



HIGHLANDS COUNTY RIDGE TO RIVER LAND CONSERVATION PROGRAM A GREENPRINT FOR SUCCESS



NORTH FLORIDA
LAND TRUST

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We also wish to thank George McKenzie, Jr and Zach Franco for allowing us to use their incredible photos in this report. George's image appears on the cover. All intellectual property rights are reserved to them.

THANK YOU!

INTRODUCTION

This Highlands County Land Conservation Greenprint for Success was created for Highlands County, Florida by North Florida Land Trust (NFLT), a 501c3 non-profit. NFLT operates in northeast Florida to preserve and conserve the area's natural, historic, and working lands resources. We work around the state assisting communities develop a Greenprint: a resource document that the Commissioners use in deciding if a locally funded land conservation program is needed. NFLT was retained by Highlands County to bring its experience in the identification and acquisition of conservation resources to assist the County with determining the feasibility and nature of a locally funded land conservation program. NFLT was selected based on its response to Highlands County RFP NO. 24_016: "Ridge to River Conservation Planning Study" (Exhibit A).

The Highlands County Board of County Commissioners (BoCC) sought this assistance in response to concerns raised by their Natural Resources Advisory Commission (NRAC) that the County was facing unprecedented development pressure. That pressure resulted in the conversion and loss of agricultural and natural lands. A tipping point may have been the significant impacts to traditional citrus production lands due to recent freezes, hurricanes, citrus canker, and citrus greening episodes. Producers have been forced to consider alternative ways to forestall continued economic losses and make a living, including letting the land go out of production, or convert it to non-agricultural use. This has devastating effects on the local economy and on the many natural resource benefits such lands provide for the community and to wildlife.

Highlands County lags other Florida Counties in percentage of lands in conservation use. According to the Florida Natural Areas Inventory (FNAI), only 27.8% of the County is in conservation use, behind the average of 28.2% for other Florida counties. Highlands County's 0.2% areal coverage of locally owned conservation lands is an order of magnitude less than the 1.6% average for other Florida counties. Note, the above statistics do not include the acreage for Avon Park Air Force Range (nor any military installation in other counties) since it is not officially a conservation property. (Source: www.fnai.org).

This Greenprint delivers the following to satisfy the County's request for assistance:

- A Strategic Conservation Plan in which NFLT reviewed the County's inventory of conservation resources based on BoCC, citizen, and subject matter expert input. Based on that input, NFLT also ranked the community's conservation values and mapped the general areas where they are best represented. As a part of this Plan, NFLT is recommending a path forward if the BoCC wants to position a referendum to create a land conservation program that protects those conservation values and get it in front of the county voters in November 2026.
- A Conservation Manual in which NFLT recommends principles and procedures – based on Best Practices from around the state -- for the County to identify, assess, acquire, and steward lands for the benefit of its residents and visitors.

We thank the County for the opportunity to help them design their conservation future.

The North Florida Land Trust:

Lisa Barton, Chair of the Board

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GLOSSARY OF TERMS

Capitalized terms are intended as specific references to terminology or descriptions within the document.

Land Conservation Program – The Land Conservation Program, (LCP), for which this manual exists, executed by Highlands County government, is charged with acquiring and managing lands in Highlands County.

Greenprint – An adaptable, collaborative, and strategic approach that reveals the range of benefits nature provides a community and suggests the ways that community can protect or enhance those benefits. In its Greenprinting process, NFLT engages local government, stakeholders, partners, and the community and uses the best available science to identify multiple-benefit nature-based solutions for decision-makers. These solutions can range from conserving natural or working lands, protecting drinking water, supporting rural economies, restoring habitat to protect wildlife to expanding urban forests and designing parks to improve community health

Conservation Plan – The Highlands County Ridge to River Conservation Plan (or “Plan”) refers to the first [Section](#) of this Greenprint document which aggregates, weighs, and maps all the natural resources within the county, according to public and subject matter expert opinions. It also contains a recommended strategy for successfully placing the referendum in front of the county voters for approval in November 2026.

Conservation Manual – The Highlands County Conservation Manual (or “Manual”), described in the second [Section](#) below, suggests rules, best practices, and principles under which the LCP program would operate.

County - Highlands County, Florida.

Commission – The Commission, County Commission, or BoCC, refers to the Highlands County Board of County Commissioners.

Conservation Values – These are the characteristics of a piece of land that generate some type of benefit to the community. Historically, conservation values were narrowly defined as ecological; that is, natural resources, biodiversity, or open space. However, over time, these values have been broadened to include values like resource-based recreation, cultural and historic resources, working farms, and even values such as flood control and protection from storms.

Land Conservation Committee, or LCC – The Committee refers to the Land Conservation Committee, a BoCC-appointed committee charged with reviewing and recommending to the BoCC all the activities under the LCP.

Staff – Staff refers to those Highlands County staff members, or designated contractors and consultants, who are responsible for the execution of the activities in this Manual.

Nominators – Nominators are members of the public, agencies, non-profits, or other entities which have made an application for a property or Project for acquisition under the LCP.

LCP Property Decision Matrix –The Matrix is the tool by which nominated property is determined to meet the purposes of the LCP and whether it meets the definition for Priority Pool or Eligibility Pool. The Matrix is based on the conservation values of the BoCC, the public, and subject matter experts.

Parcel – The tax parcel as identified by the Highlands County Property Appraiser.

Property – As used in this document, a single ownership, that may be comprised of one or more Parcels, upon which the County is in negotiations with the landowner(s).

Project – All the properties within a defined geographic area undergoing evaluation or acquisition.

Keystone Property – A Project may be comprised of multiple ownerships that together meet the purposes of the LCP. To avoid acquiring less important properties, staff will recommend at least one Keystone property for each Project. These are those ownerships that must be acquired first before other properties in that same Project.

Active Acquisition List – the list of Projects that have been evaluated by staff and the Land Conservation Committee and for which staff are authorized by the BoCC to proceed with due diligence and negotiations.

Priority Pool – A list of Projects that have been evaluated by staff and the Land Conservation Committee and which have been determined to meet the intent of the program and are a priority for acquisition at this time. These form the recommendation from the Land Conservation Committee to the BoCC.

Eligibility Pool – A list of Projects that have been evaluated by staff and the Land Conservation Committee and which have been determined to meet the intent of the program but are not a priority for acquisition at this time.

Fee Simple Acquisition – A fee simple acquisition refers to an acquisition of real property pursuant to which the acquiring entity, and its heirs, obtains full and irrevocable ownership of the lands and improvements.

Bargain-Share – A transaction in which the total compensation paid to the seller is less than the purchase price, and the seller donates the difference.

Conservation Easement – A conservation easement is a real property interest that runs with the land, is perpetual, and is established through agreement between the landowner and a government or land trust, by which a landowner agrees to restrict development on their land and stop, reduce, or increase certain management practices according to the natural resource needs on the property, or perform other actions to achieve conservation purposes. It must be consistent with Chapter 704.06 Florida Statutes, and if any charitable federal tax treatment is sought, with Chapter 170(h) of the United States Internal Revenue Code.

Stewardship Plan – A Stewardship Plan is the primary administrative and managerial document for lands and other property interests acquired under the LCP program, which described the vision,

goals, 10-year timeline and general budget implications for land stewardship activities, improvements.

STATEMENT OF PRINCIPLES

Highlands County is a principle-based government. As such the following set of guiding principles for the County's Land Conservation Program are suggested:

The properties selected for conservation should reflect the community's desire for a balanced portfolio of projects that acquire large, wild, and connected landscapes, preserves the local traditions of agriculture and country living, and offers areas that are accessible to the public to provide opportunities for environmental education and recreation compatible with its natural resources.

- I. Certain administrative and operating expenses of the land conservation program may be borne by the Highlands County General Fund. It is recognized that there are competing needs for County services using the General Fund and the services and benefits of land conservation to the community must be considered in the context of those other public needs. Additional sources of program support may need to be developed to support the operating costs. Examples include user fees, property leases, sale of resource credits, and sale of harvested timber.
- II. Commercial Pooled Paper or other external sources may be used to initially acquire properties until the appropriate time to issue the Bonds. All costs directly related to the acquisition of a project -- whether it is successfully consummated, as well as the costs of access and recreational improvements, and to get that property into a maintenance condition, are reimbursable from the Bonds.
- III. To carry out its real estate due diligence, Highlands County may use the existing third-party vendor contracts where appropriate and develop new contracts or the internal capacity where there is a deficiency in expertise or resources.
- IV. Highlands County seeks to maximize the effectiveness of local tax dollars by using them to leverage funds available from federal, State, Water Management District (WMD), municipal, non-profit, and private sources in the protection of the county's lands. The County has the fiduciary responsibility for the voter-approved funds and therefore will require BoCC approval prior to any contract being made regarding committing local funds in such partnerships. However, to efficiently make applications for those funds, the County Manager's (or appropriate delegate's) approval is all that is required to apply for partnership funds.
- V. Highlands County may own land in partnership with other agencies. The County may preferentially elect to designate its resources as matching funds for perpetual interest in a partner's land acquisition project if the LCC and the BoCC determine that any such project adequately conforms with the above-stated overall goals of the LCP. The County may hold title to property in partnership with other agencies.
- VI. Mandated acquisition procedures for federal, state, or WMD programs may be substituted in part or whole for the provisions of the County policies and procedures when federal, State or WMD funds will be utilized for the purchase of land, and eligibility for such funds requires County compliance with their acquisition procedures. The BoCC may waive any provision of the County's acquisition procedures when land is being conveyed to the

County from another governmental entity except, such transfer must be evaluated and reviewed by staff and the LCC.

- VII. The BoCC recognizes that significant conservation goals can be achieved by alternatives to traditional fee simple acquisition. The acquisition of conservation easements is encouraged by many potential federal and State programs and can result in maximizing open space acquisition and rewarding good private stewardship of the lands while keeping property on the tax rolls.
- VIII. All acquisitions under the Land Conservation program require the participation of a willing property owner. Highlands County shall not use the power of eminent domain (condemnation) to acquire property under this program which has been presented to its citizens as a voluntary preservation effort and shall not force the sale of property. If at any time the property owner of a parcel wishes to have that property removed from consideration, this request will be honored.
- IX. The goal of all purchase negotiations shall be to obtain the appropriate interest in land free of encumbrance, conditions, restrictions, and reservations at the lowest possible price. However, the BoCC has the authority to accept lands with less than perfect title if it is determined to be in the best interests of the County.
- X. While the BoCC determines the total amount of funding available for the LCP during any budget year, the Active Acquisition List will be maintained from year-to-year unless the property owner requests removal of a property from consideration.
- XI. The BoCC recognizes that there are long-term stewardship costs associated with managing acquired property and no funding source other than the General Fund Reserves has been identified. To minimize stewardship expenses while the land conservation program is in its initial acquisition phase, staff will use an initial stewardship “no loss of conservation values” strategy. This means the property will be managed at a minimum to retard or eliminate further conservation value loss but may not yet be enhanced nor restored if funding is unavailable. As the land conservation program matures and other funding sources materialize, the stewardship efforts may be enhanced.
- XII. Any stewardship of acquired lands shall be consistent with the County’s primary goal of preserving, restoring, and enhancing conservation values and providing compatible nature-based recreation. A stewardship plan will be developed within 12 months of acquisition and made available for public comment prior to BoCC approval.
- XIII. Every effort must be made to maintain the public’s confidence and trust so that the land conservation program may be sustained.

GOALS OF THE HIGHLANDS COUNTY LAND CONSERVATION PROGRAM

At 27.8% of its acreage in conservation, Highlands County lags other Florida Counties in percentage of lands in conservation (Table 1). The State average for counties is 28.2%. This statistic is an important benchmark on how well Highlands County is doing to protect its open space and the benefits that accrue to community and wildlife. It measures the County's level of effort relative to its peers. See Sidebar.

Table 1. Highlands County Conservation Acreage

	CONSERVATION ACREAGE					HIGHLANDS COUNTY AREA	PERCENT OF COUNTY IN CONSERVATION
	LOCAL	STATE	FEDERAL	PRIVATE	TOTAL IN CONSERVATION		
Highlands County	1,450	97,090	115,780	22,010	236,330	657,920	35.9%
Avon Park Air Force Range			53,436				
Net APAFR:	1,450	97,090	62,344	22,010	182,894	657,920	27.8%

We heard from a workshop participant that if we exclude APAFR from the conservation acreage, we should also exclude it from the County total acreage. This is inconsistent with the purpose of the benchmark. The excluded conservation acreage is physically within the County boundary, and the total County acreage is the statistic denominator for all the counties to which we are comparing it. It represents the percentage of the whole county in conservation and represents the level of conservation effort across the state.

A second objection we heard from one other workshop participant was that we should include lake areas as conservation acreage. Doing so does not measure the effort that the County is making to preserve open space. Lake area is not conservation land, and the County did not have to expend any effort to acquire it and protect it from conversion to a use incompatible to conservation and recreation.

Both these objections miss the essential point: the Percent of County in Conservation benchmark is but a single datapoint to measure how well Highlands is doing. While it is a useful *output* measure, more importantly, how well is the County doing relative to the community's expectations? This is a more relevant *outcome* measure as it relates performance to community expectations. Highlands County residents may want to exceed the state average to stay ahead of development, preserve agricultural lands that are such an important part of its history and economic activity, or improve access to recreation lands. Recall much of the conservation acreage in Highlands is under conservation easements

COUNTING CONSERVATION ACRES

The best data source is maintained by the Florida Natural Areas Inventory (FNAI) in Tallahassee. FNAI lists Highlands County as having 36% of the County in conservation, above the State average for Counties. However, these figures are misleading. They include Avon Park Air Force Range (APAFR) in the data for Federally-managed conservation lands in Highlands County, and other military installations are included for other counties. Much of APAFR is managed as conservation lands as are many of the other installations. However, they are not permanently protected; their primary purpose is national security, and the Defense Department may direct the bases be re-developed for training purposes and eliminate the conservation management. Removing the APAFR acreage in Highlands County from the data (and comparing it to the remaining counties with their installations' acreages similarly removed) results in Highlands County having 27.8% of its area in conservation, lagging the corrected average of 28.2% for other Florida counties.

and not publicly accessible. One expectation we did hear at the workshops was getting more land into county ownership for residents' recreational use.

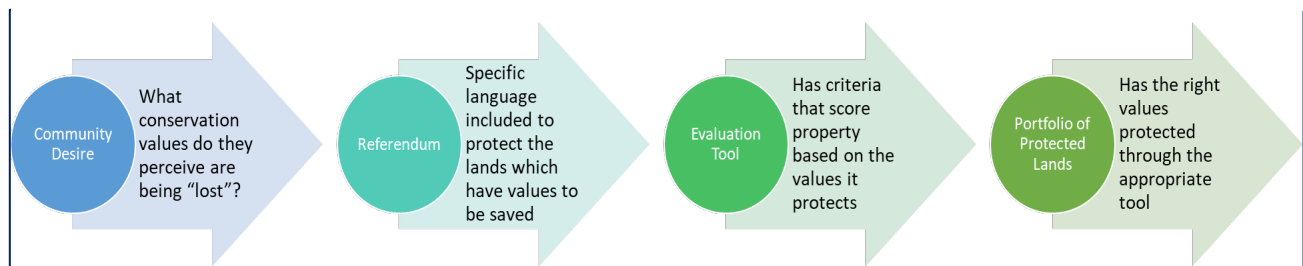
A goal might be to get to the State average of percent of land in conservation. To reach the statewide average of 1.6% for local conservation land, the County should seek to expand its locally owned conservation land portfolio by preserving an additional 9,112 acres. To reach the State average of 28% in total conservation, it should encourage and partner with state and federal partners to preserve an additional 2,226 acres. These goals can be achieved by creating sound strategies for the identification and preservation of appropriate lands across the county. Land suitable for conservation will need to meet multiple goals, including storm surge protection, species and habitat preservation, preservation of rural land uses, maintenance of scenic aesthetics, outdoor recreation, and more.

Strategic conservation planning helps Highlands County identify, prioritize, pursue, and protect land that effectively achieves its mission and conservation objectives. It helps visualize a future for the community and charts a course to realize that vision. A well-executed strategic conservation planning process will also include community input obtained using a defensible scientific process so that decision makers know that their decisions are sound and reflect community values. In addition, by having clearly identifiable goals, potential funding partners can easily identify joint priorities to bring outside funding to the table. Using the plan, County staff and elected officials can understand what the community values are, and where those resources are, to make educated decisions on how to create a park, open space, and preserve system. Developing a Conservation Plan early provides voters with reassurance that the County is delivering on the transparency and accountability of this program, the funding stream, and the lands acquired.

A conservation land acquisition program furthers many elements of the Highlands County Comprehensive Growth Management Plan ([Appendix A](#)) and the conservation vision of Highlands County. It follows the strategic plan and features practical public and real estate processes for the acquisition of conservation lands, covering the nomination, public decision making, and real estate process for acquisition. A nomination process for properties which can identify those lands which have conservation resources that were previously unknown is also part of the program.

A goal of any land conservation program should be to acquire the available lands that best fit the criteria for the best price. Success therefore is defined as the resulting portfolio of lands representing the conservation values that were expressed by the voters when they petitioned their government for a program and then funded it with additional tax dollars. NFLT promotes a “line-of-sight” approach to ensure this success ([Figure 1](#)). Mechanisms are created, policies enacted, and procedures approved, that allow staff and the public to continually align the processes and the acquisitions to the initial conservation values. NFLT makes some recommendations that establish the line of sight so that the County fulfills its referendum promise to the voters. The process in [Figure 1](#) represents a linear path from public

Figure 1. Line of Sight Model



concern about the loss of their conservation values, to final acquisition and management of county-owned conservation lands. This is the “line-of-sight” model. Each step in [Figure 1](#) represents a milestone building on the previous milestone. It keeps the earlier identified concerns in view and sets in place checks and touchpoints to align to the desired outcomes. Some of the touchpoints require the BoCC approval – appropriate as they are the vision-keeper – before engaging any further steps. This builds accountability and alignment. For example, the voters are polled to determine which of their primary conservation values are being lost through site conversion. The Referendum language then asks the voters to approve a program that acquires and protects lands that best represent those values. If passed, the County will use the Land Conservation Program Property [Decision Matrix of Criteria](#) (or the “Matrix”) to evaluate each nominated property for how well it exhibits those values. Finally, a citizen’s committee is empaneled that understands the evaluation system, votes to select the properties for acquisition that best answer the criteria, that therefore best represent what the voters wanted to protect.

Four important notes:

1. The possibility of a referendum is raised because if the Greenprinting process shows there is community support for preserving open space, a land conservation program to protect those open spaces will require funding. But land conservation is not an essential service for government, and it should be funded without impairing the County’s ability to pay for core services such as roads, sewers, and emergency services. The best way to get residents’ buy-in for these additional funds is through a referendum.
2. A key principle in Florida governance is the ability for its citizens to view any public process, not specifically called out as confidential in Statute. As such, decisions to evaluate property nominations and approve purchases are required to be made in properly noticed public meetings. This not only remains consistent with Florida law but keeps the faith with local voters by demonstrating the County’s fiduciary responsibility to be accountable and transparent.
3. The proposed Highlands County land conservation program, like all State programs, most federal conservation programs, and other County programs in Florida are “Willing Seller” only. This means the County may not use its power of condemnation nor eminent domain to acquire property for conservation. Each acquisition is voluntarily negotiated, in good faith by the parties, in an arm’s length, real estate transaction.
4. The term “county-owned” or “locally owned” as used in this context, applies to both County ownership in fee of lands and the County holding of conservation easements.

PURPOSES OF THE CONSERVATION PLAN AND CONSERVATION MANUAL

This Greenprint is divided into two parts. The Highlands County Land Conservation Plan (the “Plan”) and the Highlands County Land Conservation Manual (the “Manual”). The Plan covers the conservation planning and program adoption phases, and the Manual covers the implementation phase.

The Plan was created with the input of the BoCC, County staff, a team of subject matter experts, and 440 participating members of the public. It describes and maps the county’s most essential resources as described by the BoCC, its residents, and the subject matter experts. It ranks the conservation priorities of the community and suggests a path forward to having a land conservation program approved by referendum. It can also be used to attract funding partners to assist with acquiring conservation lands within the county. It is intended to become a reference document once the land conservation program referendum is approved.

The Manual is intended to become the operating manual for Highlands County’s Land Conservation Program and describes best practices gathered from around the state based on the experience of the NFLT. Developing the Manual now demonstrates to the citizens how the resulting program will be implemented if approved. While great care has been taken to avoid creating such conflicts, it is not intended to replace existing County Ordinances, Rules, or procedures, nor statutory mandates, where they exist. The Manual contains suggested procedures, policies, Ordinance language, and a property evaluation tool which the NFLT encourages the County to review, evaluate, adapt, and consider making their own.

Notes:

1. FNAI: https://www.fnai.org/PDFs/MAXCounty_202501.pdf.

HIGHLANDS COUNTY STRATEGIC LAND CONSERVATION PLAN

WHAT IS A STRATEGIC LAND CONSERVATION PLAN?

A Greenprint is a strategic land conservation plan that helps a community identify, prioritize, and pursue open spaces for conservation. To be effective, the tool should fit the job at hand. In this case, the Greenprint needs to identify and prioritize the lands based on inputs from the community. It follows then that the necessary first step is identification of the conservation values that the community wants protected and therefore represented in the portfolio of acquired property. Finally, the County wanted a strategic plan that was transparent in its creation, and which emphasized public input in the planning process.

To ensure transparency and proper input in the development of the conservation priorities and the plan, NFLT developed a three-level input process for Highlands County. We needed to identify the conservation values to which the program would be aligned. Input was first sought from the BoCC, then from the public through in-person community workshops and an online survey tool, and from subject matter experts. These three inputs were decided upon because any successful publicly run conservation program has three elements:

- **Politically Practical** – political practicality in this case is an acknowledgement that the program must follow the rules of good governance, local ordinances and policies, applicable state and federal laws, and be workable within the constraints of the local political environment. This can refer to restrictions created by an outside and higher authority, such as the State of Florida or federal government, regarding the administration of such a program. It can also refer to more practical considerations and community ethics, such as fiscal responsibility or transparency. Finally, elected officials will be responsible for making decisions about the outcomes of any conservation program, and therefore the program must be responsible to those officials and meet expectations for excellence in programming to be defensible to the community at large. The success of any County-run conservation program rests on its ability to be acceptable and executable in an evolving political environment. Ultimately, decisions to execute on different elements of the conservation program are up to elected County Commissioners, who are answerable to a diversity of interests across the County and dependent on the needs and desires of their constituents. Therefore, it was entirely appropriate for the County’s effort to begin the community conversation about the need and direction of a potential land conservation program with the BoCC.
- **Publicly Supported** – the program must be supported by the public at large to be successful. Therefore, the plan must reflect the public’s interests in conservation generally, so long as those interests are scientifically valid and politically achievable. NFLT first set up Subject Matter Expert (SME) panels including members from the Farm Bureau, Citrus Growers Association, Citrus League, the Association of Realtors, the Historic Commission, Institute of

Food and Agricultural Sciences (UF/IFAS), and the Cattlemen’s Association. A full list of the SME participants can be found in the Interim Report provided to the BoCC on March 4, 2025. Finally, surveys of the Highlands County public were conducted. At each event and online, the same presentation that was given to the BoCC and subject matter experts was provided to the public, and then they were given an opportunity to ask questions and then indicate their preferences using the same voting techniques. A total of 384 County residents participated in the survey.

- Scientifically Valid – any conservation program executed will be for the purpose of ensuring a healthy, natural and human community. Therefore, each of the resources targeted for the program must be vetted with experts to ensure the program adequately serves the community. NFLT made the same presentation to various agencies, and they were asked what conservation values would make Highlands County a viable partner, i.e., what conservation values should Highlands County prioritize to attract their agencies as partners.

Figure 2. Process & Schedule



SUBJECT MATTER EXPERT INPUT

NFLT met with staff from the Florida Department of Agriculture and Consumer Services’ Florida Forest Service, the Florida Department of Environmental Protection’s Florida Forever Program, both the South Florida and Southwest Florida Water Management Districts, the Florida Fish and Wildlife Conservation Commission, and Avon Park Air Force Range. They were asked what conservation values would make Highlands County a viable partner, i.e., what conservation values should Highlands County prioritize to attract their agencies as partners. They all said they are required to abide by their organic legislation, funding constraints, and state mandates. But each expressed their desire to assist the County and welcomed their active partnership. Each agency is briefly summarized below, along with the role they might play in the County’s land conservation efforts.

Florida Department of Agriculture and Consumer Services’ Florida Forest Service’s (FFS)

mission is to protect and manage the forest resources of Florida, ensuring that they will be available for future generations. FFS manages over one million acres of state forests for multiple public uses, including timber, recreation, and wildlife habitat. They offer technical information and grant programs to landowners to help them improve their forestland. Through

wildfire prevention and suppression, FFS works to protect homeowners from the threat of damage in a natural, fire-dependent environment. They offer several grant opportunities annually, depending on Legislative appropriations.

FFS' Rural and Family Lands Protection Program is an agricultural land preservation program designed to protect important agricultural lands through the acquisition of permanent agricultural land conservation easements. The program is written in Section 570.70, Florida Statutes, and Chapter 5I-7, Florida Administrative Code (F.A.C.). Projects are reviewed by a Technical Review Team, ranked through a formal process by the Rural and Family Lands Protection Program Selection Committee, and approved by the Governor and Cabinet. The program is designed to meet three needs: Protect valuable agricultural lands; create easement documents that work together with agricultural production to ensure sustainable agricultural practices and reasonable protection of the environment without interfering with agricultural operations in such a way that could put the continued economic viability of these operations at risk; and protect natural resources, not as the primary purpose, but in conjunction with the economically viable agricultural operations.

