

<sup>17</sup> Florida Department of Revenue's Office of Tax Research, Local Discretionary Sales Surtax, Revenue Estimates for the Local Fiscal Year Ending September 30, 2022

## Example: Penny for Pinellas<sup>18</sup>

Voters first approved the Penny for Pinellas one-percent sales tax in 1989 and have subsequently approved its renewal in 1997 and 2007. On November 7, 2017, voters chose to renew the Penny for another 10 years (2020-2030) with 82.6 percent support countywide. The Penny is divided between the county and 24 cities based on the default formula in state statute. An interlocal agreement between the county and cities also sets aside funding for countywide investments, including courts and jail facilities, affordable housing, and capital projects to support economic development. Projects were identified based on broad input, including citizen surveys, feedback from partners and community groups, and alignment with Pinellas County's Strategic Plan. The public input process included open house meetings and an online survey where more than 1,500 people gave input on future Penny priorities. Funds may be spent on five categories:

- Roads, Bridges and Trails
- Water Quality, Flood and Sewer Spill Prevention
- Safe, Secure Community
- Preserving Parks and Our Environment
- Community Vitality

The Penny is Pinellas County's primary funding source for governmental capital projects, covering more than 70 percent of costs. While routine costs for maintaining roads or public parks come from the county's general fund – primarily supported by property taxes – most long-term investments are supported by the Penny. Examples include projects such as the Bayside Bridge, Keystone Road, the Fred Marquis Pinellas Trail and the Public Safety Complex. The Penny is used to attract funds from other sources like state and federal agencies. Tourists and seasonal visitors are estimated to pay one-third of total Penny revenue.

## Implementation

The governing authority in each county may levy a discretionary sales surtax of 0.5 percent or 1 percent. The levy of the surtax shall be pursuant to ordinance enacted by a majority of the members of the county governing authority and approved by a majority of the electors of the county voting in a referendum on the surtax. If the governing bodies of the municipalities representing a majority of the county's population adopt uniform resolutions establishing the rate of the surtax and calling for a referendum on the surtax, the levy of the surtax shall be placed on the ballot and shall take effect if approved by a majority of the electors of the county voting in the referendum on the surtax.<sup>19</sup>

A statement which includes a brief general description of the projects to be funded by the surtax and which conforms to the requirements of s. 101.161 shall be placed on the ballot by the governing authority of any county which enacts an ordinance calling for a referendum on the levy of the surtax or in which the governing bodies of the municipalities representing a majority of the county's population adopt uniform resolutions calling for a referendum on the surtax. The following question shall be placed on the ballot:

FOR the	-cent sales tax
AGAINST the	-cent sales tax <sup>20</sup>

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<sup>18</sup> <http://www.pinellascounty.org/penny/default.htm>

<sup>19</sup> 212.055 (2) (a)

<sup>20</sup> 212.055 (2) (b)

Pursuant to s. 212.054(4), the proceeds of the surtax shall be distributed to the county and the municipalities within such county in which the surtax was collected, according to:

1. An interlocal agreement between the county governing authority and the governing bodies of the municipalities representing a majority of the county's municipal population, which agreement may include a school district with the consent of the county governing authority and the governing bodies of the municipalities representing a majority of the county's municipal population; or
2. If there is no interlocal agreement, according to the formula provided in s. 218.62.

Any change in the distribution formula must take effect on the first day of any month that begins at least 60 days after written notification of that change has been made to the department.<sup>21</sup>

School districts, counties, and municipalities may pledge surtax proceeds for the purpose of servicing new bond indebtedness incurred pursuant to law. Local governments may use the services of the Division of Bond Finance of the State Board of Administration pursuant to the State Bond Act to issue any bonds. Counties and municipalities may join together for the issuance of bonds.<sup>22</sup>

There is no state-mandated limit on the length of levy for surtax ordinances enacted after July 1, 1993. The levy may only be extended by voter approval in a countywide referendum. During the 2021 calendar year, 9 counties are levying the local infrastructure surtax at the 0.5 percent rate and 19 counties are levying at the 1 percent rate.<sup>23</sup> This surtax is one of several surtaxes subject to a combined rate limitation. A county shall not levy this surtax and the Small County Surtax, Indigent Care and Trauma Center Surtax, and County Public Hospital Surtax in excess of a combined rate of 1 percent.<sup>24</sup> In the 2019 regular session of the Florida Legislature, the Legislature passed and Governor DeSantis signed HB 5. HB 5 changed the choices for election timing for local sales taxes. A referendum to adopt or amend a local government discretionary sales surtax must be held at a general election as defined in s. 97.021.<sup>25</sup>

