



## Legislation Text

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**File #:** 21-0302, **Version:** 1

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**Agenda Item Name:**

Acquisition of Conservation Easements from Hitchcock and Sons Inc. and Hitchcocks Ranch LLC

**Presenter:**

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**Description:**

Staff requests authorization of the Board of County Commissioners (BoCC) to pursue the acquisition of conservation easements from Hitchcock and Sons Inc. and Hitchcocks Ranch LLC.

**Recommended Action:**

Authorize staff to negotiate for the purchase of conservation easements from Hitchcock and Sons Inc. and Hitchcocks Ranch LLC without the benefit of a grant from the Natural Resource Conservation Service (NRCS) and adding an additional 205 acres owned by Hitchcock and Sons Inc.

**Prior Board Motions:**

5/3/2006 - The Board added the Mill Creek - James Property to the Active Acquisition List as a full price project.

4/24/2018 - The Board added the Hitchcock Ranch Conservation Easement to the Active Acquisition List as a full price project.

9/22/2020 - The Board approved and authorized the Chair to execute the Program Agreement between the Natural Resources and Conservation Service (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."

9/29/2020 - The Board approved and executed the Parcel Cost Share Contracts between NRCS and Alachua County for grants to acquire the conservation easement on the Santa Fe River - Ranch, from Hitchcock Ranch, LLC and Hitchcock & Sons. The grant is from the U.S. Dept. of Agriculture's "Agricultural Conservation Easement Program - Agricultural Land Easement (ACEP-ALE)", and the program is administered by (NRCS).

**Fiscal Consideration:**

The Sellers, Hitchcock and Sons Inc. and Hitchcocks Ranch LLC, had accepted contingent offers from County staff of \$2,598.42 per surveyed acre, for an estimated total of \$5,381,327.82, for the conservation easements over 2,071 acres owned by the entities. The offers were contingent on the award of grants from NRCS for up to one-half of the purchase price. The recommended action would

remove the contingency for the NRCS grant and add an additional 205 acres to the project. The seller has indicated a willingness to donate 50% of the value of the easement over the additional 205 acres of land. Assuming a constant per acre price, the total easement cost would be \$5,647,665.87 plus closing costs.

This would be funded with Wild Spaces Public Places funds, and the Department has set aside this amount for this purchase in its planning. Sufficient cash and budget exist for this purchase. If the Department is able to purchase the property, the funding would be in spent from the following account: 021.41.4160.537.61.00 - 6194101- Santa Fe River - Hitchcock

Estimated annual Alachua County Forever management costs: \$550

The current annual property tax revenue of the ownership will not change due to the conservation easement.

### **Background:**

The proposed 2,071-acre Hitchcock Ranch Conservation Easement would provide a protected wildlife corridor joining the County's Mill Creek Preserve to lands owned by the Suwannee River Water Management District, both singly and jointly with the County, on the Santa Fe River. The conservation easement area incorporates portions of two tributary creeks and numerous karst features that influence water quality in the Santa Fe River. The project received a score of 8.47 in the Alachua County Forever evaluation matrix, the highest score recorded for any project in the program.

After the property was added to the Active Acquisition List as a full price project on April 24, 2018, staff applied for cost-share funding through the U.S. Department of Agriculture's NRCS Agricultural Land Easement program. The NRCS application required evidence of an offer to the landowner, so based on appraisals obtained by the County, an offer of \$2,598.42 per acre was tendered. The offer was contingent on the award of a 50% cost-share grant from NRCS.

The County received grant approval in October, 2020, and began negotiating the final conservation easement terms with the landowners. This involved the incorporation of the NRCS Minimum Deed Terms into the previously agreed upon conservation easement document that are required by the NRCS Agricultural Land Easement program. After extensive discussions with county staff and meetings with NRCS personnel, the landowners informed county staff and NRCS staff that they were no longer willing to proceed with the NRCS Minimum Deed Terms in the conservation easement.

In the interim, Hitchcock and Sons Inc. acquired the 205-acre James property that has been on the County's Active Acquisition List since 2006. This property also adjoins the Mill Creek Preserve and significantly strengthens the potential wildlife corridor. It has a mixture of natural forest and pine plantation, numerous karst features, and received an evaluation score of 7.53. The landowner indicated his desire to sell a conservation easement to the County on this property as well.

After being informed that the landowners were unwilling to include the minimum deed terms that NRCS would require in the conservation easement, staff asked for price concessions to make up a portion of the lost grant funding. The landowners have indicated that they would make a 50% bargain sale on the 205-acre addition to the project. Using the negotiated price for the original project area, the bargain sale would save the County approximately \$266,338.00.

If the staff recommendation is approved, staff will obtain appraisals for the 205-acre addition and

negotiate options to purchase conservation easements over both the original 2,071 acres and the 205-acre addition. The Board will have the opportunity to consider whether to exercise any option negotiated by staff.

Comp Plan Reference:

Policy 6.0 Land Conservation Program within the Conservation and Open Space Element, states “Establish and maintain a land conservation program for the purchase, preservation, and management of natural areas and open space to complement the regulatory approaches identified in other section of this element.”

Goal 6.0 "Rural And Agricultural Policies" of the County's Future Land Use Element states:

**6.0 RURAL AND AGRICULTURAL POLICIES**

**OBJECTIVE 6.1 - GENERAL** - Rural and agricultural areas shall be protected in a manner consistent with the retention of agriculture, open space, and rural character, and the preservation of environmentally sensitive areas, and efficient use of public services and facilities. Under this same objective, Policy 6.1.1 of the County's Comprehensive Plan specifically states that the County shall encourage acquisition of agricultural conservation easements on its own and in partnership with other entities:

Policy 6.1.1. The County shall encourage the continuation of productive agricultural uses through an integrated program of strategies, including innovative land use regulations in conjunction with transfer of development rights and support for use of local, State, and Federal incentives including pursuit of funds from state and federal programs for purchase of agricultural conservation easements and purchase of development rights. The County shall initiate a stewardship program utilizing strategies from but not limited to the Rural and Family Lands Protection Act, Section 163.3177 (11) (d) F.S. and Section 570. 70, F.S., as appropriate to Alachua County.