The Community Forest and Open Space Conservation Program is a grant program that authorizes the U.S. Forest Service to provide financial assistance through the FFS to local governments, tribal governments, and qualified nonprofit entities to help conserve land and establish community forests that provide continuing and accessible community benefits. The program pays up to 50 percent of the project costs and requires a 50 percent non-federal match. Lands acquired through the program are actively managed in accordance with a community forest plan to provide community benefits. Eligible land includes private forestland that is at least five acres in size and at least 75% forested, is threatened by conversion to non-forest use, provides community benefits, and is not held in trust by the United States. Public access is required for Community Forest Program projects. Fee title acquisition is also required. Conservation easements are not eligible.

The Florida Forest Legacy Program is a U.S. Forest Service grant program administered in Florida by the FFS, and whose purpose is to protect environmentally important forest areas that are threatened by conversion to non-forest uses. Using voluntary conservation easements and fee simple purchases, the program promotes forestland protection and other conservation opportunities. Florida's Assessment of Need contains an assessment of the state's forests and forest uses and a description of forces that are converting forests to non-forest uses. It describes eligibility criteria developed by the state of Florida to identify important forest areas to be proposed as Forest Legacy Areas and acts as a guide to implementation of the Forest Legacy Program in the state.

For FFS easement programs, the holder of any acquired interest will be the State of Florida. Highlands County's role would be as applicant, advocate, landowner contact, and potential funding partner.

Florida Department of Environmental Protection's Florida Forever Program Florida Forever (FDEP) is Florida's premier wildland conservation and recreation lands acquisition program and is a blueprint for conserving Florida's natural and cultural heritage. It is one of the largest public land acquisition programs in the United States, with more than 2.6 million acres purchased through the Florida Forever and Preservation 2000 (P2000) programs and a total of 10 million acres managed for conservation in Florida. Florida Forever, which replaced P2000 in 2001, has purchased more than 902,011 acres of land worth \$3.3 billion. There are several Florida Forever Projects Areas approved in Highlands County. Partnering with FDEP on these merely requires landowner willingness, a designated manager of the acquired property, a successful negotiation, and approval by the FDEP Secretary or the Governor and Cabinet, depending on price. If the County desires to draw state funding to an undesignated area, a new Project Area needs to be created, or an existing Florida Forever project boundary amended. The first step is applying to FDEP staff during the Application Cycles. There are two application cycles per year for new project proposals. New project proposals have two submittal dates every year: April 30 and October 31. Completed applications submitted to the Division of State Lands (DSL) are reviewed by staff and prepared for a vote by the Acquisition and Restoration Council (ARC). ARC develops the Florida Forever Priority Pool and therefore determines which lands are eligible for acquisition. If a project is put on the Florida Forever Priority Pool, it becomes eligible for acquisition by the State of Florida. Unlike new project proposals, boundary amendments may be considered throughout the year. Boundary amendment applications must be received at least 60 days before a scheduled ARC meeting. The State does not share title in property fully or partially funded by Florida Forever. So, the County's role would be to provide funds, and relinquish title to any property acquired, or to be the designated land manager through a lease from the State.

The South Florida Water Management District and Southwest Florida Water Management District (SFWMD and SWFWMD) are environmental regulatory and resource conservation agencies of the state of Florida whose work is focused on ensuring a long-term supply of drinking water, and to protect and restore the health of water bodies in their jurisdictions. Florida's five regional water management districts were established in 1972 by the state Legislature through passage of the Water Resources Act (Chapter 373, Florida Statutes). WMD officials recognize the need to have water resources available for people's needs and to balance those needs with nature's needs. In its daily operations, the WMD tries to strike a balance in water needs by educating the public about water conservation, setting rules for water use, conducting research, collecting data, restoring, and protecting water above and below the ground, and preserving natural areas.

The SFWMD is a regional governmental agency that manages the water resources in the southern half of the state, covering 16 counties from Orlando to the Florida Keys and serving a population of 9 million residents. It is the oldest and largest of the state's five water management districts. Created in 1949, the agency is responsible for managing and protecting water resources of South Florida by balancing and improving flood control, water supply, water quality and natural systems. The mission of the SFWMD is "to safeguard and restore South

Florida's water resources and ecosystems, protect our communities from flooding, and meet the region's water needs while connecting with the public and stakeholders.” Similarly, the SWFWMD manages the water resources for west-central Florida as directed by state law. It encompasses roughly 10,000 square miles in all or part of 16 counties and serves a population of nearly 6 million people. The goal of the SWFWMD is to meet the water needs of current and future water users while protecting and preserving the water resources within its boundaries. Its mission is to protect water resources, minimize flood risks, and ensure the public’s water needs are met.”

To meet that mission/vision statement, both WMDs’ daily work is focused on four main core missions: Water Quality, Water Supply, Flood Protection, and Natural Systems. These core missions guide the work of the WMD staff for the benefit of all residents in their service area. The WMDs are authorized to acquire lands that further these core missions and can be a ready partner for Highlands County. Unlike the other State of Florida programs, the WMDs can share interests in title with the County.

The Florida Fish and Wildlife Conservation Commission’s (FWC) mission is managing fish and wildlife resources for their long-term well-being and the benefit of people. Highlands County is served by FWC’s North Central Regional Office. FWC is primarily concerned with the regulation and protection of Florida’s wildlife, including hunting and fishing permits, and game and non-game management. They manage, under a lease from the State, many Wildlife Management Areas, and Wildlife Enhancement Areas. They are also involved in research into numerous Florida species and outdoor education. FWC can act as a pass-through for federal funding for specific projects that meet their goals in Highlands County. They are also a valuable technical resource for the County’s management of any acquired lands.

IDENTIFICATION OF CONSERVATION VALUES

The conservation values identification process was divided into two parts:

- Part 1 sought to get consensus from the BoCC on the need for and direction of a potential land conservation program.
- Part 2 built upon the results of Part 1 and combined additional information from the public and the SME panels into a final report for consideration by BoCC.

NFLT completed Part 1 with the March 4, 2025, BoCC workshop and Part 2 in February 3, 2026, with the presentation of this Greenprint Final Report to the BoCC.

Recall that conservation values are the characteristics of a piece of land that generates some benefit to the community. Historically, conservation values were narrowly defined as ecological; that is, natural resources, biodiversity, or open space. However, over time, communities have broadened these values to include other intangible benefits such as access to resource-based recreation, protection of cultural and historic resources, preservation of working farms and agrarian traditions, and even values such as flood control and protection from storms. GIS

(Geographic Information Systems) is used extensively to develop and present conservation values. GIS refers to a software program that allows the user to create, analyze, and manipulate geographic information, known as data layers. Each data layer represents some characteristic of land that can be represented spatially, that is, on a map.

In consultation with SME panels and County staff, multiple data layers were considered based on the typical conservation values that local programs seek to protect. These were consolidated into seven “themes” for the purposes of the community discussion, each representing a set of related conservation values. The seven themes are outlined below and depicted on maps in [Appendix B](#).

Common to all the maps are the existing conservation lands depicted in green, urban areas in grey, and lakes in blue.

Conservation Values: Agriculture. Owners of working lands, such as farms, ranches and tree plantations, have a deep connection to the land, water resources, and wildlife. They make a living by maintaining the health and productive values of their lands. Conserving these working landscapes helps to ensure they will not be converted to non-agricultural uses, losing these important natural benefits. Using conservation easements, farmers and ranchers can maintain and even enhance their way of life and pass it on to the next generation. In addition to providing food for our tables and timber to build homes, farms and forests absorb rainwater, which prevents floods, alleviates drought, and provides habitat for wildlife.

This map identifies agricultural lands in Highlands County as determined by FDACS. The tree plantations data layer is determined by FWC’s Florida Cooperative Land Cover dataset. Also included is the USDA’s Soils Survey Geographic Database (SSURGO) Farmlands of Unique Importance.

Conservation Values: Protection of Cultural and Historic Resources. A county’s historic and cultural resources are evidence of past human activity. These include sites, districts, buildings, structures, and objects significant in American history, architecture, archaeology, engineering, and culture. Highlands County has a rich rural and agricultural history, and preserving historical areas and artifacts preserves and promotes the history of the County. This map displays the historic districts in Highlands County as recorded in the Florida Master Site File. These include historic railroad corridors, canals, churches, homesites, military areas and agricultural lands. The historic structures data layer displays structures, including homesites, churches, military buildings, hotels, religious temples, schools etc., that are eligible to be, but not yet listed, on the National Register of Historic Places.

Conservation Values: Drinking Water Protection. Conservation lands can help protect our drinking water in many ways, including filtering water to ensure it remains clean, and replenishing our groundwater supply to make sure we have a reliable source of water now, and in the future.

This map displays the locations of Public Water Supply wells that provide service to at least 15 service connections or 25 residents. They are wells that service communities, churches, public buildings, etc.

The aquifer recharge data layer shows areas of Highlands County that allow for recharge to the Floridan and other aquifers, as determined by their proximity to karst features, depth to water and soil porosity and permeability. Areas in dark blue provide the highest potential recharge for springs, sinks, aquifers, and our water supply.

Conservation Values: Access to Recreation. Living in areas with access to public parks, community recreation and trails is an excellent way to encourage greater physical activity and overall better health in a community. Parks and recreation spaces enable residents in a community to experience nature, engage in exercise and enjoy leisure time in the natural environment. In addition, parks provide positive economic benefits, including enhancing property values, spurring local economies, and attracting new residents and businesses.

This map displays the accessible and inaccessible conservation lands in Highlands County. Accessible lands are publicly owned and available to the public for recreation. Inaccessible lands are those we define as not having a recreational purpose and not available to the public as State Parks are, for example. These include Avon Park Air Force Range (primary purpose is military training), mitigation banks (wetlands conservation and restoration), and conservation easement properties (private lands usually protecting active agriculture). This map also displays the location of boat ramps and existing recreational trails in Highlands County, including hiking, biking, equestrian and paddle trails.

Conservation Values: Surface Water Quality. This map displays the surface water features found in Highlands County. These are areas identified by the US Fish and Wildlife Service (USFWS) as part of the National Wetlands Inventory (NWI). This layer includes wetlands such as lakes, rivers, streams, creeks and small isolated or intermittent wetlands.

The springs and seeps layer displays the location of identified springs and seeps in Highlands County. Finally, the flood zone layer displays the highest risk flood zones as identified by the Federal Emergency Management Agency (FEMA). Also depicted are lakes with adopted Total Maximum Daily Loads (TMDLs) and Minimum Flows and Levels (MFLs), which set limits on how much pollution can enter a lake, and how much water can be withdrawn from a lake respectively.

Conservation Values: Threatened & Endangered Species and Habitats. Protecting Florida's threatened and endangered (T&E) species and habitat is very important because it saves our native habitats, fish, plants, and other wildlife from becoming extinct. This map displays the locations of some of the T&E species found in Highlands County. The Florida panther is listed as endangered under the federal Endangered Species Act, with a wild population of approximately 120–230 adults. Its conservation status is a result of past population declines, and while recent conservation efforts have helped stabilize the population, it remains threatened by habitat loss, fragmentation from human development, and vehicle collisions. The Florida scrub jay is endemic to the State, and its population is decreasing. Florida Black Bears are not a listed species, but they live in only a few isolated habitats throughout the state. Protecting habitat for bears is important for their continued survival. The rare habitats data layer represents habitats that are not well-represented by current

conservation lands. These are habitat types identified by the state of Florida as a high priority for future conservation.

Conservation Values: Wildlife and Conservation Corridors. Corridors provide connectivity for plants, animals, and people to move freely. Connected landscapes support biodiversity by allowing wildlife to migrate to access food, water, shelter, and breeding habitat. Connectivity also allows for shifts in the ranges of plants, animals, and natural communities in response to environmental changes. People also benefit from the recreational and scenic values of large, contiguous natural areas. Finally, connected ecosystems are better able to function overall, and in turn continue to provide services that support human health and quality of life, like clean air and water.

This map displays the existing conservation lands in Highlands County. It also shows the boundary of the Florida Wildlife Corridor. Finally, it displays the Florida Panther Least-Cost Corridor and the Avon Park Air Force Range Sentinel Boundary. Areas where these existing corridors and conservation areas overlap represent the highest priority for conservation, as they will allow for the most connectivity between landscapes.

The seven maps generated from these data layers are included in [Appendix B](#). All the data layers were produced by, or derived from, data layers that were produced by major universities, state agencies, or federal conservation agencies.

The March 4, 2025, BoCC workshop ([Appendix C](#)) was designed to get BoCC consensus on two threshold questions.

- 1. Is there sufficient interest on the part of Highlands County BoCC to work towards a November 2026 Referendum?**
- 2. What are the conservation values of the Highlands County BoCC?**

After presenting the County Commissioners with an outline of how a local land conservation program is set up and implemented, NFLT asked for consensus on Question 1. There was unanimous agreement among the BoCC that NFLT and County staff should proceed with Phase 2.

The second part of the Workshop began with NFLT explaining to the BoCC what the seven main conservation value themes represent. After discussion, NFLT posed Question 2. To have the BoCC answer Question 2, NFLT provided the individual commissioners with five dots and asked them to indicate their most important conservation values by placing them on any of the seven posters depicting the conservation value themes. Commissioners were free to place as many of their dots on a poster as they wished, they could place all on one poster, or they could allocate their dots among several of the conservation values.

Figure 3. Community Workshop



NFLT then held a series of three community workshops strategically located throughout the county: in Sebring on October 28, 2025, in Avon Park on October 29, 2025, and in Lake Placid on October 30, 2025. Attendees were given the same presentation and given three dots with which to indicate their conservation value preferences. NFLT also published the presentation and the survey online during three weeks in November 2025. The survey was also re-posted and publicized on participants’ social media pages. The raw results of the votes are presented in [Table 2](#) below. The yellow highlights indicate the three conservation values with the most votes for each survey event. Conservation values that were tied in the top three were all included.

Table 2. Conservation Value Preference Voting Results – RAW DATA.

Conservation Value	BOCC Vote 5 votes / Commissioner	Sebring 3 votes / participant	Avon Park 3 votes / participant	Lake Placid 3 votes / participant	Online 3 votes / participant	Sum of Public 3 votes / participant	Sum	Percent
Access to Recreation	7	1	9	11	84	105	112	9%
Agriculture	4	14	2	9	155	180	184	14%
Drinking Water	7	5	4	3	154	166	173	13%
Historic and Cultural Resources	1	1	6	8	64	79	80	6%
Surface Water Quality	3	14	1	14	145	174	177	14%
Threatened & Endangered Species and Habitats	1	13	5	13	246	277	278	21%
Wildlife & Conservation Corridors	2	9	9	17	270	305	307	23%
Total	25	57	36	75	1118	1286	1311	100%
Participants	5	19	12	25	384	440	445	

Note: not every online participant used all three of their votes. Hence the lower than expected total of votes.

NORMALIZING THE RESULTS

There is a divergence between the BoCC’s and the public’s top three priorities. As shown in [Table 2](#), the BoCC and the public shared protecting Agricultural Lands as a priority, (note, lower numbers in [Table 2](#) and [Table 3](#) represent higher ranks, i.e. 1 = ranked first, 2 = ranked second, etc.). The BoCC also ranked protecting Access to Recreation and Drinking Water as their other two highest priorities. The public chose protecting Wildlife Corridors and Threatened & Endangered Species and Habitats as their other two priorities. This divergence is to be expected. The BoCC has a county-wide perspective and must evaluate any service (including conservation) in terms of both the opportunity cost for limited County funds and competing public interests for County services. Hence, their emphasis on public services such as recreation and drinking water supplies. An individual member of the public usually has a narrower range of concerns, especially when faced with a focused set of questions such as in a conservation needs survey.

Therefore, before we can determine the final three (maximum four) conservation values for any initiative, the raw conservation values voting results need to be normalized. The reason for narrowing the conservation values to three or four is Referendum language limits and program focus. There is a 75-word limit in ballot summary language in Florida. More importantly, the program needs to avoid mission creep and remain focused on a strong identity and purpose. The Swiss Army knife approach tends to create internal confusion as to priorities and competition among interests, which can escape into the public conversation, generating distrust.

There are several factors to consider when deciding how to normalize the voting results. First, the BoCC had 5 votes per person because of their role in leading the County and setting county-wide

priorities for public funding. The public had three voters per person owing to the expected high turnout, and a need for them to focus on their highest priorities. So, the BoCC has slightly higher weight per person as they each had more votes. Second, those attending the in-person workshops may have been influenced by the other participants in the room, the Q&A, or even presenter bias. These would not be factors for the on-line survey respondents.

For the purposes of illustrating the Referendum language drafting process and building an evaluation tool, one normalization scheme is presented below ([Table 3](#)). In it, the public votes are combined for the in-person events and the online survey, the totals reduced to rank order and averaged across the two resulting groups (BoCC and public).

Table 3. Conservation Value Preference Voting Results – BY RANK ORDER.

Conservation Value	BoCC Rank	Public Rank	Average Rank
Access to Recreation	1.5	7	4.25
Agriculture	3	3	3
Drinking Water	1.5	4	2.75
Historic and Cultural Resources	6.5	6	6.25
Surface Water Quality	4	5	4.5
Threatened & Endangered Species and Habitats	6.5	2	4.25
Wildlife & Conservation Corridors	5	1	3

After the tied ranks were averaged, the resulting top three ranked conservation values are **Drinking Water, Wildlife & Conservation Corridors, and Agricultural Lands**. Using this normalization, both groups prioritized protecting Agricultural Lands which is consistent with the raw polls. The BoCC has two of their top values in the final three as did the public. We suggest a way to handle the remaining priority values in the next Section.

The purpose of the preceding normalization exercise is to illustrate the next steps in building an evaluation tool. We welcome the BoCC to review our recommendations and to provide additional direction if they think the normalization needs to be handled differently. The referendum language and the evaluation tool can be easily modified.

THE LAND CONSERVATION PROGRAM PROPERTY DECISION MATRIX

Primary Conservation Values. The following describes how the suggested primary conservation values: **Drinking Water, Wildlife & Conservation Corridors, and Agricultural Lands**, will be used to illustrate the tools and language of our Line-of Sight model. The referendum language, the evaluation tool and the acquisition principles should lead to a portfolio of protected lands that exhibit those values.

How well a nominated property exhibits these primary conservation values is evaluated in the criteria in Sections I-1 through 3 of the Land Conservation Program Property Decision Matrix and the Scoring Rubric ([Table 5](#) & [Table 6](#)) in the Program Manual [Section](#) below. This is the tool which NFLT suggests the County adopt -- or something similar -- to use in evaluating property

nominations. The criteria are answered using GIS and other readily available data sources, as well as a site verification visit. Each criterion is scored according to how well that property would meet that criterion: 1 = None or Not at all, 2 = Less than Average, 3 = Average, 4 = More than Average, 5 = Best. The Conservation Values section is then averaged and weighted separately from the Stewardship and Acquisition Issues section. The final Project Score is the sum of the two section sub-scores.

The weighting proposed here may be revised according to the direction of the BoCC. However, once established and the program initiated, it should not be changed so that meaningful comparisons between projects over time can be made. Keeping the Matrix consistent provides a handy reference index when comparing projects and benchmarking the program's progress and success over time. The expectation is that the best properties (defined as best meeting the criteria and therefore having the highest score) would be approved for purchase. Hopefully, the best of that list is then acquired. So as an annual benchmark, the average score of the applications, the average score of the approved projects, and the average score of the acquired projects are evaluated.

Left out of the final three was the public's choice for protecting T&E Species and Habitats. Criteria can be added to provide bonus points for nominations that protect existing T&E species, contain habitats that could support T&E species, or lands that buffer existing conservation lands that contain T&E species and habitats. Since this was not one of the final three, the number of criteria evaluating this value should be limited so as not to overwhelm the weight of the other criteria.

Social and Human Values. Although Access to Recreation and Historic/Cultural Resources ranked lowest overall, the BoCC Ranked Access to Recreation as one of their highest priorities. This is not surprising given the broader responsibilities of a County Commission and the diversity of issues that they are asked to support. Conservation lands and recreation are not at all mutually exclusive. Neither are conservation lands and preserving cultural/historic sites. Ideally, properties that can provide multiple benefits should be treated preferentially. So, Section I-4 Social and Human Values is included to provide a first tie breaker to allow a community to differentiate between multiple nominated properties of similar primary conservation values. Criteria could be included – and bonus points award – to reward how well the proposed property would also provide access to outdoor, resource-based recreation and tourism, protect cultural/historic sites, as well as buffer urban and sub-urban areas by creating greenbelts.

Value for Money. Section II was added to the Matrix to evaluate the nominated property for its financial impact, both for acquisition and stewardship. There are not enough dollars available for Highlands County to conserve all its worthy property on its own. Stewardship often competes with other County services for General Fund dollars. In interviews and conversations with County Commissioners, staff, and subject matter experts, "Value for Money" or "Bang for the Buck," was repeatedly emphasized as a necessary reality of the program. Value for Money means the County will operate the program to optimize protection of the highest scoring lands with transparent and sound fiscal management of public funds. To do so, the County needs to identify those lands which have the best conservation values that can be acquired and managed for the best cost. This can be

achieved through leveraging the County's funds to develop external acquisition or stewardship technical expertise, funding, and purchases, bringing in a non-County funding partner or lead manager. The County's interest is protected through a contractual agreement.

Conservation easements are used where the conservation values can be permanently protected through a less-than-fee County interest. Conservation easements are typically thought of as just the purchase of development rights, but they really are the purchase of any of the rights that if used – or continue to be used – would negatively impact the conservation values. The landowner is compensated based on the decrease in the property's unencumbered marketable value to its value now encumbered by the conservation easement. Depending on the location of the property, the uses being restricted, the demand for them, and other considerations, rural conservation easements typically range from 50% - 70% of the fee simple value. It is an effective and appropriate tool that allows the conservation values to be protected for less than the cost of a fee purchase, minimizes the perpetual costs of stewardship, keeps the property in a traditional use, and on the tax rolls.

Section II-1 Stewardship Issues evaluates the practicality and costs of stewardship. All else being equal, a property that is easier and cheaper to manage should score higher than property of equal primary conservation value. Especially true where the County can leverage a stewardship partner such as acquiring lands that buffer existing conservation lands and where that existing land manager will assume management of county lands; or a conservation easement whereby the fee owner continues to manage the property. Section II-2 Economic and Acquisition Issues evaluates the costs to the County for the property's acquisition including the likelihood of developing partnerships. All else being equal, the one with better leveraging and therefore cheaper for the County to acquire, should score higher. These two sections are not weighted the same as the Conservation Values Section and are intended to be a second tie breaker between projects with otherwise equal conservation values scores in Section I. If only one could be purchased, it would be fiscally prudent to acquire the one which had more Value for Money, allowing local funds to stretch farther. A note of caution: the weighting of this section should not be adjusted to the extent that a property with minimal primary conservation value was selected just because it was cheap to acquire. The first test must be that the property possesses threshold conservation value to be considered.

GIS DEVELOPMENT OF THE CONSERVATION PLAN

Once the conservation values were prioritized, the next step was to turn the results into a heat map so the public would know if those values existed in the County, their general extent, and their intensity. A heat map, akin to thermal imaging scans where more heat is indicated by redder areas and cooler by darker shades of blue, is used to indicate that presence, extent, and intensity of the conservation values. The Heat Map in [Appendix D](#) shows the general locations within the County that best represent the top 3 conservation values as ranked by the BoCC and community. To illustrate the utility of the Heat Map, the Plan draws from the Conservation Values identified in [Table 3](#) above. Each dataset is weighted equally so that the areas that exhibit more than one primary conservation value are depicted in "hotter" colors. To create the Heat Map, data layers

were chosen that would best spatially represent each of the four primary Conservation Values. These are more refined and spatially exact than the data layers in the Conservation Values maps in [Appendix B](#), which were chosen to generally illustrate the overall concept of each of the Conservation Values. For the Heat Map, it was more appropriate to use data layers that would best represent where the Conservation Values would exist across Highlands County at finer scales. The Heat Map data layers and their sources are listed below ([Table 4](#)).

Table 4. Conservation Values Heat Map Layers and Sources

Conservation Value Category	Conservation Value Data Layer	Data Layer Source
Wildlife & Conservation Corridors	Avon Park Air Force Range Sentinel Landscape Boundary	DoD
	Florida Wildlife Corridor	UF Center for Landscape Conservation Planning
	Florida Panther Least-Cost Corridors	University of Central Florida Science and Planning in Conservation Ecology Lab
Drinking Water	Aquifer Recharge Areas	FNAI
	Public Water Wells & Private Wells	FDEP
Agricultural Lands	Existing Agricultural Lands	FDACS
	Farmlands of Unique Importance	NRCS

If the BoCC determines that a different set of Conservation Values are to be protected, the appropriate datasets can be substituted, and a revised Heat Map produced. The Heat Map is used during the property evaluation phase to determine the relative priority of nominated sites relative to the entire county. A nomination from a “cooler” area; that is, one that does not meet the criteria well, should also not score well under the Matrix, and approval may be delayed till higher scoring areas can be protected.

A couple words of caution. First, it would be unusual for all the “best”, i.e. highest scoring properties to be nominated, evaluated, and approved first. The county will respond to nominations, and the public will nominate either their own lands, adjacent lands, or lands that appear to have popular support. Patience is urged so that a large enough set of nominations is evaluated, and a picture develops of where the “best stuff is.” Second, that there will be property nominated that while deficient in criteria and therefore lower scoring, are critical connectors, the last piece of an endangered habitat, a particularly vulnerable and productive farm, or the perfect site for a recreational improvement that opens valuable opportunities for resource-based recreation on adjacent lands. The community should recognize that some worthy acquisitions may not always be the highest scoring. The score is the most important piece of information, but it is not the only piece of information that should be considered.