For any surtax referendum held on or after January 1, 2020, an independent certified public accountant (CPA), licensed pursuant to Chapter 473, F.S., must conduct a performance audit of the program associated with the proposed surtax. At least 180 days prior to the referendum date (**May 12, 2022 for the November 8, 2022 election**), the county or school district must provide the Florida Legislature's Office of Program Policy Analysis and Government Accountability (OPPAGA) with a copy of the final resolution or ordinance. Within 60 days after receiving the final resolution or ordinance (**July 11, 2022**), OPPAGA must procure the CPA and may use carryforward funds to pay for the CPA's services. The performance audit must be completed at least 60 days before the referendum is held (**September 9, 2022**). The audit report, including any findings, recommendations, or other accompanying documents, must be made available on the county or school district's official website and kept on the website for two years from the date posted. A county or school district's failure to comply with the requirements of providing OPPAGA with a copy of the final resolution or ordinance at least 180 days prior to the referendum date (**May 12, 2022**), or publishing the performance audit results on its website at least 60 days before the referendum date (**September 9, 2022**), will render the referendum void.<sup>26</sup> The performance audit

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<sup>21</sup> 212.055 (2) (c)

<sup>22</sup> 212.055 (2) (e)

<sup>23</sup> Florida Office of Economic and Demographic Research, 2021 Local Discretionary Sales Surtax Rates in Florida's Counties

<sup>24</sup> 212.055 (2) (h)

<sup>25</sup> 212.055 (10)

<sup>26</sup> The Florida Legislature's Office of Economic and Demographic Research, 2020 Local Government Financial Information Handbook

requirement does not apply to a referendum held to adopt the same discretionary surtax that was in place during the month of December immediately before the date of the referendum.<sup>27</sup>

### **Ballot Language**

The ballot language from November 2016 for the 0.5 percent infrastructure sales tax is reproduced below (won with 60 percent voting FOR):

*ALACHUA COUNTY QUESTION 2*

*WILD SPACES & PUBLIC PLACES*

*ENVIRONMENTAL LANDS, PARKS AND RECREATION*

*ONE--HALF PERCENT SALES TAX*

*SHALL ALACHUA COUNTY BE AUTHORIZED TO: EXTEND THE ALACHUA COUNTY FOREVER PROGRAM TO ACQUIRE AND IMPROVE ENVIRONMENTALLY SENSITIVE LANDS TO PROTECT DRINKING WATER SOURCES, WATER QUALITY, AND WILDLIFE HABITAT, AND; TO CREATE, IMPROVE AND MAINTAIN PARKS AND RECREATIONAL FACILITIES IN ALL CITIES AND THE COUNTY, WITH CITIZEN OVERSIGHT AND INDEPENDENT AUDIT, BY THE LEVY OF A ONE--HALF PERCENT (1/2%) SALES TAX FOR EIGHT (8) YEARS STARTING JANUARY 1, 2017?*

*[ ] FOR the one--half percent (1/2%) sales tax.*

*[ ] AGAINST the one--half percent (1/2%) sales tax*

### **Definition of Infrastructure**

From Florida Statutes 212.055 (2) (d):

*For the purposes of this paragraph, the term “infrastructure” means:*

- a. Any fixed capital expenditure or fixed capital outlay associated with the construction, reconstruction, or improvement of public facilities that have a life expectancy of 5 or more years, any related land acquisition, land improvement, design, and engineering costs, and all other professional and related costs required to bring the public facilities into service. For purposes of this sub-subparagraph, the term “public facilities” means facilities as defined in s. 163.3164(39), s. 163.3221(13), or s. 189.012(5), and includes facilities that are necessary to carry out governmental purposes, including, but not limited to, fire stations, general governmental office buildings, and animal shelters, regardless of whether the facilities are owned by the local taxing authority or another governmental entity.*
- b. A fire department vehicle, an emergency medical service vehicle, a sheriff’s office vehicle, a police department vehicle, or any other vehicle, and the equipment necessary to outfit the vehicle for its official use or equipment that has a life expectancy of at least 5 years.*
- c. Any expenditure for the construction, lease, or maintenance of, or provision of utilities or security for, facilities, as defined in s. 29.008.*

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<sup>27</sup> 212.055 (11) (d)



- d. Any fixed capital expenditure or fixed capital outlay associated with the improvement of private facilities that have a life expectancy of 5 or more years and that the owner agrees to make available for use on a temporary basis as needed by a local government as a public emergency shelter or a staging area for emergency response equipment during an emergency officially declared by the state or by the local government under s. 252.38. Such improvements are limited to those necessary to comply with current standards for public emergency evacuation shelters. The owner must enter into a written contract with the local government providing the improvement funding to make the private facility available to the public for purposes of emergency shelter at no cost to the local government for a minimum of 10 years after completion of the improvement, with the provision that the obligation will transfer to any subsequent owner until the end of the minimum period.*
- e. Any land acquisition expenditure for a residential housing project in which at least 30 percent of the units are affordable to individuals or families whose total annual household income does not exceed 120 percent of the area median income adjusted for household size, if the land is owned by a local government or by a special district that enters into a written agreement with the local government to provide such housing. The local government or special district may enter into a ground lease with a public or private person or entity for nominal or other consideration for the construction of the residential housing project on land acquired pursuant to this sub-subparagraph.*
- f. Instructional technology used solely in a school district's classrooms. As used in this sub-subparagraph, the term "instructional technology" means an interactive device that assists a teacher in instructing a class or a group of students and includes the necessary hardware and software to operate the interactive device. The term also includes support systems in which an interactive device may mount and is not required to be affixed to the facilities.*

## ELECTION ANALYSIS

### Election History

Since the local sales tax requires voter approval it is useful to look at election history for the county. A review of the Alachua County election canvass record of the past few years revealed a number of local finance propositions before voters by which to gauge current voter attitudes toward public spending measures.

