



**FLORIDA KEYS STEWARDSHIP PROGRAM
WATER QUALITY RESTORATION AND LAND ACQUISITION
REQUEST, PROGRAM BACKGROUND AND PROGRESS**

FLORIDA KEYS STEWARDSHIP ACT (2016) and REQUEST

- **2025 Request: Monroe County respectfully seeks Legislative support for \$20M** in Stewardship Act funding to continue its protective environmental projects in the Florida Keys.
- The Florida Keys Stewardship Act (FKSA), the only **SPECIAL ACT** of its kind, was passed by the Florida State Legislature and signed into law in 2016, in recognition of the unique and fragile natural resources of the Florida Keys including the coral reef, the Florida Keys National Marine Sanctuary, and the Florida Bay, a critical part of the Everglades.
- FKSA authorizes **\$20M** a year for water quality projects to preserve and protect the Florida Keys' **unique and fragile marine ecosystem** resources: Only living coral reef system in the continental United States, largest seagrass bed in the western hemisphere; 6,000 species of fish and plants; and 50 endangered or threatened species.
- FKSA also authorizes **\$5M** annual set-aside in Florida Forever to acquire land in the Florida Keys for conservation, protection of natural resources and critical habitat for threatened and endangered species.



AREA OF CRITICAL STATE CONCERN

For this State designation an area must have environmental or natural resources of regional or statewide importance where uncontrolled development would significantly degrade these resources.

- **Designation:** In 1975 the Florida Keys and the City of Key West were designated as **Areas of Critical State Concern** (ACSC) due to their environmental sensitivity and development pressures.
- **Legislative Intent:** Protect the natural environment and **improve the near shore water quality**.
- **Additional Designations:** All waters adjacent to the Keys' islands are designated **Outstanding Florida Waters** and are included within the federally protected **Florida Keys National Marine Sanctuary**.



ACSC HELPS PROTECT WATER QUALITY AND THE FRAGILE KEYS MARINE ECOSYSTEM

- **State oversight:** To balance development with environmental protection, the State's Administration Commission sets requirements and approves an annual ACSC Work Plan for Monroe and other Keys' local governments. The plan mandates specific water quality protection measures in the Florida Keys.
- **Wastewater Treatment System:** The State mandated the construction of a **centralized Advanced Wastewater Treatment** system to replace outdated septic systems and cesspits (to reduce nutrient loading to nearshore waters.) The system, which cost \$900M with approx. \$200M in State funding assistance, has been completed.
- **Canal Restoration Program:** To address poor water quality in impaired canals, the State Administration Commission amended the County's ACSC Work Plan to include a **10-year Canal Restoration Implementation program**.
- **Canal Management Master Plan (CMMP):** Monroe County developed a comprehensive technical analysis to help us meet the State's water quality requirements. The plan includes a water quality assessment of each canal, a water quality ranking for each canal, and appropriate restoration options. This plan serves as the **guidance document** for Monroe's restoration efforts.
- The **Florida Keys Stewardship Act** (2016) highlights the State's commitment to preserving the Keys' unique environmental resources and **authorizes continued state funding for Keys' water quality restoration** to comply with water quality standards.



THE IMPORTANCE OF ADDRESSING WATER QUALITY CHALLENGES IN CANALS

- The Keys have 500 man-made canals. Their poor design and configurations (too deep, no tidal flushing) collect and trap storm water runoff, debris and organic materials like dead seagrass resulting in canal waters with high nutrients, high salinity, low dissolved oxygen (DO), chronic eutrophication, and algal blooms.
- Water quality monitoring of Keys' canals has **confirmed pollution due to excessive nutrients and low levels of dissolved oxygen**. The failure to meet water quality standards put the Florida Keys on the Clean Water Act Section 303(d) of list of impaired waters.
- UM Study (2021) confirmed that poor water quality in canals **impairs protected nearshore waters and benthic health**.
- DEP and Monroe County developed the **Florida Keys Reasonable Assurance Document** (FKRAD), outlining a commitment to implementing corrective actions to reduce pollution and restore water quality. The RAD is reviewed by DEP and updated biennially.
- FIU Report (2018) evaluated multiple restoration technologies used in our initial “demonstration projects” and concluded **these four principal technologies are highly effective**: culverts, backfilling, organic removal, and air curtains. These are the technologies that are implemented.



LAND ACQUISITION

- The Florida Keys Stewardship Act authorized, and the Legislature annually provides a **\$5M set-aside of Florida Forever funding**, dedicated specifically to enabling FDEP to maintain an aggressive land acquisition program in the Florida Keys. This set-aside expires in 2026-2027.
- In Monroe County with limited development permits, land acquisition is also property right protection. Development in the Florida Keys is restricted by State regulations; the State caps the total number of building permits in the Keys in order that we can meet the mandated 24-hr evacuation clearance time. Land acquisition mitigates future takings claims by moving vacant, buildable lots to public ownership and retiring the development right.
- **Land acquisition in the Keys accomplishes two goals: it mitigates future takings liability and promotes conservation.** Because many of the County's current privately-owned, undeveloped properties lie within the Florida Forever project boundaries, **Florida Forever-funded acquisitions address the mission of land conservation while also retiring development rights.**
- Since July 1, 2016, through September 30, 2024, Monroe County (the Board of County Commissioners and the Land Authority) has expended a total of \$40.6 M in local funds to reduce potential liability by acquiring land and retiring the development rights. DEP has expended \$11.4 M and Florida Commerce has expended \$12.4 M. During this period, 556 development rights have been retired (372 by the County, 184 by the State).



PROGRAM SUCCESS AND VALUE OF FUNDING

- **Water Quality: 30 canal restoration projects** have been completed or are underway, using proven effective technologies, and numerous additional **wastewater and storm water projects** have been completed or are underway.
- **Land Acquisition: 556** development rights have been retired (372 by the County, 184 by the State).

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