MAINTENANCE OF THE MATRIX

Several things should be noted about the ongoing utility of this Plan and the data layers used to build the Matrix. First, GIS data layers are not foolproof, and are typically based on professionally observed, generated, or collected data and/or models of where resources are predicted to be. Professional natural resource biologists and geologists have not surveyed every inch of Highlands County. That is why input from an expert committee and the public in the nomination of lands is so critical; to capture any missed information and ensure appropriate vetting of potential properties for acquisition.

Additionally, the data layers are improved by the agencies that produce and maintain them over time, typically every five to ten years, so they should be periodically checked and if significant updates in the data are available, an update to the data layers used for the Matrix should be performed.

Finally, it is anticipated that the interests of the public, experts, and the BoCC may change over time; certainly, as Highlands County continues to experience the impacts and benefits of development. However, having raised the funds based on the values established today, great care must be taken to modify the purposes of the program or to modify the evaluation tools to select property for different values than that existed when the Referendum was passed. To do so would violate the line-of-sight principle that has been so carefully built to maintain the public trust. What is entirely appropriate is to repeat the surveys, polling and criteria development and determine what the conservation values are of that future population, then aim at those properties with a new program, new referendum, and with updated criteria.

FEASIBILITY STUDY

A critical part in the line-of-sight is the Feasibility Study. This is a scientific poll of likely Highlands County voters to gauge support for the Referendum. Through a series of questions, respondents indicate their preference among the conservation values, their preferred funding mechanism, and their tolerance for how much it will cost them. For example, a respondent will be asked, “would they be likely to vote in support of the land conservation referendum if it cost them no more than \$10 per year?” Then they would be asked the same question but different annual amounts out of pocket to determine if the level of support increases or drops off. The polling firm determines where the likely support falls below the target of 60%-65%. This has been accepted as the threshold above which a Referendum will pass later in the year assuming nothing major happens politically or economically that negatively impacts the sentiment.

The Feasibility Study also examines the County’s various revenue streams, and the capacity for each to fund the desired level of spending. Florida local governments mainly use Ad Valorem property taxes, sales taxes, and special assessments to fund these kinds of programs. Each is evaluated to determine the possible revenue stream and then tested with likely voters to determine if any are more, or less, desirable. For example, Alachua County chose a sales tax increment to fund the Wild Spaces Public Places program since more than half of the revenue is derived from visitors and not borne by County residents. Since Highlands County has indicated that

its sales tax proceeds are already committed for other critical needs and residents' tolerances for new ad valorem taxes may be low, the land conservation funding will need to come from other sources. For most counties comparable to Highlands, the revenue stream is bonded so that the proceeds are available earlier and of sufficient quantity for the County to acquire land. The alternative is a "pay-as-you-go" scheme using only the proceeds available annually as raised by the tax increment. Given the size of Highlands County's tax base, it is very unlikely that enough revenue would be raised annually to acquire meaningful acreage.

The timing of the Feasibility Study polling is therefore critical. It needs to be done early enough for Highlands County to secure approval of the ballot title and summary by the Florida Secretary of State, the Florida Attorney General and the Florida Supreme Court. The ballot must comply with Florida's single-subject rule (Florida Constitution, Article XI, Section 3), the appropriateness of the ballot title and summary, the word count limits, and whether the ballot question does not violate the Florida and the United States Constitutions. Also, to be accurate, the Feasibility Study must reflect the same climate as the November 2026 election to accurately gauge voters' willingness to support the referendum. It should not be done too early since economic, social, and political climates affect spending referenda.

THE REFERENDUM & BALLOT LANGUAGE

[Figure 4](#) is the ballot from the 2016 Alachua County's Wild Spaces & Public Places Referendum. The Ballot summary is less than the statutorily required 75 words. Note, several key components of the language reinforce the line-of-sight model, reflecting what was determined through the polling and Feasibility Study. It specifies the purpose, "to acquire and manage environmentally sensitive lands." It describes the conservation values that the acquired property will protect, "drinking water sources, water quality, and wildlife habitat." These conservation values were the top three chosen by the voters when initially polled and again when surveyed in the Feasibility Study. It goes on to specify that the funds can be used to, "create, improve and maintain parks and recreational facilities." It requires that a citizen oversight board is created to review nominations and make recommendations to the BoCC. This feature was found to be a key determinant in the voters' becoming comfortable with the proposition by the Feasibility Study. Finally, it specifies the funding source, amount, and duration.

The County is proposing to use the Legislative referral process – where the question is put on the ballot via a vote of the BoCC -- rather than through the citizen's initiative process. The ballot language and approval to send to the Supervisor of Elections for the election is done via BoCC Resolution. An example is included at the end of this Section. The County should continue to plan for the Referendum to be considered by the voters at a general election on a Presidential or mid-term/Gubernatorial election year, i.e., November 3, 2026. This provides as many voters as possible with the opportunity to vote on the question. It avoids any criticism that it was "snuck" through on the primary election or on an off-election year, when only a few dedicated voters participate. 2026 is a Gubernatorial Election Year in Florida, with no incumbent Governor. So, we anticipate a high turnout.

Highlands County should consider having the BoCC approve the legislation that will govern the operation of the Program at the same public meeting as it considers approval of the Referendum legislation. This will inform voters how the proposed program will be run as they consider whether to vote for the ballot. The County is also encouraged to create the Advisory Committee prior to the

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.

Figure 4. Alachua County Ballot

Referendum to oversee the finalization of the Matrix and any guidance documents that inform its use, and to act as a venue for public input as the program develops and progresses to the Referendum.

With this date in mind, the schedule for getting the question approved and on the ballot is determined by the requirements for local referenda ballot language approval and the Highlands County Supervisor of Elections. The deadline for the BoCC to send the Referendum Ballot language to the Supervisor of Elections is July/August 2026. The BoCC and the County Manager's staff should coordinate closely with the County Attorney's Office and the Supervisor of Elections so that the documents are reviewed and approved during the spring and summer of 2026. The recommended schedule is illustrated in the [Figure 2](#) above.

SAMPLE HIGHLANDS COUNTY RESOLUTION.

The following is a draft of a Resolution that puts the question before the voters. It is modeled after several different local referenda for similar programs. Note: the specific language unique to Highlands County regarding conservation values, purpose, funding mechanism and amounts, needs to come from the Feasibility Study and BoCC direction.

RESOLUTION

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA, CALLING A BOND REFERENDUM FOR THE ISSUANCE OF LIMITED GENERAL OBLIGATION BONDS TO ACQUIRE CONSERVATION LANDS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Highlands County contains many treasured natural resources such as Everglades Headwaters National Wildlife Refuge and Conservation Area, Lake Wales Ridge National Wildlife Refuge, Highlands Hammock State Park, Jack Creek, Lake June in Winter Scrub State Park, Lake Istokpoga Park, Sun 'n Lake Preserve, Archbold Biological Station, and many forests, streams, and lake areas all which are of significant environmental importance; and,

WHEREAS, Highlands County contains many productive agricultural areas, owned by multi-generational farming families, that showcase traditional farming uses, providing food and fiber locally and widely throughout the region; and,

WHEREAS, it is in the best interest of the citizens of Highlands County that all appropriate actions be taken in order to protect for future generations the natural and agricultural resources of Highlands County by acquiring, improving and managing conservation lands located within Highlands County, Florida; and,

WHEREAS, the acquisition of these lands will provide opportunities for both existing residents and future generations to enjoy wild and scenic areas, wildlife preservation areas, natural/environmentally sensitive areas, agricultural areas, and will provide opportunities for

passive recreational and educational uses as well as opportunities to maintain good water quality by using appropriate lands for their natural stormwater cleansing and aquifer recharge abilities; and,

WHEREAS, it is consistent with the Highlands County Comprehensive Plan to acquire, preserve and passively use environmentally significant lands located in Highlands County, Florida; and,

WHEREAS, the Board of County Commissioners of Highlands County desires to submit to the qualified electors of Highlands County the question as to whether or not Limited General Obligation Bonds should be issued to fund the acquisition, preservation, and passive recreational use of these important environmentally significant lands.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA:

Section 1. Authority for this Resolution. This Resolution is adopted pursuant to the Highlands County Home Rule Charter; Chapter 100, Florida Statutes, as amended; Chapter 125, Florida Statutes as amended; Art. VII, Section 12, Florida Constitution, and other applicable provisions of law.

Section 2. Bond Referendum Election on Acquisition, Improvement and Management of Conservation Lands for Public Purposes.

- a. Bond Referendum Election. A Bond referendum election of the qualified electors residing in Highlands County is hereby called to be held during the general election on November 3, 2026, to determine whether or not the issuance of Limited General Obligation Bonds in an aggregate principal amount not exceeding \$_____, payable from ad valorem property taxes levied at a rate not to exceed _____ on all real property in Highlands County, shall be approved by such qualified electors to finance the cost of the acquisition, improvement and management of conservation lands for the protection of water resources and native plant and wildlife habitat, and preservation of agricultural properties, and for providing compatible resource-based recreation opportunities.
- b. Such purposes described above shall also include other purposes appurtenant, necessary, or incidental thereto.
- c. All qualified electors residing in the County shall be entitled and permitted to vote in such Bond referendum election.
- d. The polls will be open in accordance with law relating to general elections at the various voting places from seven (7) o'clock a.m. until seven (7) o'clock p.m. on the same day.

Section 3. Authorization of Bonds. Subject and pursuant to the provisions hereof, Limited General Obligation Bonds of Highlands County, Florida, are authorized to be issued in the aggregate principal amount of not exceeding \$_____ to finance the cost of the purposes generally described in Section 2 of this Resolution, including allocations for administrative costs, legal fees, fees of fiscal agents and all other costs associated with the issuance of the Bonds. Such General Obligation Bonds may be issued in one or more series and shall be payable from ad valorem property taxes levied at a rate not exceeding _____ on all real property in the County, maturing not later than _____ years. Such Bonds shall bear interest at such rate or rates not exceeding the maximum rate permitted by law at the time of the sale of the Bonds.

Section 4. Places of Voting. The places of voting and the Inspectors and Clerks for the polling places for the bond election shall be the same places and persons as for the General Election to be held on the same date.

Section 5. Official Ballot. The form of ballot to be used shall be in substantially the following form:

OFFICIAL BALLOT
COUNTY OF HIGHLANDS, FLORIDA
BOND REFERENDUM ELECTION - NOVEMBER 3, 2026

APPROVAL OF PROTECTION OF THE RIDGE TO RIVER LANDS &
RESOURCES BOND REFERENDUM TO PROTECT SIGNIFICANT
ENVIRONMENTAL AND AGRICULTURAL LANDS.

To acquire, preserve, protect, manage, and restore, water resources, agricultural lands and important wildlife corridors, shall Highlands County levy an additional _____ tax and issue bonds payable therefrom in one or more series in an aggregate principal amount not exceeding \$____ million, excluding previously-authorized indebtedness, maturing no later than __ years from the date of issuance of such bonds, bearing interest not exceeding the maximum lawful rate?

For bonds _____ Against bonds _____

Section 6. Absentee Voting. The form of ballot to be used in the election for absentee voters shall be substantially the form provided in Section 5 above.

Section 7. Printing of Ballots. The Supervisor of Elections of Highlands County is authorized and directed to have printed on plain white paper a sufficient number of the aforesaid ballots for use of absentee electors entitled to cast such ballots in such bond election and shall also have printed sample ballots and deliver them to the Inspectors and Clerks on or before the date and time for the opening of the polls for such bond election for the voting places; and, further, is authorized and directed to make appropriate arrangements for the conduct of the election at the polling places specified.

Section 8. Election Procedure. The Supervisor of Elections shall hold, administer, and conduct the Bond referendum election in the manner prescribed by law for holding elections in the County. Returns shall show the number of qualified electors who voted as such bond election on the proposition and the number of votes cast respectively for and against approval of the proposition. The returns shall be canvassed in accordance with law.

Section 9. Election Results. If a majority of the votes cast at such election in respect to the forementioned proposition shall be "For Bonds," such proposition shall be approved and then the particular Bonds, the issuance of which shall be thereby approved, shall be issued as hereafter provided by the County. If less than a majority of the votes cast at such referendum shall be "For Bonds," such proposition shall be defeated, and no Bonds may be issued, and no ad valorem tax shall be levied therefor.

Section 10. Notice of Bond Referendum Election. Notice of the bond referendum election shall be published in the manner required by law.

Section 11. Severability. In the event that any word, phrase, clause, sentence, or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, clause, phrase, sentence, or paragraph hereof.

Section 12. Effective Date. This Resolution shall take effect immediately upon its adoption. The Clerk to the Board of County Commissioners shall provide the Supervisor of Elections with a certified copy of this Resolution.

DULY adopted this ___ of ___, 20__.

BOARD OF COUNTY COMMISSIONERS
OF HIGHLANDS COUNTY, FLORIDA

By: _____
Chair.

ATTEST:

Clerk of the Court

(SEAL)

APPROVED AS TO FORM

Highlands County Attorney

HIGHLANDS COUNTY LAND CONSERVATION MANUAL

This Manual is intended to suggest operating definitions, principles, and procedures for an operating manual for a Highlands County's Land Conservation Program (LCP) if it is created by the BoCC. The Manual is based on best practices gathered from similar programs around the state. While great care has been taken to avoid creating such conflicts, it is not intended to replace existing County Ordinances, Rules, or procedures, nor statutory mandates, where they exist. The Manual suggests procedures, policies, Ordinance language, and a property evaluation tool which the NFLT encourages the County to review, evaluate, adapt, and consider making their own.

THE HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS

The BoCC has final responsibility for the financing and implementation of the land conservation program. The BoCC will make all decisions related to the funding of the program through its annual budget process, approval of emergency expenditures, levying any referendum-approved taxes, and issuance of bonds for land acquisition. The BoCC is specifically authorized to issue general obligation bonds as approved by the electors in support of this program. In addition to these general responsibilities and related to the land conservation program, unless delegated, the BoCC has approval authority for:

- Land conservation program policies and procedures based upon recommendations from the Land Conservation Committee and staff.
- The annual budget for the Land Conservation Program.
- Appointment of citizen volunteers to the Land Conservation Committee.
- The Active Acquisition List of land conservation projects selected from the Land Conservation Committee's recommended Priority Pool of projects.
- All land acquisition contracts.

THE HIGHLANDS COUNTY LAND CONSERVATION COMMITTEE

The acquisition of conservation land requires skills and oversight that may not be present in county government. To keep the voters' trust that the best properties were selected and purchased with public dollars, a citizen's committee structure is proposed to be established by County Ordinance. This proposal is based on decades of polling data consistently showing a significant increase in voters' confidence in these programs when they establish these committees. This Land Conservation Committee (LCC) evaluates nominations of property and makes recommendations on purchases to the BoCC. No property can be purchased without having been reviewed by the LCC. It is entirely appropriate that, for a disclosed public purpose, the BoCC may reject the committee's recommendation to add a Priority Pool Project to the Active Acquisition List. However, the BoCC may not add to nor expand its Active Acquisition List with any property that has not been evaluated and recommended by the LCC.

Appointment of the Land Conservation Committee. The BoCC shall appoint members to the Highlands County Land Conservation Committee in accordance with its committee and advisory board appointment procedures and policies. LCC membership shall consist of full members and

alternate members. Typical committees have between 7 and 11 members. Members should be appointed based on their knowledge, expertise or experience of environmentally sensitive lands, natural resources, agriculture, silviculture, or animal husbandry. The ideal candidates will have experience in at least two of the above categories. The BoCC may also appoint the remaining members to the LCC who best represent the public. Possible candidates should be selected to represent a diverse geography, skill set, and interests within the county. The alternates may come from any of the above three categories and shall serve as voting members of the LCC only upon the absence of a full member.

The appointment process should follow the County's established process. Generally, applicants respond to a call by the County Commissioners for LCC volunteers to be appointed to the LCC. These are reviewed by the County staff and a qualified list of nominees shall be established from the available pool of applicants. County staff will provide the list of all applicants and the nominees to the BoCC for review. The BoCC shall review the qualifications of the qualified nominees and give each nominee a score. County staff shall tabulate the evaluation scores. Those nominees with the highest scores shall be appointed to the LCC, those nominees with the second highest scores shall be appointed as alternates to the LCC. In cases of tied scores, the BoCC Chairperson will choose members or alternatives by drawing from a box the names of those with tied scores.

To maintain the institutional memory and continuation of best practices, and provide opportunities to get a diversity of input, the BoCC shall appoint LCC members to staggered four-year terms. To achieve staggered terms, the BoCC will randomly choose a few of the initially appointed members and an alternate to serve a two-year term, randomly choose more of the initially appointed members and the remaining alternate to serve a three-year term, with the remaining appointed members serving a full four-year term. The BoCC may re-appoint any member who has served these initial two-, three- or four-year terms and remains in good standing, to a single additional four-year term without additional solicitation, review, or evaluation. Thereafter, the BoCC must appoint new LCC members to a full four-year term and may re-appoint members to a single four-year term when their term expires. No member, other than the initial LCC members re-appointed after serving a shortened, staggered term, may serve more than two four-year terms.

If replacement LCC members are required to serve out an unexpired term, the BoCC has the option to promote an existing alternate to full LCC membership to fill out the remaining term, or the BoCC can request that staff prepare a public advertisement as a call for qualified citizen volunteers.

The LCC will operate under the established rules for County Committees. Generally, they nominate, from amongst its own group, a chairperson to head the proceedings of the committee. The LCC may adopt additional rules and procedures for the conduct of its meetings, which meetings shall be open to the public and subject to the state open meetings and public records laws. The agenda for committee meetings will be developed by staff, in consultation with the Chair. The committee may nominate additional members to join the committee in a strictly advisory, technical, non-voting role. These ad hoc positions are not mandatory to be filled and should be reserved for critical partners, and who may be critical to the execution of the LCP. Examples for these kinds of

partners may be a regional conservation agency, such as the Water Management Districts, which are jointly participating in the acquisition of conservation lands with the County, or the FFS if they are a participating management partner with the County. In either example, the input of that partner may be critical to the committee's decision as to whether they should recommend the acquisition of a project. The LCC should meet at a minimum of six times per year or more frequently if requested by the Committee, the BoCC, or by staff in concert with the Chair. Meetings may be waived if there are no items for an agenda, with the approval of the Chair.

Duties of the Land Conservation Committee. The LCC shall be bound by the County's rules, policies and procedures for advisory boards and committees. Generally, the LCC should handle five tasks related to the county's conservation lands acquisition program (refer to the following Sections for additional details):

1. [Evaluation of Nominated Property.](#) County staff will apply the methodology for evaluating nominated properties set forth in the Conservation Manual. However, there may be reasons to select projects beyond those provided by the Manual. The job of the LCC is to accept those evaluations provided by staff and then hear from the public and subject matter experts and make their recommendations accordingly. They then select from among all the evaluated properties a Priority Pool of projects to recommend to the BoCC for placement on the County's Active Acquisition List for purchase.
2. [Review of Potential Acquisitions.](#) Once an Active Acquisition List of projects has been approved by the BoCC, staff will pursue the acquisition of those properties (including conservation easements). Once a purchase contract has been agreed to by the parties, staff may brief the LCC regarding the proposed purchase at the next available LCC meeting. The purpose of this briefing is not for the LCC to evaluate the real estate sufficiency of the contract, but rather to make sure the contract achieves the goals of the LCP and the LCC's intent in placing that project in the Priority Pool. If the LCC is satisfied, they can add their support to staff's project recommendation to the BoCC. While such a briefing is not required, staff are encouraged to use the LCC in this manner to support acquisitions, review significant deviations from the project purposes and design, and maintain the integrity of the Program.
3. [Review of Land Stewardship Plans.](#) After a property is acquired, it must have a land stewardship plan so the county can plan and budget for whatever costs may come with the stewardship of the property, and so the public may understand how the property is to be used. Staff will brief the LCC on each stewardship plan and the LCC will ensure that the proposed uses, boundaries, and improvements meet the goals of the LCP and the purposes for which that property was acquired. If the LCC agrees that the stewardship plan is appropriate, they may recommend the stewardship plan to the BoCC for approval. Again, LCC approval of the stewardship plan is not required, but encouraged to facilitate a full review of the uses of the property. If there is a stewardship partnership agreement proposed for a property, the LCP may review and recommend that agreement to the BoCC

for approval. The staff are encouraged to bring stewardship issues to the LCC and keep them updated regularly to maintain their awareness and knowledge of stewardship-related progress and concerns, so they are a resource and accountability partner.

4. [Monitoring and Enforcement of Conservation Easements.](#) The County will need to monitor acquired conservation easements annually for compliance with their terms. Staff should brief the LCC upon the completion of any conservation easement monitoring report or resolution of any major violation. While the handling of violations is the purview of the County staff, County Attorney's Office, and the BoCC, the LCC may be able to recommend corrective actions.
5. [Advisor to the Board of County Commissioners.](#) The LCC may also be used as an expert committee for the staff and BoCC on an as-needed basis, according to their needs. It should be noted that the LCC is an advisory body and has no final approval authority over any aspect of the LCP. Its role is simply to review the programmatic details of the LCP and make recommendations to the BoCC as a committee of expert advisors. The BoCC maintains authority to make all final decisions on the execution of the LCP itself. The exception is that no property may be added to the Active Acquisition List without the positive recommendation of the LCC. This is essential to maintaining the voters' trust and the integrity of the program.

NOMINATING PROPERTIES

Establishment of an Open Nomination Process. Highlands County should periodically and broadly advertise its open process to accept nominations for land acquisition projects. The County should accept nominations for land acquisition projects from any person or organization at any time for any property located in Highlands County. County staff, members of the LCC and BoCC, may not nominate properties for acquisition. To efficiently schedule LCC reviews and decisions, the LCC may establish a review cycle, starting with a call to open nominations, and ending with a deadline, by which all received applications will be reviewed for the next LCC Meeting. Nominations should be reviewed on a first-come, first-served basis. The BoCC may limit the number or combined value of properties to be evaluated within each review cycle and may establish deadlines for consideration within the active cycle. Those properties that are not reviewed in the active review cycle should be automatically considered in the next available review cycle.

Acceptance of One-Page Nominations. Each nomination should be submitted on a one-page form provided by Highlands County. An example is provided in [Appendix E](#). Information required on the form should include the name, address, and contact information of the nominator, nominated property location (street address and/or section, township, range), tax parcel number(s), approximate project size, record owner of title. Additional information requested to facilitate the initial evaluation may include existing land use and zoning designations, existing uses, asking price, County Property Appraiser's Just Value, and reasons the land should be acquired. Up to fifteen pages of additional text, maps, photographs, letters, appraisal summaries, or other documentation may be provided to the County for consideration at the time of nomination. This supporting

documentation is not required. The form also has a space to be signed indicating each owner's willingness to negotiate a sale and granting right of access for site inspection may also be submitted at the time of nomination but is non-binding with respect to a sale by the owner and not required. County staff will not visit the property without prior permission from the landowner or their duly authorized representative even if this access is granted in the form.

Nominators should think proactively about what makes a proposal successful. It must be a good purchase for the LCP, scoring highly under the Matrix which therefore indicates how well it meets the LCP goals. To this end, the Matrix (see [Evaluation of Properties for the LCP](#) Section, below) should be made available on the County website along with a guide to its use and links to data sources for applicants to self-score nominations. Examples of sources that could be used to evaluate possible criteria are listed in [Table 5](#).

Nominators should consider the following when developing their application:

- Purchase Area Boundaries. Nominators may choose to nominate the entirety of a tax parcel or multiple tax parcels for the program. Projects are evaluated based on the entirety of the application boundary. Nominators are encouraged to nominate properties utilizing boundaries that maximize conservation values and minimize the stewardship and operational liability for the County. By way of example, while a 100-acre property may have twenty acres of critical resources, if the other eighty acres are of a marginal conservation value, then purchasing the entire property may not be of great value to the County. The LCC may limit the project to just twenty acres and the landowner may want to only sell the entire 100 acres, leading to the property being withdrawn or deemed ineligible. Similarly, there may be houses and structures on a property which are financially burdensome to the County to maintain or remove, and which are not additive to the conservation value of the property. If the landowner is willing, these should be removed from the proposed boundary.
- Landowner Participation. While properties may be nominated without landowner knowledge or participation, landowner willingness is obviously required to acquire a property, and landowner participation in the nomination will be considered for a property's evaluation. Therefore, nominators are encouraged to have landowners participate in the nomination process by having them sign the nomination form.
- Bargain Sales and Match Funding. The county does not have adequate funding to acquire all the valued and necessary lands in the county; therefore, it must seek to extend and leverage available funding to the greatest extent possible. Properties that come with match funding, expressed as either a dollar or percentage of the total purchase price, will get higher considerations in the evaluation. Similarly, if a landowner wants to achieve a higher score, they can agree to donate a portion of their property's value to the county (a Bargain Sale), expressed as a percentage of the assessed value as determined by the Property Appraiser or as a total cash amount. It is important for staff, the LCC, and the BoCC, to note that whatever bonus is awarded Bargain Sale or partner-funded projects, these considerations must not make eligible a project that is an otherwise ineligible due to deficiencies in its conservation values. In other words, do not acquire a non-conservation

property just because it is cheap. There are long-term costs to owning and restoring property.