In November 2020 county voters approved a renewal of a 1 mill property tax for schools. In November 2018, voters approved both a ½ cent sales tax for schools and a ½ mill property tax for children's services. In 2014, Alachua County voters approved the state Land and Water constitutional amendment with 72 percent support.

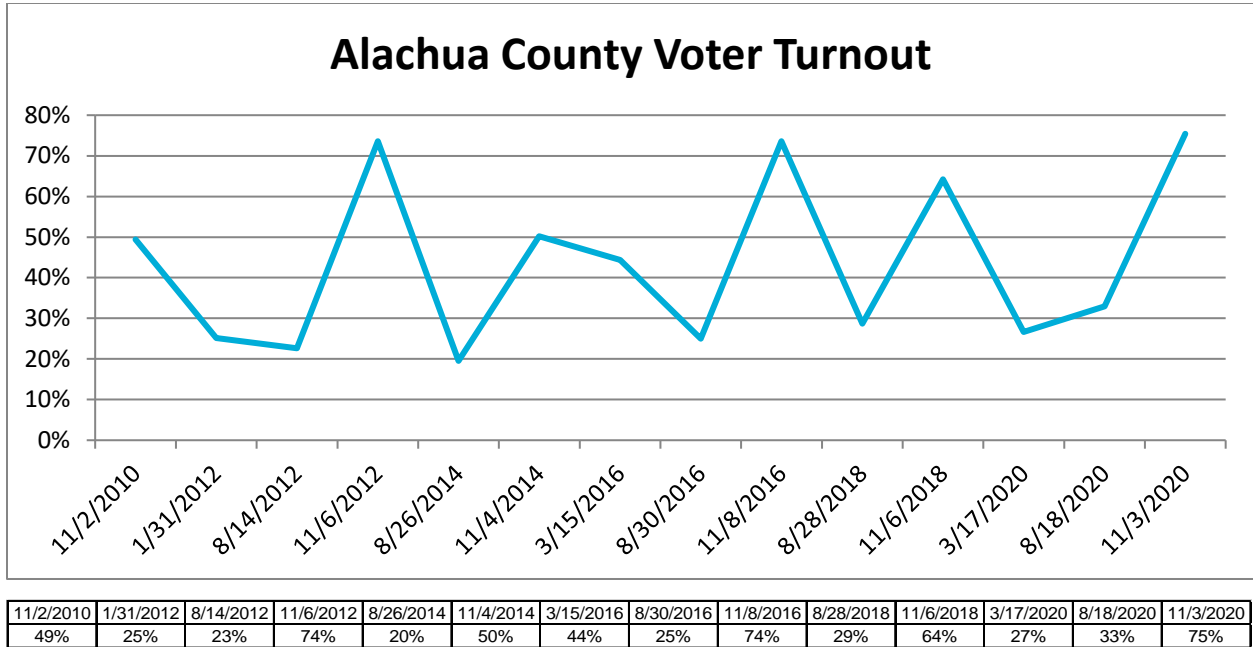
Alachua County Election Results		
Election Date	Description	% Yes
11/3/2020	4-year renewal of existing 1 mill ad valorem tax for school district operating expenses	79%
11/6/2018	12-year .5 cent sales surtax to improve school facilities	68%
11/6/2018	12-year .5 mill ad valorem tax to provide developmental, preventive, and supportive services for children	62%
11/8/2016	4-year renewal of existing 1 mill ad valorem tax for school district operating expenses	77%
11/8/2016	8-year, .5 cent sales tax extension for land conservation, parks and recreation	60%
11/4/2014	8-year 1 cent transportation sales surtax	40%
11/4/2014	Florida Water and Land Conservation Initiative, Amendment 1	72%
11/6/2012	15-year .75 cent transportation sales surtax to fund road improvements	33%
11/6/2012	4-year renewal of existing 1 mill ad valorem tax for school district operating expenses	68%
11/4/2008	2-year, .5 cent sales tax increase for land conservation and recreation	51%
11/2/2004	7-year, .5 cent sales tax to construct, operate and maintain parks and recreation facilities	49%
11/7/2000	\$29 million bond issue to acquire, improve and manage environmentally significant lands	61%

### Voter Registration and Turnout

As of August 31, 2021, Alachua County had 193,558 registered voters. Approximately 49 percent are registered with the Democratic party and 26 percent are registered with the Republican party.<sup>28</sup> The chart and table on the following page show voter turnout for every countywide election in Alachua County since 2010. Voter turnout is highest for presidential and midterm elections and lowest for special and primary elections.

