



Legislation Text

File #: 20-0798, **Version:** 1

Agenda Item Name:

Approval of the Program Agreement between NRCS and Alachua County for the Agricultural Conservation Easement Program

Presenter:

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Description:

Request that the Board of County Commissioners (BoCC) approve and authorize execution of the Program Agreement between NRCS and Alachua County for the Agricultural Conservation Easement Program relating to the purchase of a conservation easement over portions of the "Santa Fe River Ranch" owned by Hitchcock Ranch, LLC and Hitchcock & Sons, Inc.

Recommended Action:

Approve and authorize the Chair to execute the Program Agreement between NRCS and Alachua County for the Agricultural Conservation Easement Program relating to the purchase of a conservation easement over portions of the "Santa Fe River Ranch."

Prior Board Motions:

On April 24, 2018, the BoCC approved the addition of the Santa Fe River - Hitchcock Property to the Active Acquisition List for the purchase of a conservation easement.

Fiscal Consideration:

The Program Agreement controls grant requests for specific projects or parcels, but does not obligate the County to specific expenditures. Currently, the County has not finalized the conservation easement acquisition Contract for the Hitchcock property, so the costs have not yet determined. Once a Contract is finalized, staff will bring this project back to the BoCC for their consideration. This tract of land would be pursued by ACF regardless of the grant opportunity, but it is staff's goal to bring the Contract to the BoCC along with the NRCS cost-share grant secured as a package. Any costs/expenses would be funded from the Land portion of Wild Spaces Public Places funding.

Background:

Staff has applied for and successfully obtained acceptance into the U.S. Dept. of Agriculture's "Agricultural Conservation Easement Program - Agricultural Land Easement (ACEP-ALE)" Program administered by the Florida Natural Resources and Conservation Service (NRCS) office. Acceptance into this program allows Alachua County to seek 50% federal cost-share and technical assistance toward the purchase of agriculturally related conservation easements that protect natural resources, water resources, and grasslands on working agricultural lands by prohibiting future non-agricultural land uses such as residential land development and sub-division of land while also limiting other agricultural uses.

The ACEP-ALE application submitted by staff to the USDA, NRCS proposes that the USDA, NRCS contribute 50% of the cost to purchase a conservation easement on approximately 2,071 acres of land covering most of the working cattle ranch known as “Santa Fe River Ranch” owned by Hitchcock Ranch, LLC and Hitchcock & Sons, Inc. (closely-held family corporations of the Hitchcock family).

The “Santa Fe River Ranch” property was added to the Alachua County Forever (ACF) Active Acquisition List by the BoCC on April 24, 2018 as a conservation easement acquisition. Staff has been working with the property owners to reach an agreement on the terms of a conservation easement and did so in late July, 2020. On July 29th, 2020, the property owners signed a letter of intent to sell a conservation easement to the county but contingent upon the county’s acceptance into the NRCS ACEP-ALE program and 50% cost-share award from NRCS toward the purchase of the conservation easement. The proposed conservation easement includes necessary terms and conditions required by the USDA, NRCS to meet the ACEP-ALE program requirements as well as to give the USDA, NRCS the legal right to enforce the terms and conditions of the conservation easement in perpetuity.

On September 4th, 2020 the USDA, NRCS notified county staff that all of the county staff’s application submissions necessary to finalize admission into the ACEP-ALE Program were approved and that NRCS now requires the county to execute the attached “Program Agreement between USDA, NRCS and Alachua County for the Agricultural Conservation Easement Program Agricultural Land Easements” (“NRCS Program Agreement”) no later than September 30, 2020 in order to be eligible to receive 50% cost-share funding at a later date.

The NRCS Program Agreement does not obligate NRCS or Alachua County to purchase an agricultural land easement that has been submitted for funding (See Sect. III (G) of the Agreement). The purpose of the NRCS Program Agreement is to establish the parameters for NRCS and Alachua County staff work to work together to acquire the proposed conservation easement and to establish the future conditional requirements that must be met by the County in order receive 50% cost-share funding toward the purchase of the conservation easement. This NRCS Program Agreement also establishes the framework by which NRCS and the County will carry out the necessary preliminary acquisition activities (such as appraisals, title work, surveys, environmental site assessments, due diligence, review of the conservation easement deed, and execution of other necessary documents to acquire agricultural land easements) that NRCS requires in order to be permitted to expend federal funds toward the purchase of the conservation easement.

Protecting as much of the Santa River as possible is a key objective of Alachua County’s conservation land acquisition program known as Alachua County Forever (“ACF”). Protection of the “Santa Fe River Ranch” property through a conservation easement furthers Alachua County’s mandatory Comprehensive Plan (2019-2040) growth management policies, specifically by fulfilling Policy 6.1.1 of the County’s Future Land Use Element which requires County staff to protect agricultural lands from conversion to nonagricultural uses through conservation easements or other transfer of development rights methods in conjunction with other cost-share partners, such as the USDA, NRCS.

The currently proposed conservation easement over portions of the “Santa Fe River Ranch” would form a 3.5-mile-long, 2,071-acre corridor that connects the ACF Mill Creek Preserve with 2,400 feet of Santa Fe River frontage. The Suwannee River Water Management District’s (SRWMD) Santa Fe

River Ranch property, including the Osceola Land and Timber parcel that was jointly acquired by the SRWMD and ACF, is immediately adjacent to the property on the north side along the river. Additionally, this property abuts the University of Florida's Beef Research Unit on the northwest corner. The property owners are committed to working with the county and NRCS and have agreed to the terms and conditions of a proposed conservation easement that would protect the property from future development and allow them to continue their cow-calf and agro-tourism operation.

Staff requests execution of the NRCS Program Agreement and delegation of authority to the County Manager to execute all necessary documentation required by USDA, NRCS to receive federal cost-share funding will allow the Office of Land Conservation and Management to continue working toward obtaining a 50% cost-share award toward the purchase of a conservation easement on the "Santa Fe River Ranch" property.

Staff is currently working on the final draft of a proposed conservation easement and option to purchase. Staff will return to the Board for a public hearing and consideration of an agreement to purchase the conservation easement.