- **Legal and Physical Access.** Access is important from a property stewardship standpoint and to provide recreational opportunities for the public. Therefore, for properties that don't have a clear manner of access, or if a significant portion of the property has legal access but lacks physical access because of some barrier such as a river, stream, or large wetland, it will affect the property negatively in the evaluations, specifically in the stewardship and cost sections of the Matrix.
- **Significant Liabilities.** There is also the need to consider the potential for significant liabilities to be incurred by the county if a property acquired contains environmental hazards such as historic toxic spills, significant numbers of, or significantly sized structures, require large amounts of expensive restoration, or other things that would expose the County to risk or great cost. Properties with these known liabilities will receive negative scores in the evaluations. As part of any acquisition, staff will also do its due diligence (including Title Search, Title Commitment, Environmental Phase 1/2/3 Assessments, and Survey) which will uncover these defects before a closing. Disclosing these – if known – is required under Florida Real Estate Laws and saves everyone time and money.
- **Conservation Easements.** Conservation Easements (CE) are a great tool for the County to maximize value in preserving natural resources. A CE transaction divides the full bundle of rights between the landowner (retaining rights they are using or want to use in the future) and the easement holder. The rights transferred to the holder in the CE bundle are extinguished permanently. Not every property needs to be owned and managed by the County for its conservation values to be protected. In many cases, the landowners make excellent or better stewards. Since the property remains with the landowners, it could be a great tool to preserve natural resources on properties that they would not otherwise sell. Rural conservation easements range about 40% - 70% of the total acquisition cost of a property depending on the property rights retained, the rights given up, and the marketability of those rights. Therefore, the properties proposed as conservation easements may achieve a better evaluation since their conservation values are protected at less cost. However, they often contain less public access and may receive a negative evaluation because of it. Nominators should be aware that properties for which a conservation easement is proposed needs to represent a very good value for the benefits of the cost savings to outweigh the lack of public access.

Figure 5. The Full Bundle



Figure 6. The Landowner's Bundle



Figure 7. The CE bundle



Staff should publicly make available the LCP Property Decision Matrix so that nominators can self-score potential property before submitting the application. Members of the public must nominate properties for acquisition, using the LCP Nomination Form, which is attached to the Manual.

EVALUATION OF PROPERTIES FOR THE LCP

The Nomination Pool. All nominated projects are given an Initial Office Review (IOR) upon receipt of a complete nomination form by County staff. The purpose of this IOR is to filter out projects that upon initial review do not meet the goals of the LCP. It is proper and expected that most projects will move forward, to get fully evaluated using the Land Conservation Program Property Decision Matrix of Criteria ([Table 5](#)). For the IOR, staff may use any readily available reference materials as well as any information submitted with the application form. References used to complete this initial office review may include, but not be limited to, existing maps, Geographic Information System (GIS) databases, and aerial photographs. If upon completion of the IOR, staff finds that the conservation values of the candidate project are low or that the proposed acquisition would not fulfill the purposes of the Land Conservation Program set forth herein, staff may recommend the LCC take No Further Action on the application. The nominator will be notified of the decision and should have the opportunity to appeal the decision at a regular meeting of the LCC. Upon completion of the IOR, if staff determines the property meets the purposes of the LCP, they may recommend the LCC add the property to the Nomination Pool. If the LCC decides to add the property to the Nominated Pool, staff will evaluate the application under the procedures outlined below.

The Nomination Pool serves as the core around which a conceptual project boundary should be established by County staff. This project boundary should include all parcels that serve to enhance the values, purpose, viability, or function of that project. For example, a nomination may propose a small family ranch. In the IOR, staff and the LCC determine that the ranch is part of a springshed and is adjacent to a larger property which captures more rainfall for the spring. That project boundary may be enlarged to include the larger adjacent property as well as any other adjacent properties that enhance the project conservation values. If a conceptual project boundary includes multiple properties with different owners, the LCC shall identify those Keystone Properties that are necessary to acquire to justify obtaining other project parcels. While the nominated properties may have different scores in a project area, there is no ranking nor priority order among non-Keystone Properties, and no project is ranked higher than others. If a Project advances to the Active Acquisition List, staff are authorized to negotiate on all the property in the projects equally. No non-Keystone property shall be acquired unless the appropriate Keystone properties have been acquired.

Any property may either be retained indefinitely in the Nomination Pool or removed by the LCC at the request of a landowner. If the project is retained, reconsideration for advancement to the Eligibility Pool may be requested at any time with receipt of updated information that may

SCORING VS. RANKING

A couple of clarifying notes. A parcel is a tax parcel. A property is all the parcels in an ownership. They need not be contiguous but should serve the project's conservation purpose. A project can be comprised of multiple ownerships, at least one of which is the Keystone. Ownerships are scored using the Matrix ([Table 6](#)). These scores and other information can be used to rank projects for purposes of placing in the Priority and Eligibility Pools. But once included in the Pools and on the Active Acquisition List, the rankings cease to be relevant for negotiation purposes. The scores and ranks can be used to benchmark the success of the program in terms of protecting the best lands.

affect the site scoring or viability of sale, or vulnerability. If a parcel is removed from the Nomination Pool at the request of the parcel owner, it shall not be further considered for purchase for a period of not less than five years unless submitted for reconsideration at the written request of the property owner. If a Keystone Property is removed by its owner, staff and the LCC will need to designate a new Keystone Property before the project can be advanced. If there are no reasonable Keystone Properties remaining, further consideration of the project will be halted. The parcel or project may be reconsidered at any time if it was removed at the request of the LCC and may be advanced if there have not been any significant, negative impacts on the project's identified conservation values.

Staff may want to use the initial meetings of the LCC to develop a guidance document for their, the LCC's, the BoCC's and the public's use of the Matrix. This will serve to create a long-term, repeatable, consistent, and comparable means of reviewing nominations fairly. The County may also want to initially establish application cycles and deadlines for nominations before moving to a year-round application process. Typically, as these programs mature, nominations are received throughout the year, evaluated in a timely manner depending on staff workload, and presented at the next available LCC meeting.

Land Conservation Program Property Decision Matrix of Criteria. The LCP only evaluates and acquires property from owners who are willing. Upon receipt of a nomination in which the applicant was not the landowner, or if the landowner has not indicated their willingness in writing, staff must contact the landowner to obtain that willingness. The landowner may request their property be withdrawn; in which case their staff will stop further consideration of that property and remove it from the Nomination Pool. Having obtained a Willing Owner Statement, and after the proposed property has been added to the Nomination Pool, staff then prepare a draft Staff Evaluation Report (SER) for each ownership using all the resources available to them in the office.

At a minimum, the SER will document:

- The name of the property owners, based on the last deed of record, along with any officers of the corporation if the property is corporately held.
- The signed Willing Owner statement.
- Whether it is proposed as a fee-simple purchase, conservation easement, or other transaction.
- The acreage (whether deeded from Property Appraiser, surveyed, or established using GIS).
- It's most recent Just Value as determined by the Property Appraiser.
- The landowner's asking price.
- Any potential for partnership funding.
- Its provisional Matrix scores using the Evaluation Tool and sources in [Table 5](#) and the scoring rubric in [Table 6](#), with a short answer justifying the individual criteria scores.

Table 5. The Matrix of Criteria.

I-1 CONSERVATION VALUES- PROTECTION OF DRINKING WATER RESOURCES	
<p>A. Whether the property has geologic/hydrologic conditions that would easily enable contamination of vulnerable aquifers that have value as drinking water sources. <i>Data Source: Aerial Imagery and/or Property site visit</i></p> <p>B. Whether the property serves an important groundwater recharge function. <i>Data Source: FNAI Critical Lands and Waters Identification Project (CLIP) Version 4 Aquifer Recharge Areas</i></p> <p>C. Whether the property is in the catchment area for a community drinking water well or more than 5 individual private drinking water wells. <i>Data Sources: FDEP Public Water Supply Wells and FDEP Private Wells</i></p>	
I-2. CONSERVATION VALUES – PROTECTION OF WILDLIFE & CONSERVATION CORRIDORS	
<p>A. Whether the property is in the current Florida Wildlife Corridor as adopted by the State Legislature. <i>Data Source: State of Florida.</i></p> <p>B. Whether the property serves as documented or potential habitat for species with large home ranges. <i>Data Sources: FWC Black Bear Telemetry, FWC Florida Panther Occurrences, FWC Florida Scrub Jay Occurrences, USFWS Florida Scrub Jay Habitat Range, UF Center for Landscape Conservation Planning Wildlife Corridors in Florida</i></p> <p>C. Whether the property serves as a special wildlife migration or aggregation site for activities such as breeding, roosting, colonial nesting, or over-wintering. <i>Data Sources: FWC ESI Bird Habitat Areas, FWC ESI Bird Nests</i></p> <p>D. Whether the property is adjacent to properties that are in a predominately natural condition, or are in public conservation ownership, have other environmental protections such as conservation easements. <i>Data Source: FNAI Florida Conservation Lands (FLMA)</i></p> <p>E. Whether the property is relatively free from internal fragmentation from roads, power lines, and other features that create barriers and edge effects. <i>Data Source: Aerial Imagery and/or Property site visit</i></p>	
I-3. CONSERVATION VALUES - PROTECTION OF THREATENED & ENDANGERED SPECIES AND HABITATS	
<p>A. Whether the property has documented federally listed or State listed species. <i>Data Sources: FWC Red-cockaded Woodpecker Observations, FWRI Watersheds Containing Rare and Imperiled Fish, NOAA Essential Fish Habitat, FWC Eagle Nesting Locations, FWC ESI Marine Mammal Habitat Areas, FWC ESI Land Mammal Habitat Areas, FWC ESI Reptile Habitat Areas, FWC Freshwater Fish Habitat Areas in the St. Johns River, FWC Florida Scrub Jay Occurrences, FWC Florida Panther Occurrences</i></p>	

- B. Whether the property contains plants or animals that are endemic or near endemic to Florida or Highlands County.**

Data Sources: FWC ESI for Marine and Estuarine Invertebrate Species, FWC ESI Habitat Regions for T&E Plants and Communities, FWC Florida Scrub Jay Occurrences

I-4. PROTECTION OF FARMS AND WORKING FORESTS

- A. Whether the property is in active agricultural use and follows Best Management Practices.**

Data Sources: FDACS Florida Statewide Agricultural Irrigation Demand (FSAID) Geodatabase, FWC Cooperative Land Cover Map Project and/or property site visit

- B. Whether the property is used for more than one agricultural product.**

Data Source: FDACS FSAID Geodatabase, FWC Cooperative Land Cover Map Project and/or property site visit

- C. Whether the property has been in agricultural use for generations.**

Data Source: Historic Aerial Imagery, Historic Cooperative Land Cover Map Project and/or Property site visit

- D. Whether the agricultural products from the property are sold locally.**

Data Source: Landowner and/or Property site visit

- E. Whether the property owner actively uses the property to support agri-tourism, agri-education or other events that showcase agricultural traditions.**

Data Source: Landowner and/or Property site visit

- F. Whether the property has high quality soils for croplands.**

Data Source: National Resource Conservation Service Soil Survey Geographic Database

- G. Whether the property has high quality soils for timberland.**

Data Source: National Resource Conservation Service Soil Survey Geographic Database

I-5. CONSERVATION VALUES – SOCIAL AND HUMAN VALUES

- A. Whether the property offers opportunities for compatible, resource-based recreation, if appropriate.**

Data Source: Aerial Imagery and/or Property site visit

- B. Whether the property contributes to urban green space, provides a municipal defining greenbelt, provides scenic vistas, or has other value from an urban and regional planning perspective.**

Data Source: Trust for Public Land ParkServe Park Priority Areas

- C. Whether the property contains cultural, archeological, or historic resources of local significance.**

Data Source: State of Florida Historic Preservation Office; Local Historical Society.

II-1. STEWARDSHIP ISSUES

- A. Whether the property has low incidence of non-native invasive species.**

Data Source: Aerial Imagery and/or Property site visit

- B. Whether it will be practical to manage the property to protect its environmental, social, and other values (examples include controlled burning, exotics removal, maintaining hydro-period, and so on).**

Data Source: Aerial Imagery and/or Property site visit

- C. Whether this management can be completed in a cost-effective manner.**

Data Source: Aerial Imagery and/or Property site visit

II-2. ECONOMIC AND ACQUISITION ISSUES

- A. Whether there is potential for purchasing the property with matching funds from municipal state, federal, or private contributions.**

Data Source: Florida Forever, FDACS, FWC, WMD, NRCS, and other partners' project data sources

- B. Whether the overall conservation value justifies the potential cost of acquisition.**

Data Source: Highlands County Property Appraiser Office's Just Value, above criteria data and findings

- C. Whether there is imminent threat of losing the environmental, social, or other values of the property through development and/or lack of sufficient legislative or regulatory protections (this requires analysis of current land use, zoning, owner intent, location, and market conditions).**

Data Source: Highlands County Planning & Zoning

The criteria are scored according to the Property Decision Matrix Scoring Rubric in [Table 6](#). The scores for each criterion range are how well the proposed boundary meets the criterion with 1 = None/Low, 2 = Less than Average, 3 = Average, 4 = More than Average, 5 = High/Exceptional. The Conservation Values section is then averaged and weighted separately from the Stewardship and Acquisition Issues section. The final Project score is the sum of the two section sub-scores and ranges from 2.00 (Lowest) to 10.00 (Highest). The weighting proposed here may be revised according to the direction of the BoCC. However, once established, it should not be changed for two reasons. One, so that meaningful comparisons between projects can be made over the lifetime of the program. The second reason is that these criteria keep the Line-of-Sight between the original expressed and voted upon intent of the community, and the final portfolio of lands.

These are considered “draft” evaluations at this stage for three reasons:

- The scores may be adjusted by the LCC based on the guidance document or other criteria.
- New information might be presented at the LCC Meeting at which the property is being considered.
- Data available on staff desktops might be insufficient, outdated, or inaccurate. The staff may have to conduct a site visit to verify the information in the nomination and that was available to them and finalize the Matrix scoring prior to LCC and BoCC approval of projects.

Table 6. Property Decision Matrix Scoring Rubric

Highlands County Land Conservation Program Property Decision Matrix							
Project Name - Property - Date							
CATEGORY	Criterion	WEIGHTING	Enter Criteria Value Based on Site Inspection	Average Criteria Score	Average Criteria Score Multiplied by Relative Importance		
(I-1) PROTECTION OF DRINKING WATER RESOURCES	A. Whether the property has geologic/hydrologic conditions that would easily enable contamination of vulnerable aquifers that have value as drinking water sources.		5	5.00	6.67		
	B. Whether the property serves an important groundwater recharge function.		5				
	C. Whether the property is in the catchment area for a community drinking water well or more than 5 individual private drinking water wells.		5				
(I-2) PROTECTION OF WILDLIFE & CONSERVATION CORRIDORS	A. Whether the property is in the current Florida Wildlife Corridor as adopted by the State Legislature.		5				
	B. Whether the property serves as documented or potential habitat for species with large home ranges.		5				
	C. Whether the property serves as a special wildlife migration or aggregation site for activities such as breeding, roosting, colonial nesting, or over-wintering.						
	D. Whether the property is adjacent to properties that are in a predominately natural condition, or are in public conservation ownership, have other environmental protections such as conservation easements.		5				
	E. Whether the property is relatively free from internal fragmentation from roads, power lines, and other features that create barriers and edge effects.		5				
(I-3) PROTECTION OF THREATENED & ENDANGERED SPECIES AND HABITATS	A. Whether the property has documented federally listed or State listed species.		5				
	B. Whether the property contains plants or animals that are endemic or near endemic to Florida or Highlands County.		5				
(I-4) PROTECTION OF FARMS & WORKING FORESTS	A. Whether the property is in active agricultural use and follows Best Management Practices.		5				
	B. Whether the property is used for more than one agricultural product.		5				
	C. Whether the property has been in agricultural use for generations.		5				
	D. Whether the agricultural products from the property are sold locally.		5				
	E. Whether the property owner actively uses the property to support agri-tourism, agri-education or other events that showcase agricultural traditions.		5				
	F. Whether the property has high quality soils for croplands.		5				
	G. Whether the property has high quality soils for timberland.		5				
(I-5) SOCIAL AND HUMAN VALUES	A. Whether the property offers opportunities for compatible resource-based recreation, if appropriate.		5				
	B. Whether the property contributes to urban green space, provides a municipal defining greenbelt, provides scenic vistas, or has other value from an urban and regional planning perspective.		5				
	C. Whether the property contains cultural, archeological, or historic resources of local significance.		5				
AVERAGE FOR CONSERVATION AND HUMAN VALUES				5.00			
RELATIVE IMPORTANCE OF THIS CRITERIA SET IN THE OVERALL SCORE		1.333			6.67		
(II-1) STEWARDSHIP ISSUES	A. Whether the property has low incidence of non-native invasive species.		5	5.00	3.33		
	B. Whether it will be practical to manage the property to protect its environmental, social and other values (examples include controlled burning, exotics removal, maintaining hydro-period, and so on).		5				
	C. Whether this management can be completed in a cost-effective manner.		5				
(II-2) ACQUISITION ISSUES	A. Whether there is potential for purchasing the property with matching funds from municipal, state, federal, or private contributions.		5				
	B. Whether the overall Conservation Values justifies the potential cost of acquisition.		5				
	C. Whether there is imminent threat of losing the Conservation Values of the property through development and/or lack of sufficient legislative protections.		5				
AVERAGE FOR ACQUISITION AND MANAGEMENT VALUES						5.00	
RELATIVE IMPORTANCE OF THIS CRITERIA SET IN THE OVERALL SCORE		0.667					3.33
TOTAL SCORE							10.00

NOTES

Criteria Scoring Guidelines

1 = None, 2 = Less than Average, 3 = Average, 4 = More than Average, 5 = High

THE ELIGIBILITY POOL.

No less than twice per year, the LCC shall hold a public meeting to establish an Eligibility Pool of Projects. The Eligibility Pool represents projects that the LCC determines meet the purposes of the LCP. Staff will present the SERs for the LCC to ensure the properties align with the core goals of the LCP and to hear from the public whether there are other considerations that may not have been included in the LCP evaluation process. Prior to the LCC Meeting, the County shall make a good faith effort to provide notice of the LCC meeting date to the person or organization nominating the subject project. Each shall be notified of the opportunity to speak and present additional information before the LCC.

The LCC shall divide the projects into two categories for the purpose of establishing the Eligibility Pool:

- Projects eligible for further consideration for public acquisition by Highlands County; and
- Projects ineligible for further consideration for public acquisition by Highlands County at the present time.

The decision to add a project to the Eligibility Pool shall be made by a majority vote of a quorum of the LCC. The project nominators shall be notified of the Eligibility Pool determination of the LCC. Projects remain in the Eligibility Pool until promoted to the Priority Pool, or removed by the landowner, or the LCC. Ineligible projects are removed from the Nomination Pool and further consideration unless new and compelling information is provided. The BoCC may not add a project to, delete a project from, or alter the Eligibility Pool. Staff are authorized to conduct a site visit to verify information in the SER. Site visits can be very useful to verify claims made by applicants, and to validate information from desktop resources. GIS data can get stale and outdated. Changes may occur to land use and resources in between data collection cycles. However, these visits are time-intensive and should be conducted when a project is on the “bubble” meaning not enough information is available to make a determination at that time, or if there is a claim of value that must be substantiated to award the points. Many projects will meet the purposes of the Program without needing a visit. The decision when and if to make a site visit whether prior to the LCC or BoCC approvals must consider the capacity of the county to handle this new workload and its incremental benefit. Note: Should staff find a significant change from a site visit that would alter the score, they can ask the BoCC to relegate it to the Nomination Pool and/or ask for the LCC to weigh in on its fate. Staff will finalize the SER and forward it to the LCC for further consideration at their next available meeting.

THE PRIORITY POOL.

Staff shall conduct site-specific evaluations using any available and appropriate information to answer the criteria in The Land Conservation Decision Matrix in [Tables 5](#) and [6](#) above and finalize the Staff Evaluation Report. When completed, the Staff Evaluation Report shall be provided to the LCC for a decision whether to advance the project to the Priority Pool. Staff and the LCC may also elect to visit nominated property to ground truth for themselves the information from the SER.

No less than once per year, the LCC shall meet to establish a Priority Pool of Projects. The Priority Pool represents the best projects that have been evaluated, and which the LCC determines are a priority for acquisition at this time. This Priority Pool is submitted to the BoCC to add projects to the County's Active Acquisition List. There is no limit to the number of projects contained in any Priority Pool.

Prior to the LCC meeting, the County shall make a good faith effort to provide notice of the LCC meeting date to the affected landowners and the nominator. They will have the opportunity to provide additional information regarding the final SER. Upon request, a copy of the SER shall be provided to them. They and the public will have the opportunity at the LCC Meeting to address whether there are other considerations that may not have been included in the LCP evaluation process. Any project added to the Priority Pool shall be forwarded to the BoCC for addition to the County's Active Acquisition List and authorization to proceed with the acquisition process using budgeted funds available. In selecting Priority Pool projects, the LCC is encouraged to focus on how well a proposed project meets the LCP criteria, whether all the conservation values are being met by projects already on the Active Acquisition List, and in the portfolio of acquired lands. They should not focus on available funding, capacity, or other logistical issues. That is the responsibility of the BoCC and the County Manager. The BoCC, sensitive to staff workload capacity, funding availability, or other constraints, may reject all or some of the Priority Pool projects. All Priority Pool projects are equal. This is to ensure that staff have adequate flexibility in the negotiation of these lands and can bring multiple projects forward for the BoCC to consider. The BoCC may not add a project to, delete a project from, or alter the Priority Pool. Their decision is whether to add any Priority Pool project to their Active Acquisition List. Addition of Priority Pool projects that the BoCC adds to the Active Acquisition List authorizes staff to procure the necessary due diligence, commence negotiations with landowners, solicit grants and partner funding, and execute option contracts (contingent on final approval of the purchase by the BoCC) to acquire these properties.

Other evaluated property that meets the goals of the LCP, but do not rise to the level of the Priority Pool in the opinion of the LCC, remains in the Eligibility Pool. Any Eligibility Pool property can be selected by the LCC as a Priority Pool Project at a future meeting and sent to the BoCC for consideration. Property that does not meet the objectives of the LCP are considered ineligible and remain in the Nomination Pool. Such property may be reconsidered by the LCC upon receipt of new information.

THE ACTIVE ACQUISITION LIST.

An Active Acquisition List will be maintained and regularly modified based on the following criteria and other factors deemed significant by the BoCC, including.

- Final scores using the Decision Matrix Criteria.
- Potential purchase price.
- Availability of matching funds.
- Urgency of purchase based on imminent threat of loss.
- Contribution of the Priority Pool project to regional conservation efforts.

- Contribution of the Priority Pool project to protecting habitats and under-represented species in the current protected lands portfolio.
- Contribution of the Priority Pool project to addressing unmet social, agricultural, or resource-based recreation goals.
- Estimated stewardship costs that may be borne by the County.

This List reflects the BoCC’s vision for what projects should move forward. For example, they may decide that the current List contains many parcels on the west side of the County and want to add just the Priority Pool projects located on the east side. Or it has too many uplands, and they want to add more wetlands parcels. Their choices are limited to the projects in the Priority Pool. The BoCC may remove a project from the Active Acquisition List if acquisition of the project no longer furthers the purposes of the Highlands County Land Conservation Program but may not add a project to the Active Acquisition List outside of the LCC deliberative process described above. The BoCC may also direct staff to pursue matching funds from outside agencies or private parties for any project listed in the Active Acquisition List. The Active Acquisition List need not have a limit on the number of projects it contains. Projects may be placed in either of the following two categories based on the likelihood, or necessity, of matching funds:

- ***THE FULL PRICE LIST*** shall contain those acquisition proposals which are deemed most worthy of acquisition based upon the criteria provided above and which have been recommended for immediate acquisition by the LCC. The County may acquire the Full Price List properties using County funds alone to pay 100% of the purchase price and transaction costs. No ranking order shall be assigned to Full Price List projects. The County shall pursue the acquisition of all projects on the Full Price List. Inclusion of a project on the Full-Price List implies that staff are authorized to develop partnerships with other agencies and non-profits and to apply for grants to match County funds. However, only the BoCC may execute contracts with funding partners where County funds are pledged as match or a share of title with the funding partner is required.
- ***THE BARGAIN-SHARE LIST*** shall contain acquisition proposals which are deemed worthy of acquisition based upon the evaluation criteria provided above and which have been recommended for acquisition by the LCC, but which have not been assigned to the Full-Price List. The County may not actively pursue acquisition of a property on the Bargain-Share List unless the share of the purchase price paid from the County sources is no more than fifty percent (50%) of the contracted purchase price of the property. Inclusion on the Bargain-Share List implies that staff are authorized to develop partnerships with other agencies and non-profits and to apply for grants to match County funds. However, only the BoCC may execute contracts with funding partners where County funds are pledged as match or a share of title with the funding partner is required. Property on the Bargain-Share List may also be acquired if the seller donates fifty percent (50%) or more of the value of the property as estimated in appraisal report(s) prepared for the County per the procedures described below. The BoCC may move projects between the Full Price List and the Bargain Share List based on the factors described above.

Note: The underlined text in the preceding paragraphs emphasize the delegation of authority to apply for matching funds versus the actual legal binding contract to accept those funds. Usually, grants and partnerships develop under time pressure and to maximize efficiencies, this authorization to apply should be delegated to the County Manager/Administrator as implied when a property is added to the Active Acquisition List. It is proper for the BoCC to then decide if the funds awarded should be in fact accepted based on the requirements the grant places on the County to receive those funds.