Alachua County Voter Registration		
Party	Voters	% of Total
Democrat	94,540	49%
Republican	51,287	26%
Other	47,731	25%
Total	193,558	100%
Source: Florida Division of Elections		

<sup>28</sup> Florida Division of Elections <https://dos.myflorida.com/elections/data-statistics/voter-registration-statistics/voter-registration-reports/voter-registration-by-county-and-party/>



## APPENDIX A: FLORIDA COUNTY MEASURE HISTORY

Florida Conservation Ballot Measures by County 2000-2020					
Jurisdiction Name	Date	Finance Mechanism	Conservation Funds Approved	Status	% Yes
Alachua County	Nov-00	Bond	\$29,000,000	Pass	61%
<i>Alachua County</i>	<i>Nov-04</i>	<i>Sales tax</i>		<i>Fail</i>	<i>49%</i>
Alachua County	Nov-08	Sales tax	\$20,000,000	Pass	51%
Alachua County	Nov-16	Sales tax	\$41,918,061	Pass	60%
<i>Brevard County</i>	<i>Nov-03</i>	<i>Sales tax</i>		<i>Fail</i>	<i>35%</i>
Brevard County	Nov-04	Bond	\$60,000,000	Pass	69%
Brevard County	Nov-16	Sales tax	\$340,000,000	Pass	62%
Broward County	Nov-00	Bond	\$200,000,000	Pass	74%
Charlotte County	Nov-06	Bond	\$77,000,000	Pass	53%
Collier County	Nov-02	Bond	\$63,750,000	Pass	59%
Collier County	Nov-04	Bond	\$40,000,000	Pass	73%
Collier County	Nov-06	Property tax	\$123,000,000	Pass	82%
Collier County	Nov-20	Property tax	\$287,000,000	Pass	76%
Flagler County	Nov-02	Bond	\$6,700,000	Pass	74%
Flagler County	Nov-08	Property tax	\$40,000,000	Pass	65%
Hillsborough County	Nov-08	Bond	\$200,000,000	Pass	79%
Indian River County	Nov-04	Bond	\$50,000,000	Pass	67%
Lake County	Nov-01	Sales tax	\$15,000,000	Pass	63%
Lake County	Nov-04	Bond	\$36,000,000	Pass	71%
Lee County	Nov-16	Other	n/a	Pass	84%
Leon County	Nov-00	Sales tax	\$400,000,000	Pass	60%
<i>Manatee County</i>	<i>Mar-04</i>	<i>Sales tax</i>		<i>Fail</i>	<i>48%</i>
Manatee County	Nov-20	Property tax	\$108,000,000	Pass	71%
<i>Martin County</i>	<i>Nov-04</i>	<i>Sales tax</i>		<i>Fail</i>	<i>48%</i>
Martin County	Nov-06	Sales tax	\$30,000,000	Pass	55%
Miami-Dade County	Nov-04	Bond	\$90,000,000	Pass	66%
Miami-Dade County	Nov-04	Bond	\$30,000,000	Pass	58%
Miami-Dade County	Nov-04	Bond	\$10,000,000	Pass	65%
Osceola County	Nov-04	Bond	\$60,000,000	Pass	67%
Palm Beach County	Nov-02	Bond	\$6,000,000	Pass	62%
Palm Beach County	Nov-04	Bond	\$50,000,000	Pass	68%
Pasco County	Mar-04	Sales tax	\$36,375,000	Pass	52%
Pasco County	Nov-12	Sales tax	\$45,180,000	Pass	70%
Pinellas County	Mar-07	Sales tax	\$75,123,000	Pass	57%
Pinellas County	Nov-17	Sales tax	\$64,000,000	Pass	83%
<i>Polk County</i>	<i>Nov-04</i>	<i>Property tax</i>		<i>Fail</i>	<i>48%</i>
Sarasota County	Nov-05	Property tax	\$170,000,000	Pass	80%
Sarasota County	Nov-18	Bond	\$30,100,000	Pass	71%
Seminole County	Nov-00	Bond	\$25,000,000	Pass	58%
<i>Seminole County</i>	<i>Nov-06</i>	<i>Property tax</i>		<i>Fail</i>	<i>49%</i>
<i>St. Johns County</i>	<i>Nov-08</i>	<i>Sales tax</i>		<i>Fail</i>	<i>45%</i>
St. Lucie County	Nov-02	Property tax	\$2,200,000	Pass	52%
Volusia County	Nov-00	Bond	\$40,000,000	Pass	61%
Volusia County	Nov-20	Property tax	\$146,781,980	Pass	76%
Source: The Trust for Public Land, LandVote database.					

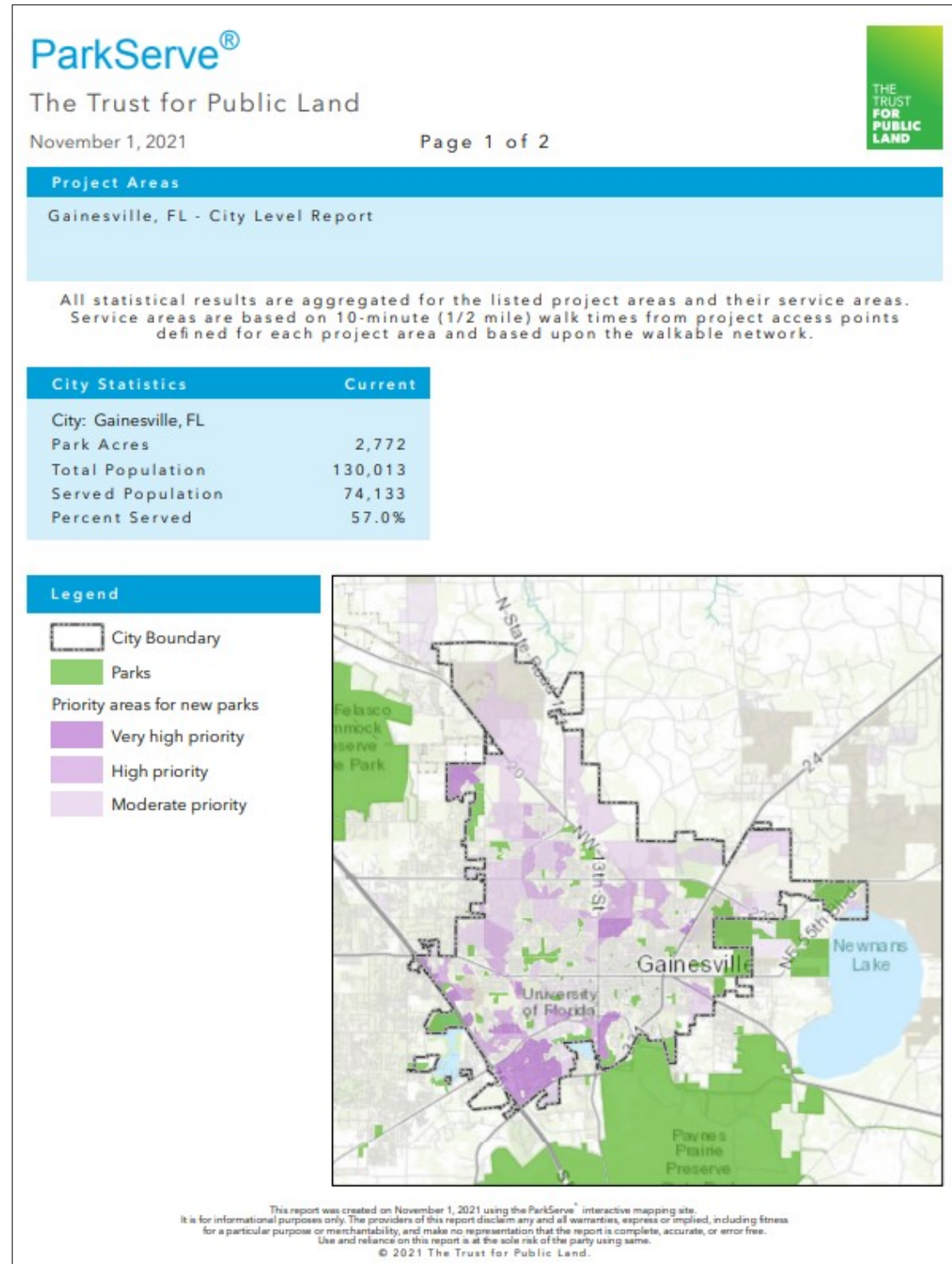


## APPENDIX B: DRAFT TIMELINE

Alachua County Referendum Draft Schedule - Trust for Public Land Draft 1			Oct 27, 2021
<div> <div>County To Do</div> <div>SOE To Do</div> <div>TPL To Do</div> <div>PAC To Do</div> </div>			
Start Date	End Date	Milestone	Status/Legal citation/Comments
1-May-21	5-Nov-21	County to communicate with municipalities and together choose potential projects	
1-Jul-21	1-Feb-22	County to consider initial direction for funding measure - election date, amount, purposes, funding mechanism	No set statutory deadlines
14-Jul-21	31-Dec-21	TPL to complete feasibility report, assist with ballot language development, make recommendations for BOCC consideration.	
1-Dec-21	1-Mar-22	County to finalize ballot language with County Attorney approval; draft ordinance for BOCC to adopt ballot language in two readings	No set statutory deadlines
	1-Mar-22	Submit approved ballot language in all required languages to Elections Supervisor (SOE)	No set statutory deadlines
12-May-22	12-May-22	Final deadline for County to submit a copy of the final resolution or ordinance to OPPAGA for performance of a performance audit that is to be published on the County's website at least 60 days prior to the referendum and kept on the site for at least two years from the date posted.	F.S. 212.055 (11) Performance Audit
1-Mar-22	1-Jun-22	Private Alachua County citizens to form political action committee for campaign with broad-based steering committee	
1-Mar-22	1-Jun-22	Private citizens to develop campaign plan and budget (mail, perhaps radio, speaking engagements, letter writing, digital) for 50%+1 majority vote in November	Advocacy Campaign MUST be privately funded. County is allowed to educate but not advocate. This can be done by local individuals or organizations. TPL can assist, or not, as desired.
1-Mar-22	4-Nov-22	Citizens to raise private funds for campaign	
May	8-Nov-22	Private citizens to deploy campaign for November approval	
23-Aug-22	23-Aug-22	Primary Election Day	November ballots will not be printed until after this date
9-Sep-22	9-Sep-22	County must publish OPPGA performance audit on its website by this final deadline.	F.S. 212.055 (11) Performance Audit
	24-Sep-22	Last day for Supervisors of Elections (SOE) to send absentee ballots to absent stateside uniformed and overseas voters (UOCAVA) for the General Election	Section 101.62, F.S. – Not less than 45 days before the general election
29-Sep-22	6-Oct-22	Mandatory mailing of Vote By Mail Ballots	Between 40 and 33 days before the election (per Division of Elections Website)
29-Oct-22	29-Oct-22	Mandatory early voting period begins for the General Election	Section 101.657, F.S. – Early voting shall begin on the 10th day before an election
	1-Nov-22	Last day to mail or email sample ballots to voters for the General Election	Section 101.20, F.S. – At least 7 days prior to any election
	7-Nov-22	Last day for Supervisor of Elections to publish sample ballot in newspaper of general circulation in the county for the General Election	Section 101.20, F.S. – Prior to the day of the election
	8-Nov-22	Election Day	