Inclusion on the Active Acquisition List will authorize the final steps listed below for acquiring the properties within each project but does not guarantee site acquisition. These final acquisition steps may be completed concurrently or in any sequence to expedite the acquisition process and minimize expenses. The County may elect to contract with a qualified non-profit agency to oversee property negotiations and other related acquisition activities. Such outside agency contracts shall not provide for compensation based on a percentage commission. If the seller chooses to be represented by a licensed realtor or other registered agent, all realtors' and agents' costs and commissions shall come from the seller's proceeds.

REMOVAL OF PROPERTIES FROM THE LISTS.

At any time, any property owner may request their property be removed from the Priority or Eligibility Pools, or the Active Acquisition List. They may do so by submitting their request in a written communication to staff. If staff are unable to come to a purchase agreement with the property owner, that property may also be struck from the Eligibility, Priority, or the Active Acquisition Lists. In these situations, the property owner or nominator will have to wait one year or forgo one nomination cycle for evaluation, whichever is less, before they can nominate the property again. Typically, when an impasse is reached on an Active Acquisition List property negotiation, the property remains on the Active Acquisition List as year-to-year, landowners' situations change resolving the impasse. Keeping them on the List means not having to re-do the evaluation process for worthy property. Only when the conservation value of an Active Acquisition Listed property is lost, or can no longer be protected, or no longer meets the LCP purposes, should it be removed. If a property is removed from the Active Acquisition List, staff may use any facts discovered during the prior evaluation of and negotiation for that property when evaluating the re-nominated project.

ACQUISITION OF CONSERVATION LANDS

The negotiations to acquire land and particularly conservation easements have the potential to be highly complex. A negotiation is likely to be more successful if customized to the property and property owner. There may also be matching funding partners who will be a party to the negotiations, which may add additional complexity. For those reasons, there is no one correct way to conduct the negotiations. However, due to Florida statutory requirements for conservation land purchases, commitments to transparency, good faith negotiations, and best practices for public real estate transactions, the projects shall be pursued for acquisition by completing the following final steps:

Title Work. A Property Information Report shall be completed as early as possible (and prior to execution of a purchase contract) to clarify any issues related to the property title and ownership, from an appropriately certified title agency. A Title Insurance Commitment should be procured and reviewed to ensure that the County and/or the property owner can provide all documentation required to secure the appropriate Title Insurance Policy. Staff will also review Commitment to ensure that no exemption threatens the County's ownership of the property. Staff must also ensure that no encumbrances, or rights of third parties, if used, would significantly harm the property conservation values or the public's ability to enjoy the property. A copy of the Commitment must be furnished to the appraiser prior to completion of the appraisal. All title work, including earliest record searches, title binders, title insurance policies, ownership reports, encumbrance reports, and updated title reports, shall be performed in accordance with adopted industry standards and state laws. The County may solicit professional title services to expedite real property acquisitions in a consistent and cost-efficient manner.

A Designation or Decline of Registered Agent Form must be completed to confirm whether the property owner wishes to be represented by an attorney, realtor, or other agent.

Appraisal(s) shall be completed and used in accordance with the procedures described below. The Maximum Allowable Purchase Price (MAPP) using Highlands County funds alone shall be the appraised value if one appraisal report was required or the average of two appraisals if two appraisal reports are required, unless approved by a supermajority of the BoCC.

1. Conservation Easements. If the County is acquiring a conservation easement, the conservation easement terms must be negotiated prior to the appraisal, as the appraiser must have a copy of the conservation easement to appraise it.
2. Appraisals must conform to the Uniform Standards of Professional Appraising Practices (USPAP), free of any hypothetical conditions. A hypothetical condition is a technical term, which is defined under USPAP as, "a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis..." The appraisal standard of a USPAP is a minimum standard, and if the county is acquiring land in partnership with or using the funds of a state or federal agency, they will likely have to do either the federal government's Uniform Appraisal Standards for Federal Land Acquisitions, or the State of Florida's supplementary appraisal standards.
3. The County may solicit professional appraisal services to expedite real property acquisitions in a consistent and cost-efficient manner. The County should also prioritize the use of appraisers who have a record of doing market assessments in Highlands County and of properties like the one being appraised.
4. Appraisals are to be kept confidential, and disclosure limited to those County staff designated by the County Manager and cooperating partners who have signed a mutual confidentiality agreement. The County may use an appraisal provided by a cooperating agency pursuant to an acquisition agreement. Standard practice for negotiations and appraisals on behalf of Highlands County shall be guided by Florida Administrative Code Chapter 18-1.

5. Purchases of real property having a value of \$20,000 or less based on the current estimated Market Value (Just Value) tax appraisals on file with the Highlands County Property Appraiser's Office may be purchased without any additional appraisals unless required by a funding partner.
6. All purchases of real property having a value of between \$20,001 and \$500,000 shall be supported by one independent appraisal report provided by a state-certified real estate appraiser. All purchases of real property having a value greater than \$500,001 shall be supported by two current independent appraisal reports prepared by different state-certified real estate appraisers. All appraisals shall have an effective date within one (1) year of the BoCC final approval date. For option contracts, this date is the date the BoCC exercises the option to purchase. For other Purchase and Sale Agreements (PSA), it is the date the BoCC approves the execution of the PSA.
7. Two appraisals shall be determined to be divergent if the higher of the two values exceeds 120% of the lower value. When two appraisals are required and are divergent, a third appraisal shall be obtained if the two appraisers cannot reconcile their values to eliminate the divergence. If a third appraisal is obtained and approved, the MAPP is the average of the two closest non-divergent appraisals. If the two closest appraisals are still divergent, then the MAPP shall be 110% of the lower of the two closest appraisals.
8. Notwithstanding any other provision of law, the maximum value of a parcel to be purchased by the BoCC as determined by the highest approved appraisal or as determined pursuant to the above standards shall not be increased or decreased as a result of a change of zoning or permitted land uses that are requested by the landowner that occur within one (1) year prior to the date BoCC approves a contract to purchase the parcel.

Confidentiality and Written Offers. Section 125.355, Florida Statutes, states: “in any case in which a county, pursuant to the provisions of this section, seeks to acquire by purchase any real property for a public purpose, every appraisal, offer, or counteroffer must be in writing. Such appraisals, offers, and counteroffers shall not be available for public disclosure or inspection and are exempt from the provisions of s. 119.07(1) until an option contract is executed or, if no option contract is executed, until 30 days before a contract or agreement for purchase is considered for approval by the BoCC. If a contract or agreement for purchase is not submitted to the BoCC for approval, the exemption from s. 119.07(1) will expire 30 days after the termination of negotiations. The county shall maintain complete and accurate records of every such appraisal, offer, and counteroffer. For the purposes of this section, the term “option contract” means a proposed agreement by the county to purchase a piece of property, subject to the approval of the local governing body at a public meeting after 30 days’ public notice. The county will not be under any obligation to exercise the option unless the option contract is approved by the governing body at the public hearing specified in this section.”

Option contract. An option contract containing the offer and other relevant terms, shall be prepared using a form acceptable to the County. The BoCC is encouraged to delegate to the County Manager the authority to execute the option contract contingent on the BoCC having the final

approval of the purchase. For option contracts, this takes the form of an Exercise of the option to purchase the subject property. The timelines and closing requirements of any funding partners, if any, must be considered in drafting of the acquisition agreement. The County shall not be under any obligation to exercise the option and the option contract is not required to contain either a minimum or maximum consideration to the Seller. The Agreement may establish a fixed price for the proposed transaction or may establish a price per acre. No action on the part of the County staff or any agency contracted to represent the County shall be interpreted to bind the County. Only the BoCC may exercise an option contract by formal action of a majority vote during a duly advertised public meeting.

Environmental Audits. Phase I Environmental Site Assessment (ESA) is a study of a property by a Professional Engineer or Professional Geologist registered in the State of Florida and prepared in accordance with the American Society of Testing and Materials Practices, as amended. The Professional reviews permits, historic title, land use records, databases of hazardous spill, cleanups, and contaminations, and conducts a site inspection. The purpose of the site inspection is to determine if there is a likelihood of environmentally hazardous conditions on or under the property such as toxic chemicals, historic spills, and more. The significance of a Phase I ESA is that a buyer receives some legal protection against the liability of having to clean up environmental contaminants on the property that occurred prior to their ownership. Unfavorable or inconclusive environmental audit results or any other available information that indicates potential onsite contamination shall be sufficient cause to terminate the acquisition process or re-open property negotiations. ESAs should be reviewed by competent staff, knowledgeable about environmental hazards and the County Attorney's Office. Based on circumstances, a Phase I ESA may be obtained prior to or during the contract period. If there is reason to believe that contamination may exist, staff may decide to do a Phase I before expending funds on other forms of due diligence, before the contract period. In most cases, it may be more sensible and financially prudent to wait until the property is under contract and obtain the Phase I ESA under a contract contingency so that the County can cancel the contract if hazardous materials are found. In some cases, the Phase I contractor may find reasonable evidence that hazardous materials may exist on the property and suggest soil and/or water sampling to confirm (Phase II). It will be up to Staff to determine whether the continued exploration of the issue will justify continuing with the project. The property may not be approved for purchase when it is determined by County staff that the property's conservation values are substantially impacted by litter, debris, waste, or contamination. To expedite acquisitions, Phase II or Phase III may be completed after closing, and an appropriate amount of the seller's proceeds escrowed to fund the assessment and clean-up of the property after all the environmental audits have been approved by the County. The unused portion of the escrow may be released to the seller after the audits and cleanup are completed satisfactorily.

Boundary Survey. There are a number reasons the County may wish to perform a boundary survey: it is a requirement to achieve a full title insurance policy, to better understand where the property boundaries are, to legally describe the portion being acquired, to correct issues of encroachment, to precisely locate structures, or issues for stewardship (e.g. cross fencing), or

certain significant resources, etc. However, based on the property and circumstances, surveys can be prohibitively expensive. Surveys are typically conducted after the contract is executed and before the option is exercised. Staff may, if they deem a survey too expensive and the risks low, request a survey waiver from the BoCC when requesting approval of a contract. The risks and liabilities should be disclosed when requesting such a waiver. Otherwise, surveys shall be conducted during the contract period by a Professional Land Surveyor registered in Florida using the State of Florida Standards of Practice for surveyors. The County may solicit professional surveying services to expedite real property acquisitions in a consistent and cost-efficient manner. All survey work shall be reviewed and approved by appropriate County staff.

Deed. A deed shall be prepared by or under the supervision of the County Attorney's office. Highlands County may share title with any other governmental and non-profit conservation organizations and may hold less than fee title for conservation easements on private land. Highlands County may accept a special warranty deed or quit claim deed if reasonable assurance is provided that the desired conservation values of the property are being conveyed to the County in perpetuity because of the agreed-upon transaction. All exceptions, reservations, encroachments, or other adverse conditions that are disclosed during the acquisition process, shall be individually evaluated by the County Attorney's Office to review possible adverse effects on the objectives of the acquisition.

Final BOCC action. Once a contract is finalized, the contract must be presented to the BoCC with the following:

- The appraisal information.
- An aerial map displaying the boundaries of the property.
- Any unresolved issues found during the due diligence process related to the protection of the property including any discovered by the title work, survey, or ESA.
- A conceptual stewardship plan. A one- or two-page document that gives a concise summary of the conservation values to be protected on the property, how the proposed acquisition of the property serves to protect those resources, a short list of the potential recreational opportunities on the property, if they could potentially conflict with the resource protection, and what steps will be necessary to ensure compatible use.
- The BoCC meeting to consider the acquisition of property under the Highlands County Land Conservation Program shall occur at a duly noticed public meeting to facilitate public attendance. If the BoCC approves the acquisition of the property, staff will complete the acquisition process, subject to the satisfactory completion of all due diligence requirements and any additional requirements imposed by the BoCC or partners.
- Documentation of the property transaction shall be completed for the records of the BoCC and the Clerk of the Court.
- A Check Request shall be made to the County's Finance Office for the purchase price and any closing costs to be paid by the County as purchaser.
- Real Estate Closing shall be completed in accordance with standard practice.

- Recording of deed shall be completed and filed with the Highlands County Clerk of the Court.
- BoCC Notification shall be made on the BoCC's agenda to provide information on the closing and final costs.
- Conservation Easement Baseline Documentation Report. When the acquisition is for a conservation easement, a Baseline Documentation Report (BDR) that establishes the initial conditions of the property at the time of purchase shall be completed prior to closing. This is necessary information if a conservation easement is violated to prove the date, extent, and nature of the violation. It also serves as the reference for the required remediation back to the baseline condition. For conservation easement purchases, the creation of a BDR is mandated during the purchase contract period. County staff or its designee will visit the property on an annual basis to ensure that the conditions of the conservation easement are being fulfilled.

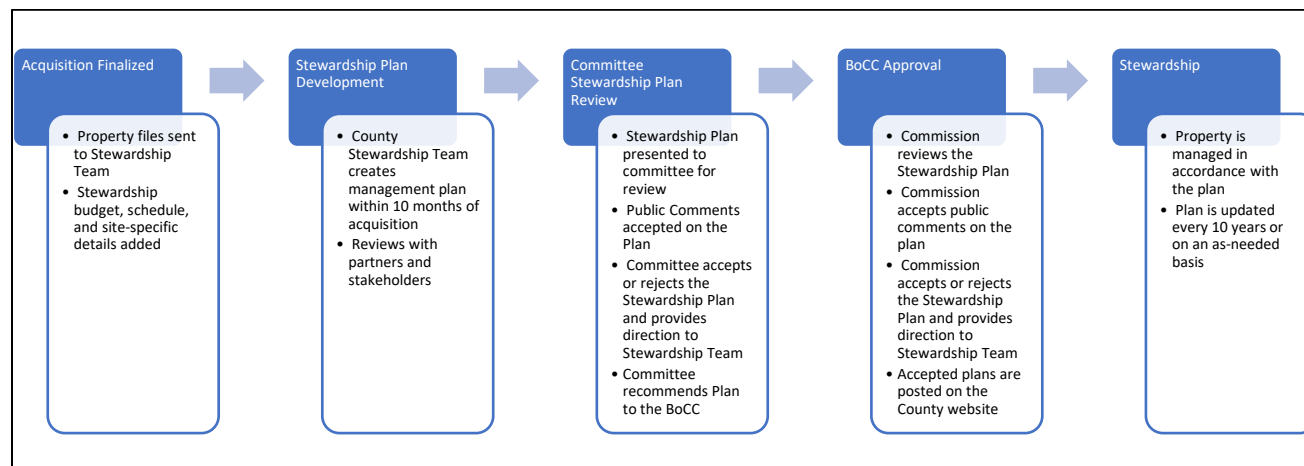
STEWARDSHIP OF ACQUIRED PROPERTY

Acquired land must be properly managed to retain and enhance the conservation values. Imagine that a conservation land's ability to deliver benefits to the community can be scored from zero to 100%, with 100% being a perfectly functioning property providing its benefits with minimal management. A property is acquired somewhere on that scale. Rarely do you get to acquire a perfectly functioning property. These lands are fragmented and not as resilient as they were historically when natural processes could cross large landscapes. Fire must be managed. Water flows restored. Species re-introduced. Depending on the type of property, its ecological, recreational, or agricultural values can always be enhanced. If not, property cared for, nature preserves will degrade from functioning gems to eyesores and liabilities for county government and the property neighbors. It must be a guiding principle of the agency that its portfolio of conservation lands should never degrade on its watch.

While it is desirable to restore any degraded functions, and reach 100% for every acquired parcel, that is neither affordable nor practicable in the short term. This principle has budgetary and operational ramifications. To mitigate these, certain traditional practices such as hunting, cattle grazing, and silviculture are acceptable interim uses. These traditional practices can maintain conservation values while allowing other lands to be restored or until restoration funds become available. It may also be appropriate to manage some land as perpetual revenue-generating properties to offset the expenses of the entire portfolio.

[Figure 8](#) below generally describes the Stewardship planning and approval process.

Figure 8. Stewardship Process



Stewardship Plans. The development and implementation of Stewardship Plans for land acquired through the LCP program is a critical component of the conservation process. They are also a requirement of most funding sources. Stewardship Plans serve multiple functions. They represent the BoCC’s vision and goals for the subject property. The remainder of the Plan then ensures that the long-term schedule, budget, and actions related to the administration and stewardship of the property is consistent with that vision. The Plan also reassures the public that the property will be managed in a responsible manner by providing them with a public reference document. They provide a foundation for determining a stewardship budget and the financial obligations the County will have in improving and managing a property, and thereby the portfolio of all the properties.

Staff shall produce a stewardship plan for BoCC adoption within one year of acquisition of conservation land, unless that land has been added to existing conservation lands, in which case they must amend the existing stewardship plan for inclusion of the newly acquired property at its next update. All stewardship plans shall be prepared by competent professionals. At a minimum, stewardship plans shall include the following.

- A location map showing the general location of the property within the County.
- A map and description of the conservation values on the property.
- How those values benefit Highlands County.
- An aerial map of the property boundaries.
- An optimum boundaries map, indicating if acquisition of adjacent properties is critical for the stewardship of the conservation values on the property.
- A hydrological map, showing the location of all surface waters, flow direction, flood plains, recharge, springs, seeps, and wetlands on the property.
- A land cover/use map, delineating the habitats, any timber stands, or other working landscapes on the property.
- A description of how each of the habitats or other delineated areas will be effectively managed to restore, enhance, and maintain their conservation values.

- A map and narrative description of any recreational activities and improvements planned for the property, how such activities and improvements will impact the conservation values, and if there is the potential for impacts, how the County plans to mitigate such impacts.
- An existing structures map, documenting the location of existing improvements at acquisition, including buildings, roads and other improvements, and photo documentation of those improvements, to convey their condition and therefor help to estimate improvement and maintenance costs.
- A 10-year projected budget for the costs of stewardship and recreational development on the property. It is important to note the Stewardship Plan budget is not an obligatory budget for the County but is intended to help to develop the overall annual County budget and project the annual budgets into the future.
- Any other photos, maps, or narratives necessary to appropriately steward the conservation values.

Depending on the complexity of the plan and the level of public interest in the property, a public workshop may be held prior to the implementation of a stewardship plan. Once staff has prepared the stewardship plan, it shall be presented to the LCC for approval. The LCC will hear public comments on the plan, vote to either recommend or not recommend its adoption to the BoCC or suggest amendments to the stewardship plan. If recommended by the LCC, it will then be sent to the BoCC for approval.

Stewardship plans should be ten-year planning documents but can be amended on an as-needed basis as conditions change or property added.

Stewardship Partnerships. In some cases, state agencies such as the Florida Department of Environmental Protection Division of Recreation & Parks, the Florida Forest Service, Florida Fish & Wildlife Conservation Commission, the Water Management Districts, or non-profit entities such as land trusts may partner with the County in the stewardship of conservation lands. However, if there is not a well-structured agreement detailing stewardship terms, the stewardship partnership can entail significant liabilities to both parties. The County should create a stewardship agreement with that partnering entity. The stewardship agreement shall contain, at a minimum, the following provisions.

- A scope detailing the full responsibilities of the parties for each of the stewardship activities as detailed in the stewardship plan. If the stewardship partner intends to create their own stewardship plan, the stewardship agreement shall provide that the stewardship partner shall be required to provide their stewardship plan for review by the committee and approval of the BoCC within a year of the execution of the stewardship agreement, prior to the commencement of stewardship activities.
- A list of the partner's stewardship objectives.
- An explanation of how the partner's stewardship objectives meet the primary goals of the LCP.

- Provisions for revenue sharing from potentially profitable stewardship activities, such as timber harvesting, access fees, or leasing to appropriate commissaries.
- Provisions dealing with the acceptable use of subcontractors for stewardship activities.
- Qualifications and experience of the land managers.
- Insurance and indemnity requirements for both parties.
- A lease or contract agreement between the parties, giving legal force to the stewardship agreement.

The stewardship agreement shall be reviewed by the LCC. Public comment will be accepted, the committee will discuss the agreement, then choose as to whether to recommend it to the BoCC for approval.

CONSERVATION EASEMENT MONITORING AND VIOLATION RESOLUTION

If the County acquires conservation easements, it must ensure that property owners abide by the terms and conditions. Therefore, the County shall monitor all conservation easements by conducting in-person staff visits. These visits are not only essential to enforcing the conservation easements but provide an opportunity for the County to reconnect with property owners and review any existing or potential issues or challenges related to the property and the terms of the conservation easement, reducing the likelihood of violations in the future. The normal frequency is annually, around the anniversary of the conservation easement closing date. Depending on the sensitivity of the property, the intensity of the uses, their potential to impact the conservation values, and the stewardship track record of the landowner, these visits may happen less or more frequently. If less than annually, a self-monitoring form, certifying compliance with the conservation easement should be sent to the landowner to complete and return in lieu of the annual site visit. If a staff person discovers a significant violation of a conservation easement, they shall take the following steps:

- Fully document the nature, extent, and location of the violation. Use of photographs and GPS is highly encouraged.
- Meet with the landowner and obtain a plan and schedule to rectify the situation, back to the condition prior to violation occurring. If such voluntary compliance cannot be obtained then the violation shall be elevated as follows:
 - Prepare a report for the review of their immediate supervisor, the County Manager, and the County Attorney, providing evidence and a written explanation why they believe the conservation easement has been violated.
 - If it is determined that a violation has occurred, staff must classify the violation into one of the two following categories.
 - Minor violations: minor violations are those that have not caused significant or lasting harm to the conservation values on the property or the goals of the LCP.
 - Major violations: major violations are those that have caused significant or lasting harm to the conservation values on the property or the goals of the LCP, or a minor violation for which the property owner disagrees that a violation has occurred and/or will not agree to a remedial action plan.

- If staff agrees that a minor violation has occurred, the County Attorney will prepare a certified letter for the property owner, detailing why the County believes a violation has occurred, and provide signature blocks under which the property owner indicates their agreement or disagreement that a violation has occurred and their willingness to participate in a remedial action plan. After receipt, the landowner shall have a maximum of thirty days to respond to the letter, though they are encouraged to communicate with staff as to why a violation is believed to have occurred and what a remedial action plan may entail. If the property owner agrees to participate in the remedial action plan, staff will prepare a plan for how the property owner can correct the violation and timelines under which to do so. One or more follow-up inspections will be conducted after the remedial action plan has been executed to ensure compliance.
- If a violation is classified as a major violation, or a minor violation where the landowner is unwilling to participate in the correction of the minor violation, then the County Attorney and County Manager shall devise a legal strategy for how to best enforce compliance with the conservation easement and correction of the harm done to the conservation values and the LCP. Staff will then present the strategy to the BoCC for approval.
- Due to the sensitive and potentially litigious manner of conservation easement violations, it is not recommended that these violations be put in front of a public committee of volunteers, such as the LCC. However, the committee may be asked to give advice on remedial action plans, as an expert committee, according to the needs of staff and the BoCC.

GOOD RECORDKEEPING

Consistent with its Records Retention Policy, Highlands County staff shall keep records of all due diligence, contract, and deed documents associated with the purchase of the property, as well as a record of communications on each property acquired. If outside grant funding or donations are used in the acquisition, the grant contract or gift restrictions shall also be maintained. This is to facilitate transparency, to ensure that future land managers know what legal restrictions may have been applied to the land, and to assist in the legal defense if property ownership rights are challenged. BDRs and any conservation easement violation resolution documentation shall be retained for as long as the County holds the conservation easement.

TRANSPARENCY AND REPORTING

To ensure public confidence in the LCP and to allow the public, staff, and the BoCC to regularly assess the success of the LCP, it is important that regular reporting occurs. Therefore, it is recommended that the County post and provide the following information and reports in easily accessible and appropriate places on the County website.

- A copy of this Manual and any enabling legislation.
- A schedule of LCC Meetings for the upcoming year.

- Copies of evaluation forms.
- An annual report detailing the purchases made under the program in the previous year. This report should include the names of properties, acreages, County funds spent, matching funds spent, how the property meets the goals of the LCP, the location of the property, and remaining funds in the Program. It should also include a summary of the total past successes of the program.
- An interactive web map of all the properties acquired under the program, recreational opportunities available, and where they may be accessed by the public. This map should clearly state that the conservation easement properties are not publicly accessible or should not be displayed at all.
- Approved Stewardship Plans.

APPENDIX A. EXCERPTS FROM HIGHLANDS COUNTY' COMPREHENSIVE PLAN

The Highlands County Comprehensive Plan is furthered by an active land conservation and management program. It must be remembered that the Comp Plan embodies the County's vision for its future and that actions and decisions must align with these stated goals. Particularly relevant sections are highlighted.

OBJECTIVE 3: PROTECT CONSERVATION LAND

The County shall protect native vegetative communities identified herein and shall restrict activities known to adversely affect endangered and threatened species and their habitat. This shall be a joint effort with state, federal, not-for-profit entities, private land owners, and for-profit private entities.

Policy 3.1: Identification of Endangered or Threatened Species, Including Species of Special Concern

- A. For purposes of implementing Objective 3, the County adopts the following source documents to identify endangered or threatened species, including species of special concern:
1. United States Fish and Wildlife Service memorandum (as updated on the USFWS's website) listing endangered and threatened species in Highlands County, Florida, dated September 20, 1991.
 2. Chapter 581.185 (2) and (3), Florida Statutes, Endangered Plant List and Threatened Plant List.
 3. Florida Chapter Soil & Water Conservation Society publication entitled "26 Ecological Communities of Florida" revised and dated July 1989.
 4. Florida Division of Forestry publication F89G46 entitled "Forest Trees of Florida", 16th Edition dated June 1989.
 5. Florida Fish and Wildlife Conservation Commission publication entitled "Florida's Endangered Species, Threatened Species, and Species of Special Concern" June 2006 and all updates.