Each county Supervisor of Elections may offer more days of early voting from one or more of the following days:  
General Election Early Voting dates and locations have not been set yet.

## APPENDIX C: PARKSERVE (GAINESVILLE AND ALACHUA)





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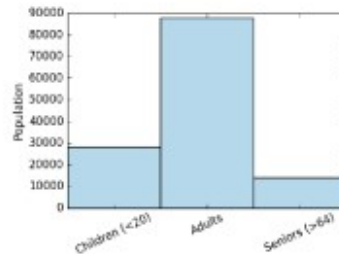
November 1, 2021

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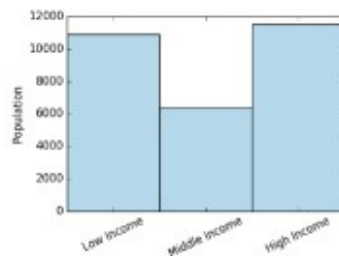
Population	Served
Total Population	74,133

Age	Served
Children (less than age 20)	28,254
Adults (age 20 to age 64)	87,899
Seniors (age 65 and up)	13,862



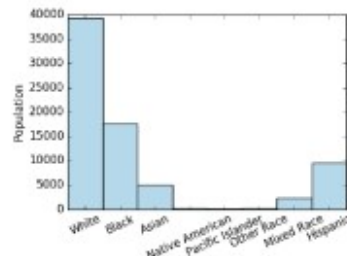
Household Income	Served
Low income	10,912
Middle income	6,388
High income	11,510

(Generated From Regional Median Incomes)



Race/Ethnicity	Served
White*	39,363
Black*	17,519
Asian*	5,055
Native American*	170
Pacific Islander*	34
Other Race*	246
Mixed Race*	2,204
Hispanic	9,542

\* Excludes those that report Hispanic origin (which is captured separately from race by the U.S. Census)



Demographic information is derived from ESRI 2020 Demographic Forecast Block Groups data.

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November 1, 2021

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### Project Areas

#### Alachua, FL - City Level Report

All statistical results are aggregated for the listed project areas and their service areas. Service areas are based on 10-minute (1/2 mile) walk times from project access points defined for each project area and based upon the walkable network.

### City Statistics

#### Current

City: Alachua, FL

Park Acres 2,744

Total Population 10,527

Served Population 1,448

Percent Served 13.8%

### Legend

City Boundary

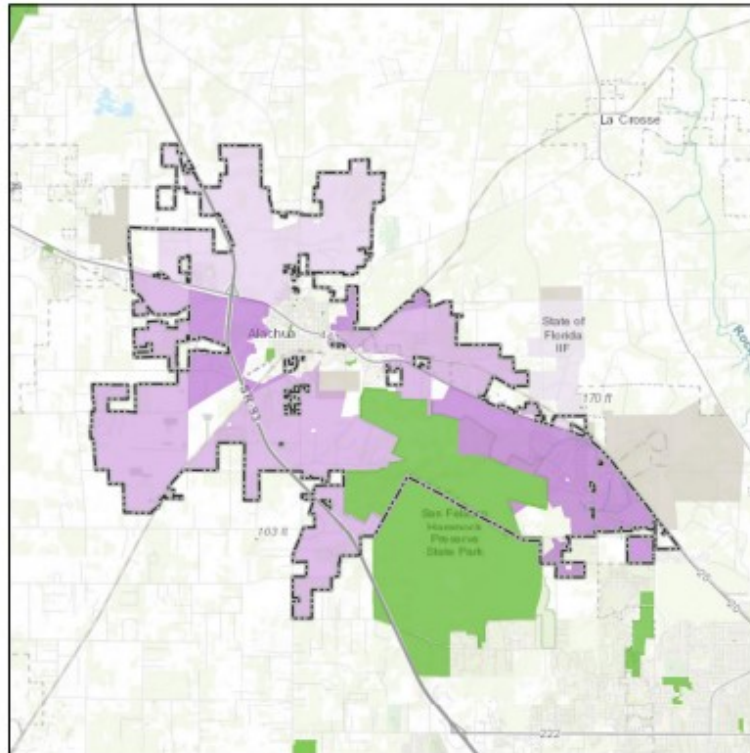
Parks

Priority areas for new parks

Very high priority

High priority

Moderate priority



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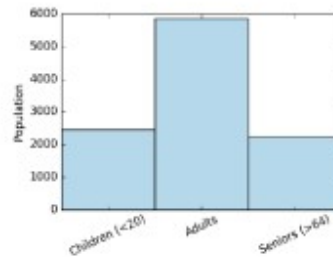
November 1, 2021

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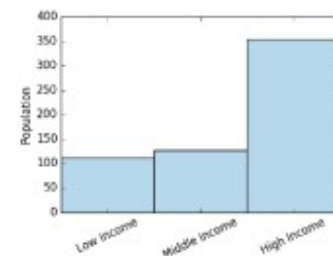
Population	Served
Total Population	1,448

Age	Served
Children (less than age 20)	2,449
Adults (age 20 to age 64)	5,857
Seniors (age 65 and up)	2,219



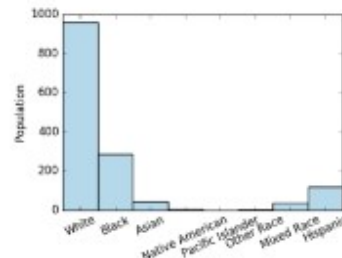
Household Income	Served
Low income	111
Middle income	126
High income	353

(Generated From Regional Median Incomes)



Race/Ethnicity	Served
White*	958
Black*	287
Asian*	42
Native American*	4
Pacific Islander*	0
Other Race*	2
Mixed Race*	36
Hispanic	118

\* Excludes those that report Hispanic origin (which is captured separately from race by the U.S. Census)