Policy 3.2: Map Resources on Conservation Overlay

- A. The County shall use the adopted Conservation Overlay Map Series which is part of the Future Land Use Map Series contained within the Future Land Use Element as a general indicator for the presence of one or more of the

following resources:

1. Xeric uplands;
 2. Wetlands;
 3. Cutthroatgrass seeps;
 4. Historical and archaeological resources;
 5. Wellhead protection zone;
 6. Aquifer recharge areas.
- B. The Conservation Overlay Map Series contained within the Natural Resource Element consists of the following:
1. Soil Survey of Highlands County (base document - USDA/SCS, Soil Survey of Highlands County, Florida, July 1989);
 2. Selected Natural Resources Map;
 3. Map 600 - Highlands County, Florida Wetlands (US Department of the Interior, Fish and Wildlife Service, National Wetlands Inventory);
 4. Archaeological Resource Map;
 5. Historic Preservation Resource Map; and,
 6. Wellhead Protection Zone Map.
- C. The Conservation Overlay Map Series, contained within the Natural Resource Element shall be amended as new and more accurate information becomes available.

Policy 3.3: Environmental Clearance Process

- A. Environmental Clearance Process and Determination by Development Services Director:
1. The Development Services Director shall make an Environmental Clearance Determination prior to the issuance of a County Land Clearing Permit or Building Permit except as provided in Policy 3.5.
 2. Environmental Clearance Not Required: The Development Services

Director shall make the Environmental Clearance Determination without further review whenever a particular site is not in an area where the Conservation Overlay Map Series shows the resource categories listed in Policy 3.2, unless resources are proven to exist on that particular site or if they are identified on adopted County resources.

Other Exemptions from Highlands County Environmental Clearance Requirements: The County shall exempt the following from the environmental clearance process for land clearing or construction:

- a. 1/2 acre for residential development on legally recorded lots that existed prior to September 15, 1993.
- b. Property which has been cleared of vegetation prior to May 2, 1994.
- c. All development on lots legally recorded on or after September 15, 1993 with previously approved Environmental Clearance.
- d. DRI or Binding Letter that is fully mitigated based on State recommendation and or approval for protected natural resources.
- e. Remodeling, reconstruction, or restoration of residential units or nonresidential units with no increase in the number of permanent dwelling units, or no increase in the square-footage of nonresidential use, or no increase in the environmental impacts of the development.
- f. Bona-fide agriculture (See Also NRE 3.14.E).
- g. Up to two (2) acres on land for development with urban zoning and urban FLUM designations.
- h. Up to two (2) acres for residential development (one single family home) on legal lots with Agricultural Land Use and General Agricultural zoning. (See Also NRE 3.3. and 3.4).
- i. During a Large Scale Comprehensive Plan Amendment to establish the Sustainable Community Overlay. The Environmental Clearance Process will be required for the adopted Master Plan of the Sustainable Community Overlay.

3. Environmental Clearance Required:
 - a. Environmental Clearance is required whenever a particular site is in an area where the resource categories listed in Policy 3.2 are mapped on the Conservation Overlay Map Series or are identified on adopted County resources, or are known to occur on that particular site. The applicant shall submit an Environmental Clearance Report to the Planning Department, which shall be valid for a period not to exceed 5 years from the date of clearance issuance, and which has been prepared by a professional, firm, government agency, or institution. For purposes of this policy, the term "known to occur" means any information received from a County approved professional, government agency with appropriate jurisdiction, any scientific study, or any reference material contained in this plan or the base documents that supported development of the plan.
 - b. Notwithstanding Policy 3.3.A.3.a, Environmental Clearance Reports, and review are required (unless otherwise exempted or an appropriate substitute as allowed) for:
 - 1) Large Scale Comprehensive Plan Amendments;
 - 2) Rezoning, Site Plans and Plats, consisting of an area greater than 10 acres, or 50 lots or more.
 - 3) Building Permits and Land Clearing Permits for any land clearing of an area greater than two acres.
 - c. After submitting the EC Report, the following shall occur:
 - 1) The Environmental Clearance Report shall establish that none of the resource categories listed in Policy 3.2 actually exist on site, or if they are identified on the adopted County resources or if they are proven to exist on that particular site, the Environmental Clearance Determination shall be made by the Development Services Director without further review; or
 - 2) If the Environmental Clearance Report establishes that one or more of those resources exists on the

site, the Environmental Clearance Report shall be reviewed as described in this Policy.

4. Mandatory approval of Environmental Clearance required-state or federal permit: Whenever a particular site having any of the resources listed in Policy 3.1 and 3.2 has received a permit for impacts to the resources from the state or federal agency charged with reviewing and approving the applicable permit, the Development Services Director shall make the Environmental Clearance Determination without further review. The terms and conditions for activities allowed under that state or federal permit shall be incorporated in the County Land Clearing Permit, Building Permit, or other Final Development Order.
 5. Mandatory approval of Environmental Clearance required - sale for conservation purposes: Notwithstanding the foregoing, whenever a particular site having one of the resource categories listed in Policy 3.1 and 3.2 is offered and is sold to either the federal, state, or local government, or a not-for-profit corporation purchasing for conservation purposes, the Development Services Director shall make the Environmental Clearance Determination, when use of the mitigation of Policy 3.16 (D) and Policy 3.3.A.8 is approved by the Board of County Commissioners.
 6. Mandatory approval of Environmental Clearance shall be required for Building Permits and Land Clearing Permits for lots that are mitigated under Policy 3.5.
 7. Option to Environmental Clearance Report - mitigation approved by the Board of County Commissioners: Satisfactory completion of any one mitigation option listed in Policy 3.16 shall eliminate the requirement to complete an Environmental Clearance Report. This option can only be used when: (1) the quantity of land impacted or developed is less than 10% of the parcel, the balance of which is preserved or mitigated; and (2) the environmental quality of land preserved is equal to or greater in quality than the land to be developed/impacted. Proof that the environmental quality of the land preserved is equal to or greater in quality than the land to be developed or impacted must be established by an approved permit from an appropriate federal or state agency, where applicable.
- B. Environmental Clearance Consultant: Environmental Clearance Reports shall be prepared by qualified professionals, firms, agencies, or institutions.

- C. Environmental Clearance Reports - Contents & Preparation: shall be prepared in accordance with the Land Development Regulations.
- D. Agency and Natural Resources Advisory Commission (NRAC) Review and Comments: The application packet and Environmental Clearance Report (ECR) shall be transmitted to those agencies listed in the Environmental Clearance Report as having permit requirements and to the Natural Resources Conservation Service. The Environmental Clearance Report shall be forwarded to the Natural Resources Advisory Commission (NRAC) for their review and recommendations for the following types of development:
1. Large Scale Comprehensive Plan Amendments;
 2. Rezonings, site plans, plats, and land clearing permits consisting of an area greater than 10 acres, or 50 lots or more regardless of the acres;
 3. Non-residential development where the development impacts more than 2 acres of those natural resource categories listed in Policy 3.2 (i.e., development not qualifying for small-scale environmental clearance.)
- Each of the permitting agencies shall have 45 days from the transmittal date to determine and notify the County whether its permit is required prior to the commencement of the proposed development. Comments and recommendations from the Natural Resource Conservation Service shall be provided to the Development Services Director within the same 45 day review period. The Development Services Director shall transmit all comments to the local decision making authority as part of the documented records for the project.
- E. Development Order Conditions: Prior to taking action on a development order, the County shall recognize NRAC or the Highlands County Natural Resources Department determinations as they consider recommendations of the Environmental Clearance Report regarding the following:
1. Protect and preserve the water quality or natural functions of floodplains and drainage ways, potable water wells, and wetlands;
 2. Protect and preserve the function of native vegetative communities, which are endemic to Central Florida, or the habitats

- of endangered species, threatened species, or species of special concern;
3. Preserve and protect historical and archaeological resources;
 4. Establish measures to protect life and property from flood hazards; or,
 5. Establish land maintenance and management procedures for the natural resource to assure its continued viability or function after development;
 6. In addition, the County's final development order shall be conditioned upon adequate avoidance, preservation, mitigation, or remedial actions for the protection of environmental resources identified in Policy 3.2 and shall be consistent with the wetlands, floodplain, aquifer recharge, water quality, and cultural resource protection measures set forth within the policies framework of this Comprehensive Plan;
 7. Moreover, the County shall require that, in addition to the protection requirements of the Plan, necessary State and local permits be obtained as a condition of approval for the project's final development order. In accordance with F.S. 163.3184 (6) (c), Highlands County shall not impose any requirements for wetlands and cutthroat grass seeps in addition to those required by either the Florida Department of Environmental Protection or the applicable Water Management District. No development in wetlands regulated by the State of Florida shall be permitted by Highlands County except as permitted by state law;
 8. Except where mitigated as allowed by the Plan, avoidance, preservation, and management of the resource shall be required for protecting the resource. This may be accomplished through methods such as, but not limited to, acquisition, conservation easements or dedications, sale to either the Federal, State, or local government, or a not for profit corporation purchasing for conservation purposes, or site design methods (including clustering development to the portion of the site where the resource does not exist or, if this is not possible, to the least environmentally sensitive portion of the site);
 9. Buffers between the development and the resource shall be recorded on the plat or the site plan in accordance with other relevant goals, objectives, and policies of the plan; and,

10. All applicants for building permits for properties that are mitigated under Policy 3.5 shall be required to deliver to the Building Department a signed notice that their property may contain habitat or species that are protected under state or federal law and that the receipt of a building permit does not absolve the owner or builder of responsibility for complying with all requirements of federal or state law when clearing land or building structures.
- F. An Appeal for Reconsideration of an Environmental Clearance determination or development order conditions can be made to the Natural Resources Advisory Commission (NRAC) and Board of County Commissioners. The form of appeal shall be in a letter and contain specific reasons why the decision should be reconsidered: (1) that the decision was based on erroneous information or; (2) that more suitable alternatives were not considered. NRAC may recommend upholding the determination or provide recommendations for alternative development order conditions. The final decision rests with the Board of County Commissioners.

Policy 3.4: High Ecological Value Map and a Voluntary Incentive Based Program

- A. Once the U.S. Fish and Wildlife Service Habitat Conservation Plan (HCP) has been completed and adopted by the County, a High Ecological Value Map shall be developed and adopted.
- B. An incentives based program shall be developed to encourage preservation or conservation areas identified on the HCP Map.
- C. Highlands County shall establish incentive programs for landowners to protect the naturally beneficial features of the lands identified as having high ecological value pursuant to the High Ecological Value Map, rather than solely relying upon regulatory police power authority. These additional incentives shall utilize a full range of techniques as appropriate to provide flexible, rather than rigid ways to meet environmental standards.
- D. **Parcels Contiguous to Environmental Lands**

The County shall develop incentives in the Land Development Regulations to encourage the use of conservation planning principles on parcels contiguous to public or privately-owned environmental lands. It shall provide an attractive alternative to large lot subdivisions in order to minimize fragmentation of wildlife habitat and provide additional open space to complement the environmental lands such as provided for in Sustainable Communities. The program incentives shall also encourage

the use of other sustainable development practices which might include Low Impact Development, the Florida Water StarSM Program, and Firewise Communities. Incentives shall encourage the use of conservation planning principles in order to promote the formation of linked open space networks consistent with the objectives and policies for the Natural Resource Element.

- E. The County's development review process shall seek to identify potential conservation and preservation area habitats in those areas which have the potential of becoming incorporated into an overall natural areas network through the voluntary incentive program.

Policy 3.5: Mitigation Fee for Exempt Lots

- A. For purposes of implementing Policy 3.3, so long as landowners comply with state and/or federal regulations in areas of natural resources that would otherwise be required to undergo environmental clearance, the County shall exempt the following from environmental clearance upon payment of an environmental mitigation fee to be set by the Board of County Commissioners. An environmental mitigation fee for exempt lots shall be periodically reexamined while considering the recommendations by various agencies such as the U.S. Fish and Wildlife Service (FWS).
- B. Up to one-half acre from the environmental clearance process of Policy 3.3 for land clearing or construction on individual lots of record established prior to September 15, 1993; and
- C. Up to two (2) acres on land for development with urban zoning and urban FLUM designations; and
- D. Up to two (2) acres for residential development (one single family home) on legal lots with Agricultural Land Use and General Agricultural zoning.
- E. All environmental mitigation fees shall be placed in the County's Conservation Trust Fund.

Policy 3.6: Measures for Environmental Conservation

- A. The County shall continue an ongoing program to define, identify, and conserve its native vegetative communities and the habitats of endangered or threatened species and species of special concern.

This conservation program may include, but not be limited to, the following implementation measures:

1. Acquisition of lands using public funds and grants, including fee purchase, easements, donations and other less than fee mechanisms;
 2. Lease of land;
 3. Tax abatement;
 4. Land swaps and transfers of title;
 5. Establishment of conservation or open space easements through the local development approval and permit processes;
 6. Density bonuses up to the top end of the density range for those cluster developments which voluntarily provide more than the minimum set aside of land for conservation purposes;
 7. Density bonuses up to the top end of the density range for new development and redevelopment which preserves habitat and avoids impact to endangered or threatened species, including species of special concern;
 8. Density transfers from the conservation set aside areas to the buildable portions of the development site; and,
 9. Sale to the Federal, State, or local government, or a not for profit corporation purchasing for conservation purposes.
- B. The first order of priority for the County's conservation program shall be to work with public and private agencies to acquire and manage the following in their natural state:
1. Scrub or sandhill habitats (xeric uplands);
 2. Endemic populations of endangered or threatened species, including species of special concern;
 3. Wetlands, cutthroatgrass seeps, and un-canalized freshwater estuaries feeding the lakes;
 4. Important aquifer recharge functions;
 5. Unique scenic or natural resources;
 6. Dry prairie;

7. Southern Florida Flatwood of high quality; and,
 8. Other natural resource types of ecological value.
- C. Transportation and associated infrastructure that responds to potential direct and indirect impacts to habitats and wildlife, shall be planned, designed, and constructed to avoid, minimize, and where necessary, mitigate impacts to both public and private conservation lands or lands containing high quality resources, including wildlife corridors.

Policy 3.7: Model Review Procedure for Special Habitats

The County shall continue to administer a development review process similar to the "Review Procedure for Special Habitats (Central Florida Regional Planning Council, May 17, 1991) which coordinates with local, state, and federal agencies whose regulatory authorities involve the following:

- A. The protection of endangered or threatened species, including species of special concern;
- B. Native vegetative communities or habitat areas spanning more than one local jurisdiction.

Policy 3.8: Conservation Trust

- A. The County shall create a restricted Conservation Trust Fund account to be used for the acquisition (including fee purchase, easements, donations, and other less than fee mechanisms) of natural resources, listed in Policy 3.6B or the enhancement, required maintenance, and/or management of other publicly-owned conservation-valued lands, as determined by the Board of County Commissioners.
- B. The Conservation Trust Fund account may also be used for the following:
 1. Restoration of lands purchased that will be preserved as conservation lands,
 2. Acquisition of lands that will result in alleviating usage stress and/or disturbance to previously acquired and managed lands which contain threatened and endangered species and endemic ecological communities,

3. Management and maintenance of existing acquired lands, including construction of fences and/or barriers designed to protect the lands from vandalism and disturbance.
- C. The following measures may be used by the Board as sources of funding for this account:
1. Voluntary contributions;
 2. Mitigation or impact fees;
 3. Matching grants; and,
 4. Referendum.

Other sources of funding recommended by the Natural Resources Advisory Commission shall also be considered by the Board of County Commissioners for the Conservation Trust Fund.

Policy 3.9: Exotic Pest Plant and Animal Control Program

- A. The County shall continue to devise and implement a program for the removal and control of exotic pest plant and animal species as per the Florida Exotic Pest Plant Council, Florida Fish and Wildlife Conservation Commission, and other state and/or federal agencies.
- B. The County shall continue to work in conjunction with cooperating regional, state and federal agencies where removal and control of exotic pest plants and animals from the environs of surface water bodies is advisable or is a requirement for joint permitting and for dredge and fill permits.
- C. The County shall continue to assist private property owners in the methods of appropriate removal techniques, bio-control mechanisms, and chemical control of exotic pest plants and animals.

Policy 3.10: Agricultural Best Management

Future land use planning for the County shall encourage agricultural uses which use Best Management Practices (BMPs) and which are compatible with wildlife protection and water quality outputs. The County shall continue to work with United States Department of Agriculture, Natural Resources Conservation Service, Florida Division of Forestry, Florida Department of Agriculture and Consumer Services and other agency BMP Manuals for both agriculture and silviculture respectively. The County shall continue to work with the Highlands

Soil and Water Conservation District to implement erosion control programs for the benefit of agriculture and to facilitate "Cooperator of the District" agreements for putting Best Management Practices on these lands.

Policy 3.11: Incorporate Conservation Measures into Local Plans and Projects

The County shall incorporate the protection and conservation measures called for under this Element into all County surface water management plans, public works projects, and infrastructure improvement plans.

Policy 3.12: Wildlife/Greenway Corridor Strategy

A. Ecological and Habitat Connectivity as Part of the Development Review Process

As a measure to promote a conservation strategy for the establishment of wildlife/greenway corridors within the County, new development plans, including roads, shall identify existing conservation areas, protected areas, waterways and wildlife/greenway corridors adjoining the project site.

B. Contiguity

The County shall require, whenever applicable and feasible, projects that plan to designate on-site dedications for conservation purposes to locate them contiguous with an existing adjacent conservation area.

C. By December 2011, the County will amend the Conservation Overlay Map to show adopted wildlife/greenway corridors as a means to identify significant environmental and wildlife corridors, such as the Arbuckle Creek - Carter Creek - Morgan Hole Creek corridor, the Fisheating Creek corridor and the Josephine Creek-Yellow Bluff Creek corridor, among others, and reinforce this Policy by designating these riparian greenways on the FLUM with a Conceptual Plan Line (CPL) for the purpose of guiding development and restricting activities, as indicated in A and B, known to adversely affect the endangered and threatened species and their habitats.

The County shall also provide consistency with Policy 1.7.1 of the Strategic Regional Policy Plan (SRPP), where applicable, by identifying those greenway corridors, designated by the Central Florida Regional Planning Council (CFRPC) as having regional significance within Highlands County, on the Conservation Overlay Map series.

D. Discourage New Roadway Crossings through Wildlife/Greenway Corridors

Where new crossings are necessary to ensure the health, safety and welfare of the citizenry, transportation corridors shall be designed as limited access facilities that prohibit non-emergency stopping. Roadway and associated utility corridors should be designed to have minimal adverse impacts to the environment and shall include provisions for wildlife crossings based on the standards of Florida Fish and Wildlife Conservation Commission (FWC) and the U.S. Fish and Wildlife Service (FWS).

Policy 3.13: Parks for Resource Preservation

Where compatible with the goals, objectives, and policies of the Comprehensive Plan and whenever feasible, locate future parks to encompass areas of undisturbed native vegetative communities and environmentally sensitive lands for passive recreational use, such as hiking trails, primitive camping and other conservation based activities, as opposed to active recreational use.

Management plans for such parks shall be consistent with the protection, preservation, and conservation of those natural resources occurring on the site.

Evaluation of the priority for acquisition shall consider the location of sites within the urban development areas in order to preserve natural open-space most at risk for development.

Policy 3.14: Land Clearing

- A. Definition: Land Clearing means engaging in a land management practice or practices, which will result in the destruction of natural resources (as identified on the Conservation Overlay Map Series; i.e., xeric uplands, cutthroatgrass seep, or wetlands), with the natural resource being replaced or succeeded by something else (e.g. bare soil, different resource type, or invaded by non-native species) which precludes the long-term (5 years) recovery of the original natural resource type. Land clearing activities which impact listed species may also be subject to state and federal regulation.
- B. Exemptions: For the purposes of this Comprehensive Plan, the following activities are exempt from environmental clearance review, do not constitute land clearing, and do not require a Land Clearing Permit even when undertaken in areas with natural resources as identified on the Conservation Overlay Map Series:

1. Maintenance of existing roads, rights of way, and utility easements;
 2. Maintenance of existing fence lines up to 20 feet on each side of the fence;
 3. Maintenance of existing drainage and storm water management systems;
 4. Permitted and prescribed maintenance of fire breaks and fire lines up to 40 feet wide;
 5. Maintenance burning, other than bayheads;
 6. Maintenance of native range according to the Best Management Practices of the US Natural Resources Conservation Service;
 7. Maintenance or improvement of improved pasture and land in active agricultural production;
 8. Removal of non-native vegetation;
 9. Surveying pursuant to Florida Statutes;
 10. Clearing on a lot or tract that is exempted pursuant to Policy 3.5;
 11. Agricultural activities as defined in Paragraph E below;
 12. Clearing for all activities and uses outside the conservation areas depicted on the Conservation Overlay Map Series pursuant to Natural Resource Policy 3.3; or,
 13. Whenever life or property is threatened or endangered during a civil emergency.
- C. Land Clearing Permit: Except as provided in paragraph “E” of this policy and the Land Clearing definition in paragraphs “A” and “B” above, no land clearing shall be allowed to commence on a site where natural, archaeological, or historical resources are known to exist without first obtaining a County Land Clearing Permit. A Land Clearing Permit shall be issued upon completion of the environmental clearance report required by Policy 3.3, unless that report determines that a natural resource listed in Policy 3.2 exists on the site. Whenever a natural resource listed in Policy 3.2 is identified on the site, the Land Clearing Permit shall be issued in accordance with Policy 3.3.

The County, in consultation with the property owner, shall impose one or more of the following penalties as appropriate if land is cleared without appropriate environmental clearance review or a County Land Clearing Permit.

1. A penalty fee shall be imposed based on a set of fees approved by the Board of County Commissioners, based on the amount of land cleared;
 2. No development or additional land clearing shall be permitted for a period of three years after such clearing;
 3. The vegetation shall be replaced or the habitat allowed to restore itself through development and implementation of a management plan;
 4. A land clearing company and/or registered contractor clearing land without a land clearing permit on behalf of a land owner shall be subject to penalties;
 5. Any mitigation or penalties imposed by the State or Federal agencies for the same land clearing violation may substitute for County mitigation penalties;
 6. County penalty fees shall be placed in the Conservation Trust Fund; or,
 7. The decision to impose a land clearing penalty may be appealed pursuant to Policy 3.3.F.
- D. **State and Federal Permits:** Individual property owners or developers prior to clearing land when a resource is located on site are responsible for obtaining appropriate state or federal permits or authorizations.
- E. **Agricultural Exemption:** No County Land Clearing Permit shall be required for any agricultural activity not requiring a Highlands County land development order conducted by a lawfully operating and bona fide agricultural operation. This is a business for the purpose of growing plants, crops, trees, silviculture, or other agricultural or forestry products or that is in business for the purpose of raising livestock. When the agricultural activity occurs on property owned or lawfully occupied by the person conducting said agricultural activity and said property is designated by the Future Land Use Map as Agriculture and the land clearing is done in pursuit of said activity.

When land clearing has been performed under this exemption based upon the use of the property for an agricultural operation, the following shall apply:

1. No land development order shall be approved for any non-agricultural use on the same site within three (3) years of the completion of such land clearing; and,
2. Agricultural operations are encouraged to implement a Natural Resources Conservation Service approved Conservation Plan, including the use of Best Management Practices, as applicable to the specific area being cleared, and to secure all other permits required by state and federal agencies exercising jurisdiction over the natural resources referred to in Policy 3.2 and found on said property.

Policy 3.15: Protection of Environmentally Sensitive Land

A. In the absence of state or federal setback requirements for mitigation of development impacts on environmentally sensitive land and except as otherwise provided in this Comprehensive Plan, affected local development orders shall require that dwellings, commercial/industrial buildings, and septic systems be set back the lesser of 50 feet or 40% of the average depth of the site as perpendicularly measured from the mean high water line or the boundary of:

1. An identified wetland (including cutthroatgrass seeps and bayheads);
2. A surface water body;
3. A habitat conservation area;
4. A ranked State Florida Forever site or federal acquisition site; or,
5. Publicly-owned and privately-owned recorded conservation lands.

Note: The Florida Department of Environmental Protection may require a greater setback distance for some septic systems. Refer also to the NRE Policies 4.3 and 4.4.