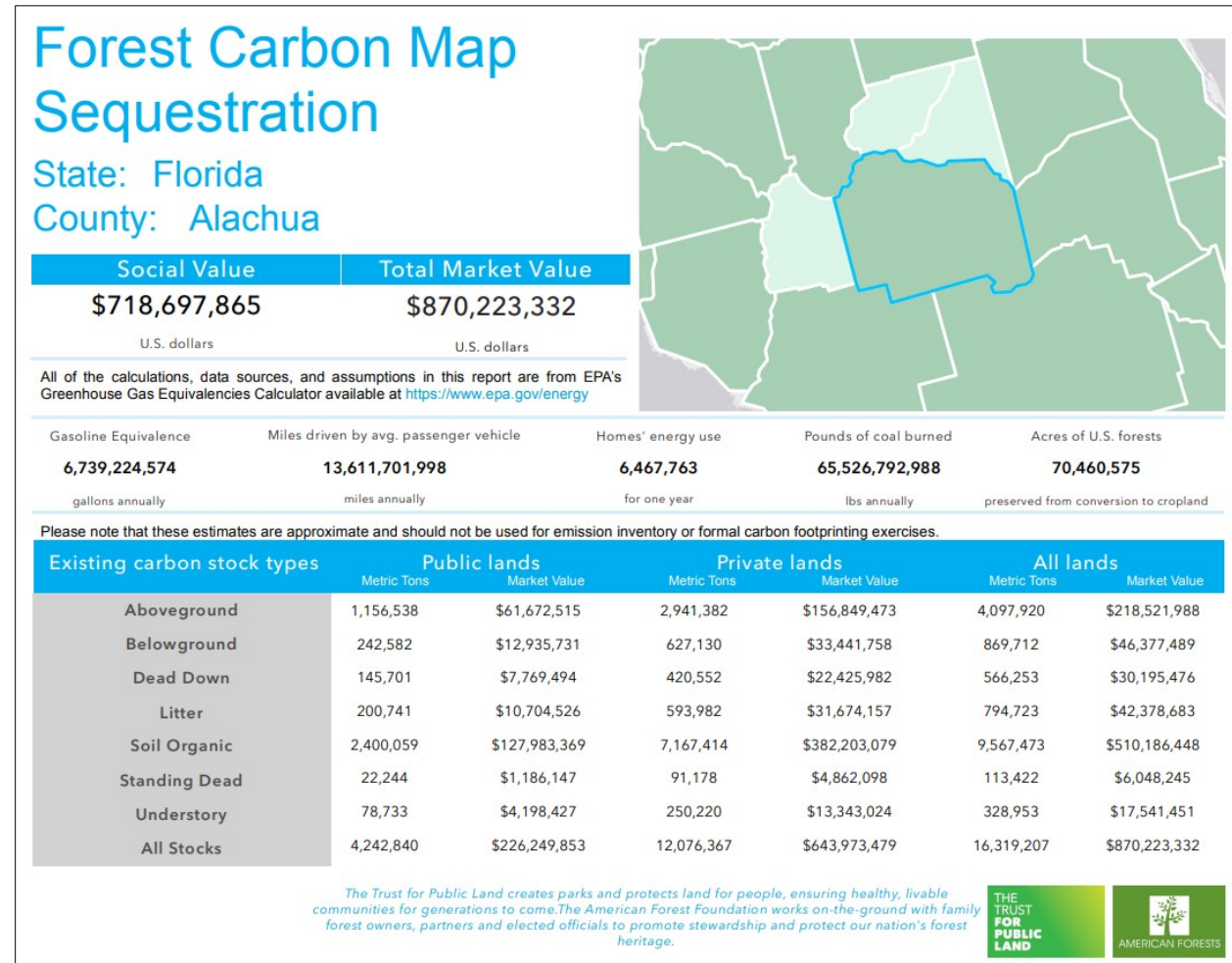


Demographic information is derived from ESRI 2020 Demographic Forecast Block Groups data.

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## APPENDIX D: FOREST CARBON (ALACHUA COUNTY)



# Forest Carbon - Threats

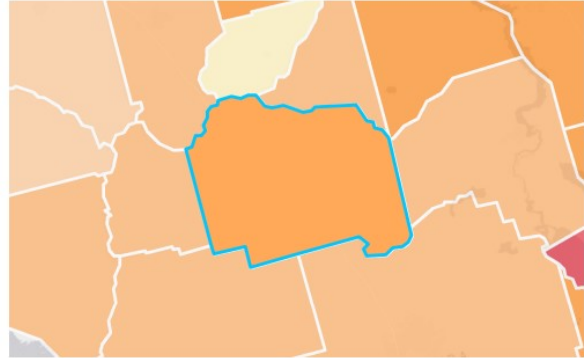
State: Florida

County: Alachua



The Trust for Public Land creates parks and protects land for people, ensuring healthy, livable communities for generations to come.

The American Forest Foundation works on-the-ground with family forest owners, partners and elected officials to promote stewardship and protect our nation's forest heritage.



Threat Type		Public	Private	Public	Private	All (forested)	All
Average Human Modification	1	0.5	0.6	0.5	0.6	0.6	0.6
Average Wildfire Hazard Potential	2	3.8	3.6	3.9	3.8	3.8	3.6
Average Development Risk Score	3	0.2	0.5	0.2	0.5	3.8	3.6
Risk of Insects and Disease (%)	4			2.7%	1.5%		
Disturbed (%)	5			0.1%	0.0%	0.1%	

- 1 Average degree of human modification from 0 (very low) to 1 (very high) representing traffic volumes and distance from roads, structures, energy developments, and populated places. From David M. Theobald
- 2 Average wildfire hazard potential from 1 (very low) to 5 (very high) depicts the relative potential for wildfires that would be difficult for suppression resources to contain. From the U.S. Forest Service Fire Modeling Institute
- 3 Average risk of residential development from 0 (low) to 4 (high) by 2030. From David Theobald at the Natural Resource Ecology Lab, Colorado State University
- 4 Percent of area with cumulative risk from all forest pests and pathogens defined as "at least 25% of standing live basal area greater than one inch in diameter that will die over a 15-year time frame due to insects and diseases." From the U.S. Forest Service National Insect and Disease Risk Map (NIDRM).
- 5 Percent of area where change has occurred on the landscape due to fire, insects and disease, mechanical removal, windthrow, development, biological, or chemical disturbances between 1999-2017. From LANDFIRE

## Forest Carbon - Co-Benefits

State: Florida

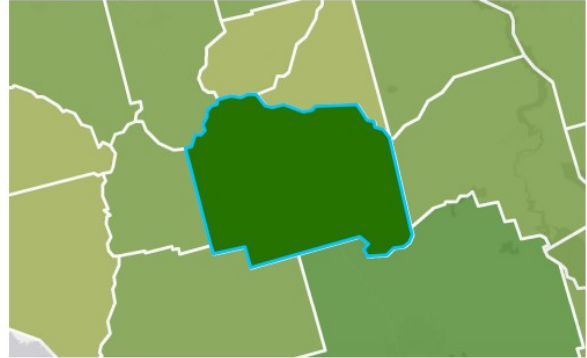
County: Alachua

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Co-Benefit Type		Public	Private	Public (forested)	Private (forested)	All (forested)	All
Average Rare Ecosystem	1	35.7	41.8	35.1	41.3	39.6	40.1
Percent Sourcewater Protection	2	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Percent Intact Habitat Cores	3	83.4%	41.3%	87.3%	58.5%	65.7%	49.1%

- 1 Average index of ecosystem rarity ranging from 1 (common) to 100 (rare). From EPA EnviroAtlas.
- 2 Percent of area within 12th code watershed(s) that provide water for public drinking water supplies and private water wells. From EPA.
- 3 Percent of area falling within a modeled Intact Habitat Core, or minimally disturbed natural areas at least 100 acres in size and greater than 200 meters wide. Data from Esri.

With any questions or for more information please contact:

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