B. Except as otherwise provided in this Comprehensive Plan, the County shall require that all affected developments satisfy the following

conditions of approval whenever construction is proposed in the vicinity of a surface water body or wetland:

1. That construction activities shall not encroach into the setback areas described by paragraph "A" above;
 2. That existing topography and vegetation shall be retained within this setback area, if required by State permits or Environmental Impact Report conclusions as they may apply to the development proposal;
 3. That whenever clearing or grading of the construction site is proposed, silt screens shall be placed between the construction and the surface water body or wetland;
 4. That the setback boundary line be marked and posted prior to the commencement of construction activities at the development site; and,
 5. That vegetation within the setback area shall be retained or be reestablished after construction, as appropriate, so as to stabilize soil conditions along the boundary of development, to minimize siltation from eroded soils, and to filter stormwater runoff from the developed area.
- C. Except for maintaining existing lots where lake vegetation has been removed, removal of upland vegetation along lake frontages shall be limited to the minimum necessary to achieve reasonable access to the lake.
- D. The County shall require these setback areas to be recorded as public or private conservation setback easements on the approved site plan or plat.
- E. For the purpose of implementing this policy, the County shall allow:
1. Density attributable to any setback area to be transferred to the buildable portions of the site;
 2. Flood control improvements within the setback area which are necessary for the protection of life and property;
 3. The right to maintain existing or to construct new hiking and equestrian trails within the setback area;
 4. The right to use existing grazing, pasture, and crop lands within the setback area for agricultural purposes;

5. The right-of-way over or to a surface water body, subject to obtaining all required permits from jurisdictional agencies; and,
 6. The right to use existing or to construct new docks or boat ramps.
- F. Forestland, rangeland, wildlife management areas, parks, preserves, and other areas for public use depend on prescribed burning for reforestation, removal of exotics, nutrient cycling, quality and quantity of herbaceous vegetation and the perpetuation, restoration and management of many plant and animal communities to maintain specific economic and ecological resource value. Florida Statutes recognizes prescribed burning as being in the public interest and does not constitute a public or private nuisance when conducted under applicable state air pollution statutes and rules. The County should pursue recognition mechanisms such as deed restrictions on lots or acreages in areas that may experience smoke and air particulates from prescribed burning on agricultural and conservation lands. Highlands County considers prescribed burning a necessary management strategy of forestland, rangeland, wildlife management areas, parks, preserves, and other areas for public use.
- G. Recognizing that many of the subdivisions platted in the 1960s and early 1970s are generally not consistent with current use practices and growth management strategies aimed at discouraging sprawl and protecting environmentally significant lands, the following shall apply to these subdivisions in particular and to all public and private conservation areas in general.
1. Residential projects developed adjacent or in close proximity (500 ft.) to conservation areas or other land uses that use fire management, and approved subsequent to the adoption of this policy, shall be required to notify buyers and potential buyers of the adjacent conservation area. Specifically, buyers and potential buyers must be informed of the possibility of any fire management program for the adjacent conservation area or other land use (including agricultural properties) that uses fire management, and be explicitly told that that they may experience smoke and odors from these fire management practices.

Policy 3.16: Mitigation Options

In accordance with the preservation priorities established by Policy 3.3B, the County may allow the following options to all affected developments upon approval of the Board of County Commissioners:

- A. On-site Option: Provision of the required acreage as a public or private conservation/open space easement; or
- B. Off-site Option: Provision of the required acreage at an approved off-site location; or
- C. In-lieu Option: Contribution to the County's Conservation Trust Fund amounting to the fair market value for comparable acreage; or,
- D. Sale to the federal, state, or local government, or a not for profit corporation purchasing for conservation purposes, including mitigation for the loss of wetlands by either one of the water management district's regulations; or
- E. County requires no further mitigation if any state, federal or regulatory agency is already requiring mitigation. Then such mitigation may meet County mitigation options and no additional County mitigation may be required; or,
- F. County Mitigation Bank payment of funds into a Department of Environmental Protection or U.S. Fish and Wildlife Service authorized mitigation bank in Highlands County for use within the County; or,
- G. A combination of the above options.

Policy 3.17: Preference for Planned Unit Developments

The County should endeavor to require all development proposals which involve environmentally sensitive lands, or protected species to seek approvals under the Planned Unit Development regulations of the Land Development Regulations. Design options allowed for Planned Unit Development proposals shall include the following, subject to County approval and under the condition that they are not prohibited by the regulations of other governmental authorities:

- A. Transfers of density from dedicated set aside areas to the buildable areas of the proposed development site in the amounts allowed for under the Future Land Use Element, provided that the top end of the land use density range is not exceeded; or,
- B. Density bonuses above the midpoint density for developments which provide more than the minimum set aside acreage and provided that:

1. The total amount of density allowed to the site is in accordance with policies of the Future Land Use Element; and,
2. The top end of the land use density range is not exceeded.

Policy 3.18: Natural Resource Advisory Commission (NRAC)

- A. The Board of County Commissioners shall continue to appoint a Natural Resources Advisory Commission comprised of citizens having qualifications and experience commensurate with the mission objectives assigned to the Commission.
- B. The protocols for the composition, nomination, appointment, rotation, election, meetings, mission, primary function, and authorities of the Natural Resources Advisory Commission (NRAC) shall be set forth by Resolution and approved by the Board of County Commissioners.

Policy 3.19: Acquisition of Environmentally Sensitive Lands

Highlands County supports the acquisition of environmentally sensitive lands to achieve permanent protection for future generations. The Board of County Commissioners recognizes these efforts are best achieved through a combination of public and private efforts including fee purchase, easements, transfer of development rights management agreements, donations and other less than fee mechanisms. The Board of County Commissioners may adopt a target list of priorities for acquisition.

Policy 3.20: Buffer Public Conservation Lands

Highlands Hammock State Park, publicly and privately owned conservation lands, and conservation lands being considered for acquisition with public funds, shall be buffered against the encroachment of any urban land uses which would be out of character with their scenic open space qualities or their natural functions. The intent of this policy shall be assured through the application of the growth management policies contained in the Future Land Use Element, and promulgation of new project review authorities to implement the conservation strategies of this Element.

Policy 3.21: Environmental Conservation of Selected Lands

- A. Highlands County shall encourage, through incentives, existing agricultural areas determined to have a high ecological value as shown on the Conservation Overlay Map Series to:

1. Provide well managed areas for native species habitat,
 2. Provide conservation easements compatible with the ecological value of the property.
 - a. Uses that may be determined compatible include: existing agriculture, ecological burning, ecosystem restoration, hydrologic restoration, hiking and natural resource recreation, and boardwalks, where those uses do not conflict with the resource management goals of those lands;
 - b. Conservation easements generally should provide connectivity between or expansion of existing conservation areas, and be of a quality and size to provide for long-term habitat viability. Conservation easements that establish small, isolated, conservation areas shall be discouraged.
 3. Encourage retention of agricultural lands adjacent to conservation areas, essential natural habitats, and significant waterways to provide ecological buffers. The purpose of buffer areas is to adequately protect natural resources from human encroachment, as well as to protect the public health, safety, and welfare by providing adequate separation between human activities and wildlife habitat and conservation practices such as prescribed burns.
 4. Encourage public access to conservation lands, where appropriate and where such access does not conflict with the resource management goals of those lands.
 5. Utilize incentive based Transfer of Development Rights, as detailed in the Future Land Use Element or Sustainable Community Overlay.
 6. Provide ecological connections between natural areas, whether in public or private ownership.
- B. This policy does not affect any existing rights the property owner may have to develop these lands as permitted under the Comprehensive Plan and Land Development Regulations.

Policy 3.22: Planned Transportation Improvements and Alignments in Relation to Environmental Issues

Ensure that the transportation network will avoid, minimize, and mitigate habitat fragmentation by applying the following wildlife design criteria:

- A. Require that wildlife habitat linkage analysis be used as a standard procedure for updating the County's long range transportation plan network.
- B. Design wildlife crossing structures for multiple species and sustained habitat connectivity.
- C. Provide fencing or barrier walls to direct wildlife to crossing entrances where appropriate.
- D. New roadway crossings through wildlife/greenway corridors are discouraged. Where new crossings are necessary to ensure the health, safety and welfare of the citizenry, transportation corridors shall be designed as limited access facilities that prohibit non-emergency stopping. Roadway and associated utility corridors shall be designed to have minimal adverse impacts to the environment and shall include provisions for wildlife crossings based on the standards of Florida Fish and Wildlife Conservation Commission (FWC) and the U.S. Fish and Wildlife Service (FWS).

Policy 3.23: Conservation Wildlife Corridor Connectivity

If new development as defined in NRE Policy 3.3D. is proposed, any conservation areas or easements for conservation shall, where possible, connect to regionally significant wildlife corridors based upon best available data.

APPENDIX B: CONSERVATION VALUES MAPS

Data Layer List:

1. Agricultural Lands

- Agricultural Lands- FWC Florida Cooperative Land Cover Map
- Farmland of Unique Importance- NRCS

2. Cultural and Historic Resources

- Historic Structures- Florida State Historic Preservation Office
- Historic Districts- Florida State Historic Preservation Office
- American Indian Lands and Native Entities- University of Florida GeoPlan Center

3. Drinking water

- Public Water Supply Wells- FDEP
- Public Water Supply Tanks- FDEP
- Private Wells- FDEP
- High Aquifer Recharge- FNAI Florida Forever Conservation Needs Assessment

4. Access to Recreation

- Existing Trails-- FDEP Office of Greenways & Trails (OGT) Existing Recreational Trails
- Boat Ramps- Florida Wildlife Research Institute (FWRI) Boat Ramps in Florida
- Beach Access Locations- Highlands County
- Conservation and Public Lands- FNAI Florida Conservation Lands (FLMA)

5. Surface Water

- National Wetlands Inventory- US Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) Polygons
- Florida Verified Impaired Waterbody IDs (WBIDs)- FDEP
- Adopted Lake Minimum Flows and Levels- FDEP
- EPA Established Total Maximum Daily Loads (TMDLs)- FDEP/EPA
- Flood Zones (X and X 500 in white, all others blue)- Federal Emergency Management Agency (FEMA) Flood Hazard Zones of the Digital Flood Insurance Rate Map (DFIRM)

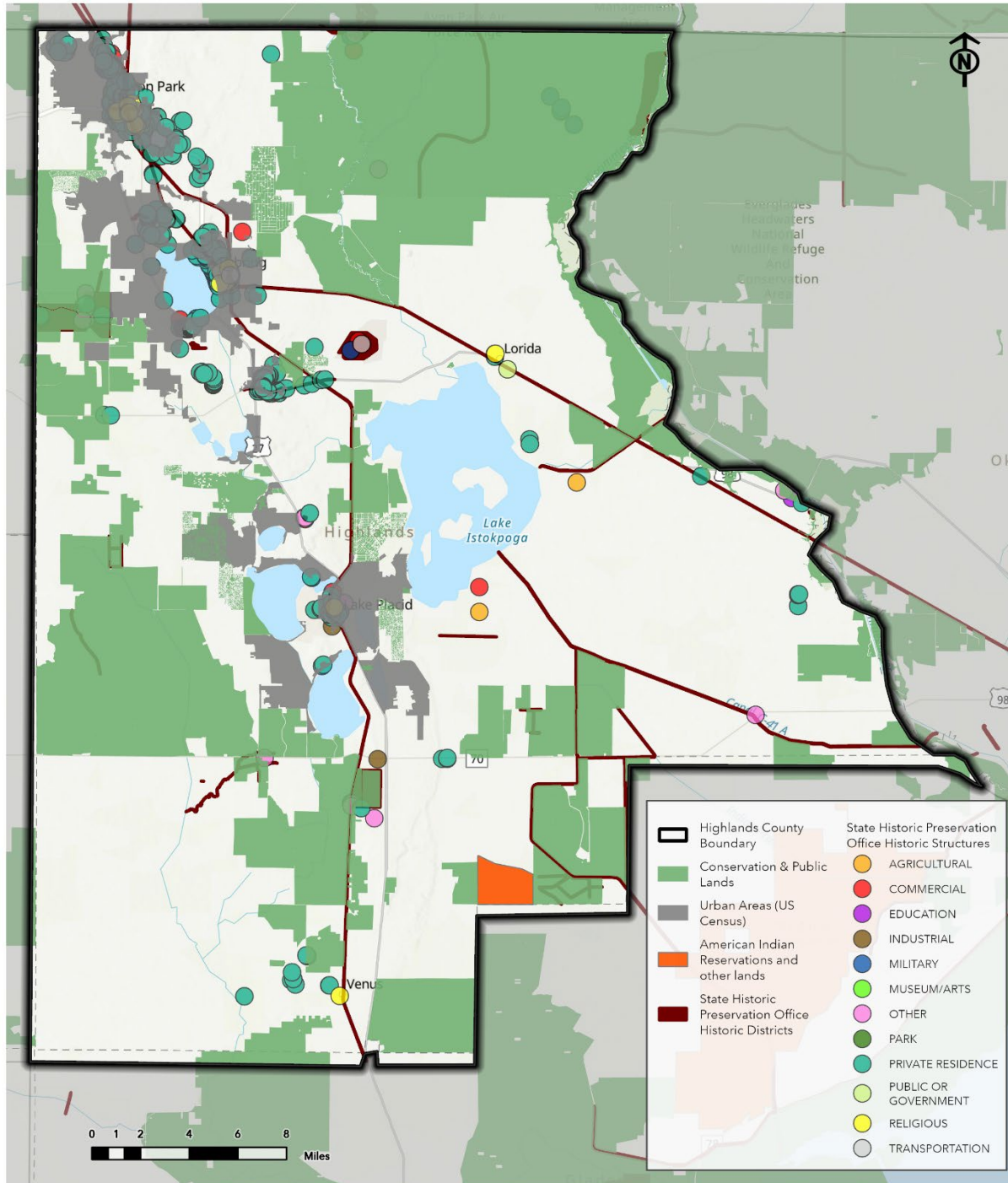
6. T&E Species and Habitats

- Florida Scrub Jay Locations – FWC
- Black Bear Telemetry - FWC
- Florida Panther Telemetry- FWC
- Under-Represented Natural Communities layer- FNAI Under-Represented Natural Communities

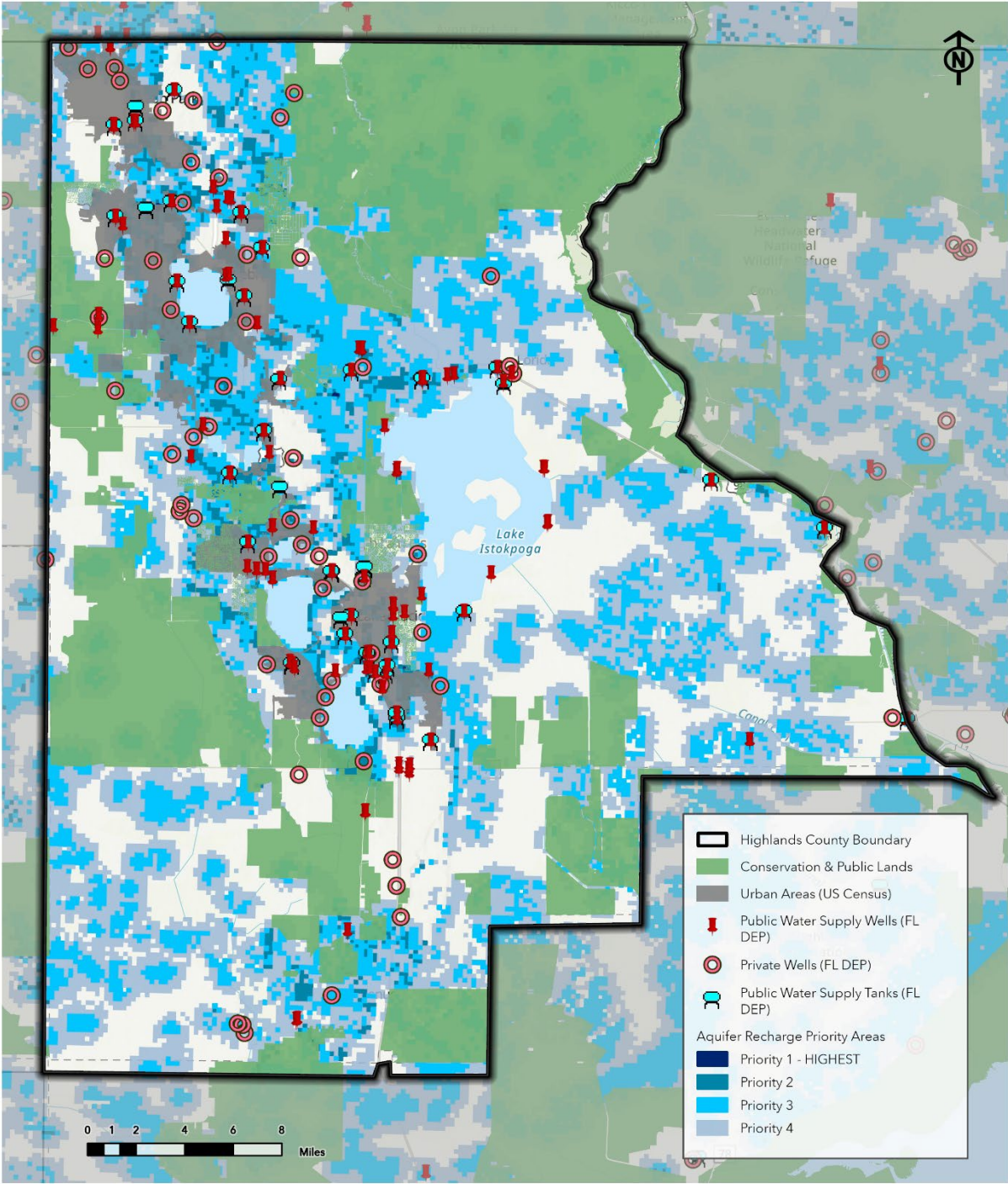
7. Wildlife and Conservation Corridors

- Florida Wildlife Corridor- University of Florida Center for Landscape Conservation Planning
- Conservation Lands- FNAI FLMA
- Avon Park Air Force Range Sentinel Landscape- Department of Defense
- Florida Panther Least-Cost Corridors- University of Central Florida Science and Planning in Conservation Ecology Lab

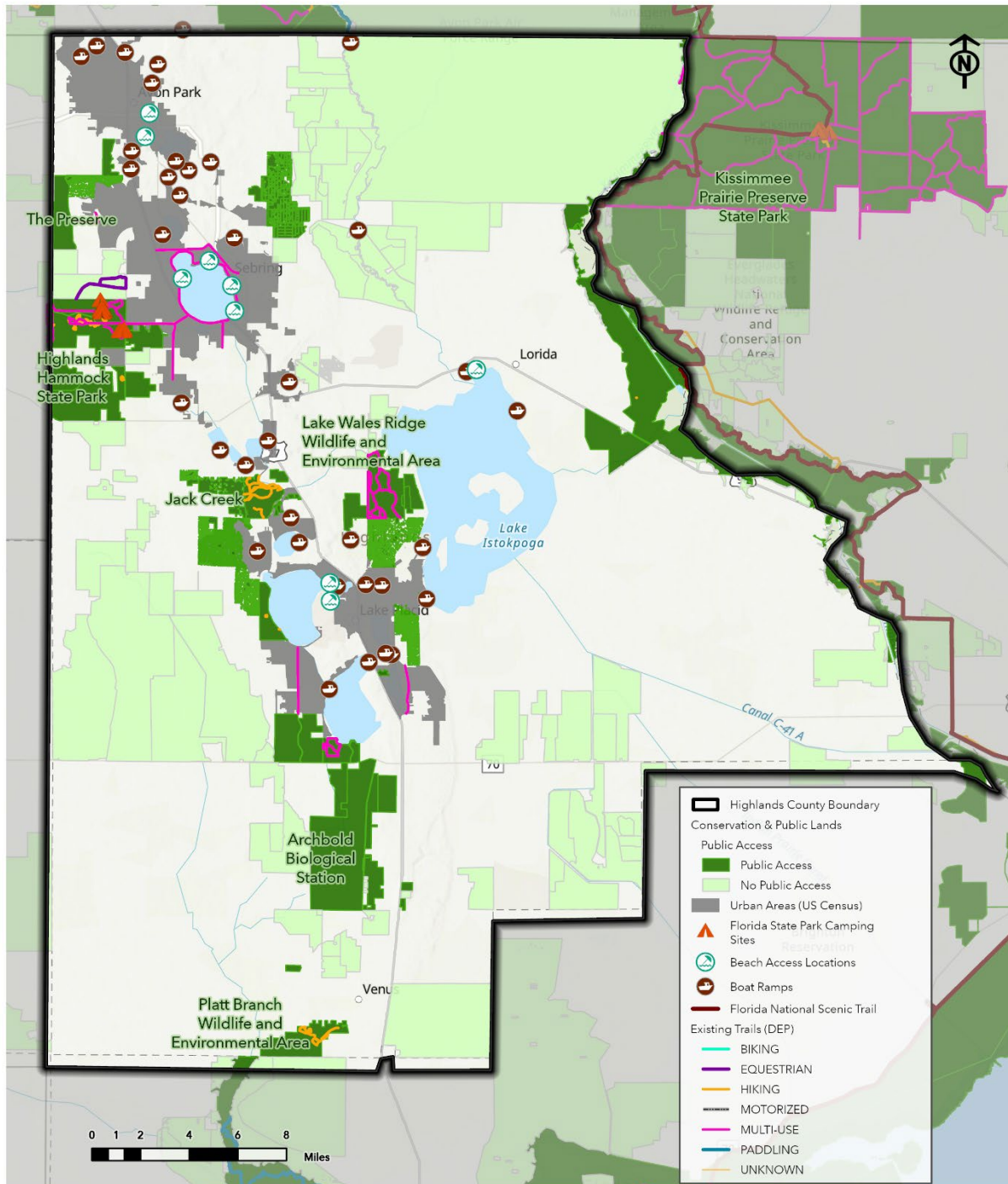
CULTURAL AND HISTORIC RESOURCES



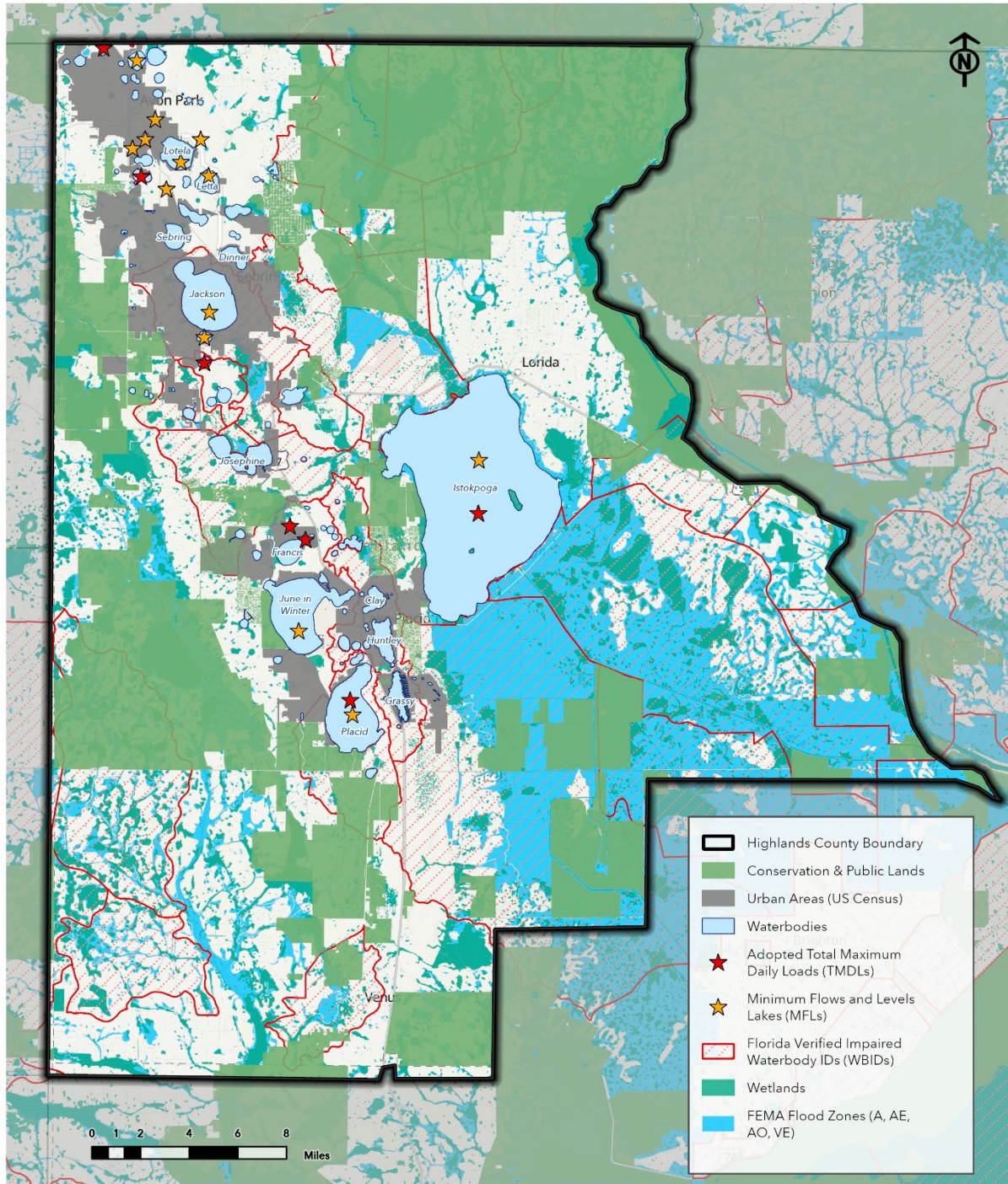
DRINKING WATER



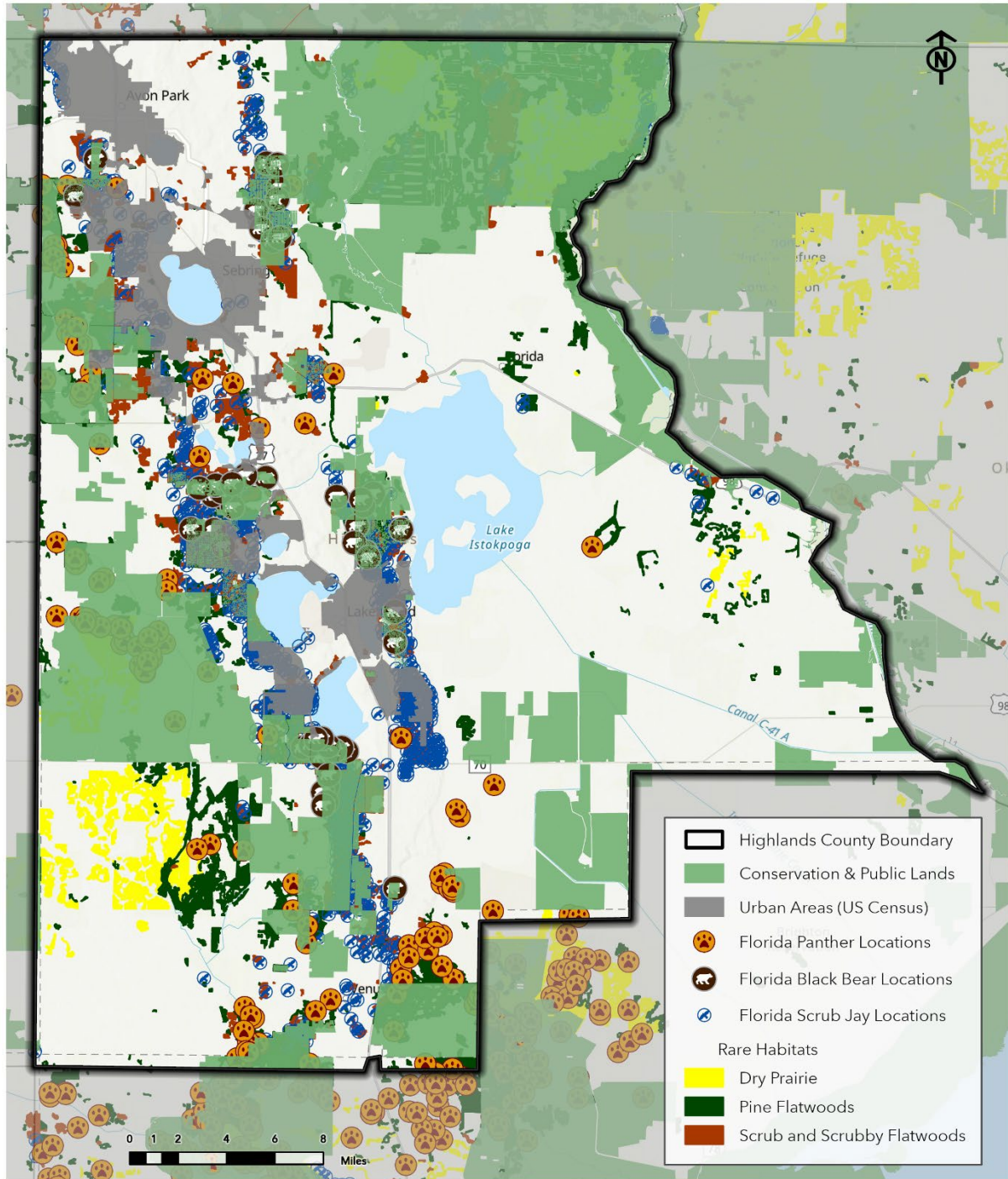
ACCESS TO RECREATION



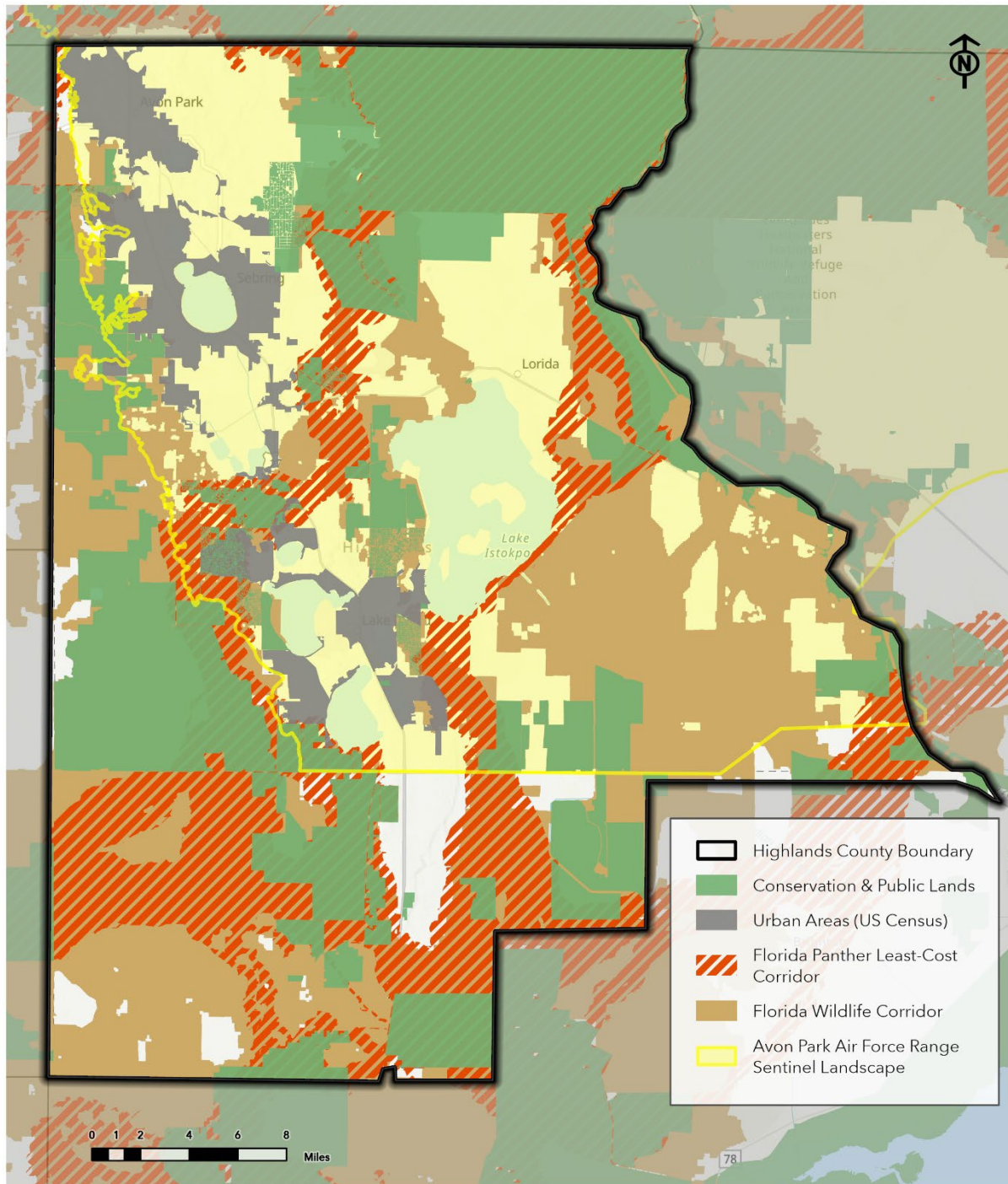
SURFACE WATER QUALITY




THREATENED & ENDANGERED SPECIES AND HABITATS




WILDLIFE AND CONSERVATION CORRIDORS



Highlands County Ridge to River Conservation Planning Study
Highlands County Board of County Commissioners
March 4, 2025



CITRUS GROVE, HIGHLANDS COUNTY, FLORIDA (CA 10381) Photo by John N. O'Brien Florida Women



NORTH FLORIDA LAND TRUST
 Founded in 1999

Our Mission
 To preserve and enhance our quality of life by protecting North Florida's irreplaceable natural environment.

Our Vision
 We Envision:
 North Floridians feel more connected to and have a stronger appreciation for our unique native environment.
 The North Florida Land Trust implements collaborative approaches for long-term solutions commensurate with rapid growth. By protecting more of North Florida's farms, forests, and natural areas, we maintain traditions, enhance lives, and sustain our expanding communities.

18 Staff

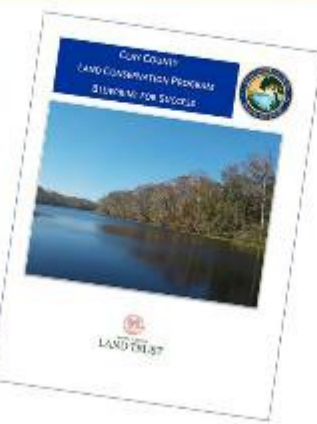


COMMUNITY CONSERVATION – “Greenprinting”

FARMS AND FORESTS




FLORIDA COUNTY LAND CONSERVATION PROGRAM
 31 YEARS FOR SUCCESS



Since 1999 in Florida:

- 105/123 Referenda passed (85%)
- Average Margin 2:1 (64%) in favor
- \$5.5 Billion in voter-approved funds
- 27 Counties passed 73 of 84 Referenda

www.landtrus.org



CONSERVATION PLANNING



COMMUNITY CONSERVATION - "GREENPRINTING"

1. Uses COMMUNITY INPUT to identify what benefits should be protected
2. Translate those benefits into CONSERVATION VALUES
3. Prioritizes those values based on SCIENCE
4. Provides RECOMMENDATIONS to achieve the protection – "Line of Sight"



Image courtesy of Michael Drummond



POSSIBLE TIMEFRAME





REFERENDUM EXAMPLE

ACQUISITION AND MANAGEMENT OF WATER RESOURCES AND ENVIRONMENTAL LANDS BOND REFERENDUM

To acquire, preserve, protect, manage, and restore water resources, environmental lands and important fish and wildlife habitat, shall Polk County levy an additional 0.20 mill ad valorem tax and issue bonds payable therefrom in one or more series in an aggregate principal amount not exceeding \$75 million, excluding previously authorized indebtedness, maturing no later than 20 years from the date of issuance of such bonds, bearing interest not exceeding the maximum lawful rate?

- YES, FOR BONDS
- NO, AGAINST BONDS



CONSENSUS QUESTION #1

Is there sufficient interest on part of Highlands County BoCC to work towards a November 2026 Referendum?



Image: iStockphoto.com/John P. Johnson



BREAK



Image: iStockphoto.com/Chris M. Smith





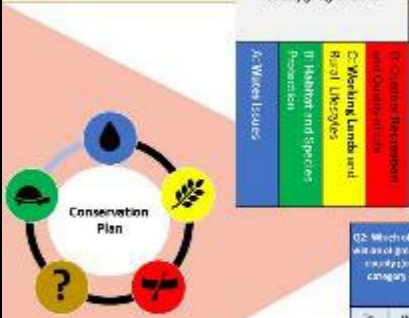
CONSERVATION VALUES



Image Credit: Rick Zait, Photo: Gregg Wilkins, Jr.



CONSERVATION PLANNING – Subject Matter Expert Panels



Q1: Which of the following areas will be of greatest concern to the County going forward?

- A. Water Issues
- B. Habitat and Species Preservation
- C. Working Lands and Rural Land Uses
- D. Cultural Resources and Archaeology



Q2: Which of the following areas will be of greatest concern to the county going forward in the category of Water Issues?

- A. Surface Water Quality
- B. Groundwater Quality
- C. Floodplain Management
- D. Stormwater Management

Q3: Which of the following areas will be of greatest concern to the County going forward in the category of Habitat and Species Preservation?

- A. Wetlands
- B. Forests
- C. Grasslands
- D. Other

Q4: Which of the following areas will be of greatest concern to the County going forward in the category of Working Lands and Rural Land Uses?

- A. Agriculture
- B. Forestry
- C. Other
- D. Other

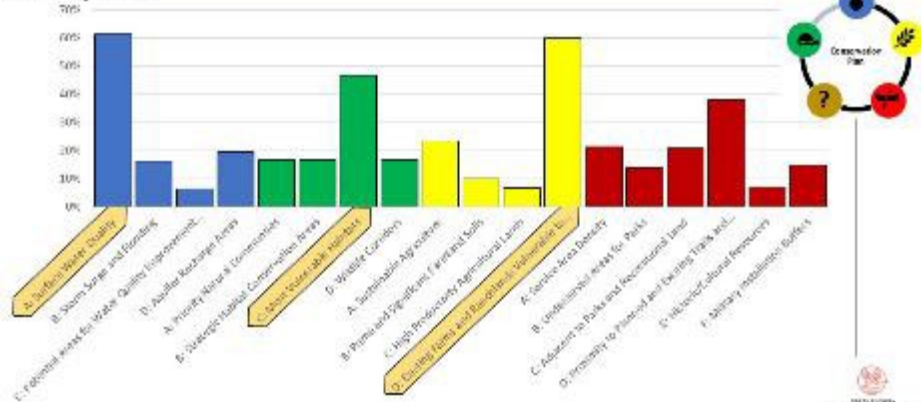
Q5: Which of the following areas will be of greatest concern to the County going forward in the category of Cultural Resources and Archaeology?

- A. Historic Sites
- B. Archaeology
- C. Other
- D. Other



CONSERVATION PLANNING – Subject Matter Expert Panels

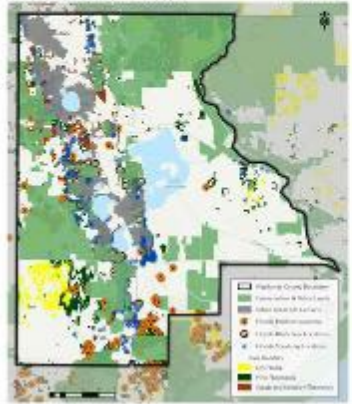
Percent Working Issue as #1





Conservation Values: Threatened & Endangered Species and Habitats

THREATENED & ENDANGERED SPECIES AND HABITATS

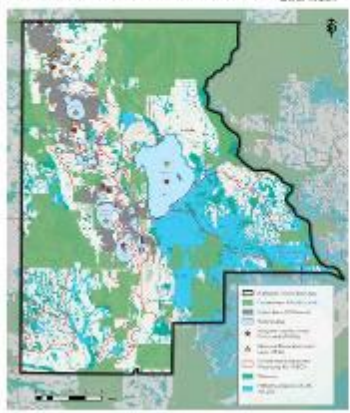


- This map displays the locations of some of the threatened and endangered species found in Highlands County.
- The Florida Scrub Jay is a federally threatened endemic species, meaning it is found nowhere else in the world.
- The Florida Panther is listed as an Endangered Species and needs large home ranges to survive.
- Protecting habitat for the iconic Florida Black Bears is important for their continued survival.
- The rare habitats data layer represents habitats that are not well-represented by current conservation lands. These are habitat types identified by the state of Florida as high priority for future conservation.



Conservation Values: Surface Water Features

SURFACE WATER QUALITY

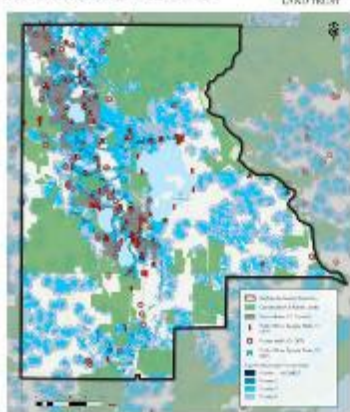


- This map displays the surface water features found in Highlands County.
- Includes wetlands such as lakes, rivers, streams, creeks and small isolated or intermittent wetlands.
- The TMDL, or Total Maximum Daily Load, is a calculation that limits how much pollution can enter the lake to meet water quality standards.
- MFL lakes, or Minimum Flows and Levels, are lakes with a limit on how much water can be withdrawn from the them.
- The flood zone layer displays the highest risk flood zones as identified by the Federal Emergency Management Agency (FEMA).



Conservation Values: Drinking Water

DRINKING WATER



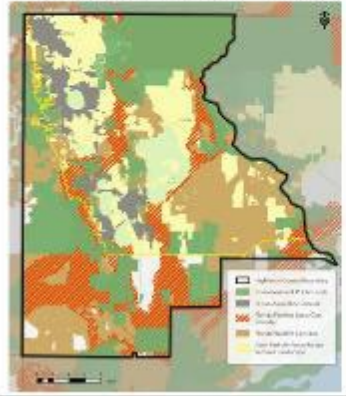
- This map displays the locations of known drinking water sources.
- Public Water Supply wells provide service to at least 15 service connections or to 25 residents.
- Private Wells layer displays known private well locations.
- The aquifer recharge data layer shows areas that allow for recharge to the Floridan and other aquifers.
- Areas in dark blue provide the highest potential recharge to springs, sinks, aquifers and water supply.





Conservation Values: Wildlife and Conservation Corridors

WILDLIFE AND CONSERVATION CORRIDORS

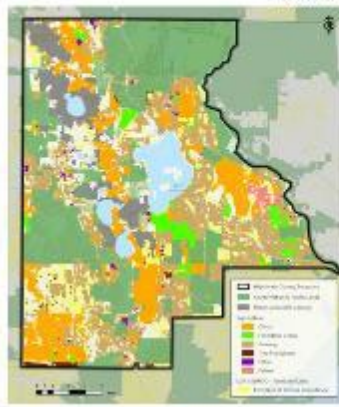


- This map displays wildlife and conservation corridors
- Corridors provide a connected landscape where plants, animals and recreationalists can move freely.
- The Florida Wildlife Corridor, which is a statewide network of 18 million acres of connected lands and waters that are crucial to the survival of many of Florida's imperiled animals.
- Florida Panther "Least-Cost" Corridors are the potential pathways and corridors that panthers are most likely to use.
- This map also displays the Avon Park Air Force Range Sentinel Landscape boundary.



Conservation Values: Agriculture

AGRICULTURE

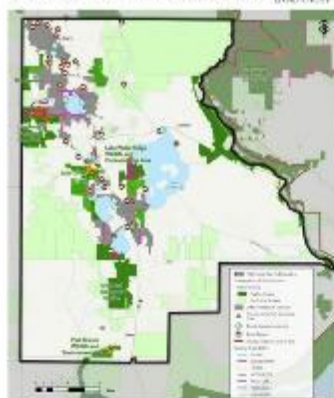


- This map displays the location of agricultural lands in Highlands County.
- Owners of working landscapes – farms, orchards, ranches, forests – make a living from the land, working hard to protect its productive and natural values.
- It also displays Farmland of Unique Importance, as identified by the USDA Natural Resources Conservation Service. This is land used to produce specific high-value food and fiber crops.



Conservation Values: Access to Recreation

ACCESS TO RECREATION



- This map displays the publicly accessible and inaccessible conservation lands in Highlands County.
- This map also displays the location of boat ramps, beach access locations, and existing recreational trails in Highlands County, including hiking, biking, equestrian and paddle trails
- Living in areas with access to public parks, community recreation and trails is an excellent way to encourage greater physical activity and overall better health in a community.





Conservation Values: Historic and Cultural Resources



- This map displays the historic districts in Highlands County as recorded by the State Historic Preservation Office (SHPO).
- A county's historic and cultural resources are evidence of past human activity.
- These include historic railroad corridors, churches, homesites, military areas and agricultural lands.
- The historic structures data layer displays structures that have been identified by SHPO as historic from surveys, historical records or other sources.



CONSENSUS QUESTION #2

What are the conservation values of the Highlands County BoCC?



Images courtesy of Florida Memory, Visual 21 and World



WRAP-UP & NEXT STEPS

- Public Workshops
- Highlands County Land Conservation Program Greenprint
- **OUTCOME:** The Blueprint will assist the Highlands County BoCC develop land conservation policies, evaluate appropriate projects, and implement a successful land conservation program

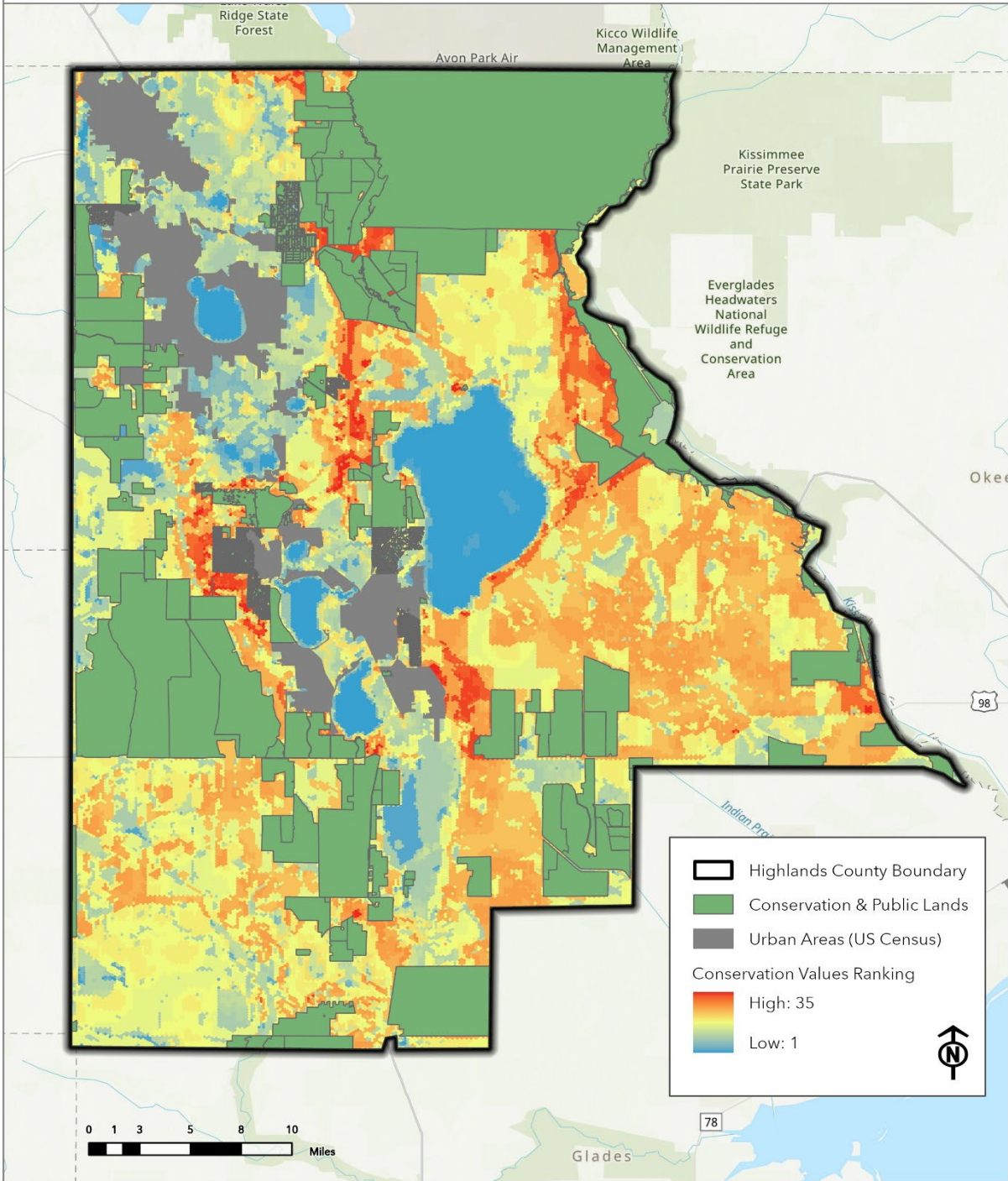


Image courtesy of Tom Parris




CONSERVATION VALUES RANKING

Agricultural Lands, Drinking Water, Wildlife & Conservation Corridors



APPENDIX E: NOMINATION FORM

 <p>Highlands County Forever Conservation Lands Program Land Acquisition Project Nomination Form</p>		
1 Applicant Information		
Applicant Name: _____		
Street Address: _____		
City: _____	State: FL Zip: _____	
Phone: _____	Fax: _____ Email: _____	
Applicant Signature: _____ Date: ____/____/____		
2 Property Owner Verification	3 Access Authorization	
Does the Applicant have any property ownership interest in the project? (Please check one)	By signing below, I as the property owner, authorize County staff to access said property at reasonable hours and upon reasonable notice for the purpose of conducting such review as may be necessary to determine eligibility of the property. (Valid only for property owner to authorize access)	
No <input type="checkbox"/> Skip to #4	Yes <input type="checkbox"/> Please sign and date #3	
Owner Signature: _____ Date: ____/____/____		
4 Property Owner Information	5 Owner's Authorized Agent (if applicable)	
Owner Name: _____	Agent's name: _____	
Street Address: _____	Street Address: _____	
City: _____ State: _____ Zip: _____	City: _____ State: _____ Zip: _____	
Phone: _____ Fax: _____	Phone: _____ Fax: _____	
Email: _____	Email: _____	
6 Project Information		
General Location (address, intersection, etc.): _____		
Check box if this is this a Conservation Easement or Purchase of Development Rights Projects. <input type="checkbox"/>		
Tax Parcel Acreage (if known): _____	Proposed Project Acreage (if known): _____	
Tax Parcel Number (if known): _____	Please check here if this is a multiparcel project (A map outlining the project area or a list of the additional parcel numbers would assist staff's evaluation of the project) <input type="checkbox"/>	
Section/Township/Range (if known): _____		
Future Land Use Map Designation (if known): _____	Zoning Designation (if known): _____	
7 Project Description Describe the property's ecological significance, natural resources, scenic beauty, wildlife habitat etc.		
<p>.....</p>		
Please Do Not Write Below This Line. Staff Use Only		
Time/Date Stamp	Please Return This Form to:	Application Number
Received by: _____	Questions? Contact the Conservation Lands staff at the address above or by our email	
Thank you!		

2/14/2025

Additional Information (Optional)

In addition to this form, up to 15 pages of text, maps, etc. may be attached for consideration. Providing supplemental information is optional, but may assist Staff with the evaluation of the property.

Examples:

- ★ A location map with the property outlined and any other important features (i.e. access points, roads, water bodies, landmarks, etc.)
- ★ A topographic quadrangle map (U.S.G.S. with boundaries of property sketched in)
- ★ Photographs or video representing the characteristics of the property
- ★ Estimate of the market value (This can be documented with a property appraisal, if available, or asking price).
- ★ Documentation of owner(s) willingness to sell
- ★ Description and analysis of environmental resources and features

Highlands County Land Conservation Committee is authorized by the Highlands County Board of County Commissioners to review property for possible acquisition for the protection of environmentally significant land in Highlands County. All proposed purchases must be submitted to the Board of County Commissioners for final approval prior to initiating a contract purchase.