

HB 1173/SB 1622 -- Land Acquisition and Land Authority Bill (2018) Summary

HB 1173/SB 1622 is intended to accomplish two things - facilitate more land buying in the Florida Keys ACSC and facilitate more affordable housing. Here's a summary of its provisions:

- 1) Greater facilitation of State land buying in the Keys:
 - Makes explicit that the State can buy conservation *and* non-conservation land for the express purpose of retiring development rights in Areas of Critical State Concern.
 - Therefore, additionally, state funds may be used to purchase *non-conservation* lands parcels that retire development rights. Currently the state doesn't have this statutory ability, but with this language it will, and moving forward we will be able to advocate for (non-FF) State funding to be allocated for this purpose.
 - With regard to *conservation* land acquisition, the bill gives the State greater flexibility to buy small IS lots in FF project boundaries (with FF funding) by clarifying that the parcels need only be on an approved ARC list, and not nec rise to the level of "public purpose as listed in S 259.032" – a limitation (imposed on us when it was added last minute to our original Stewardship bill language) that has stymied DEP/Monroe land acquisition process.
 - Makes the State's acquisition of both non-conservation *and* conservation lands easier and more streamlined by eliminating the requirement for appraisals for parcels \$500k or less -- a real time killer and obstacle particularly for DEP acquisition of small parcels (ie, IS lots.)
 - Improves the process for military base buffering land acquisition. It will now be mandated that a buffering lands list be provided to the Legislature (this wasn't done before) thus shining a brighter light on buffering around high priority bases – beneficial to us bc we have a high priority base.
 - Relatedly, in current law State funding for base buffering acquisition is tied to three specific bases (and they cannot spend it, so the funds are in limbo.) Our bill contains language that unties state funding from those specific bases, allowing DEP to spend funds for buffering acquisition on other bases...and again bc we are a high priority base, this is good for us.

And,

- 2) Greater facilitation of Affordable Housing in the Keys:
 - Gives the Land Authority the flexibility to use its funds for the construction of affordable housing and a variety of costs related to the development of affordable housing; specifically included as allowable possible expenses – site preparation, professional fees, studies/surveys/plans, and site improvements like landscaping and access roads. (Permit and impact fee waivers were rejected as possible expenses as being inconsistent with other pending legislation. Also sewer connection costs were not allowed to be included.) *(This is not a mandatory use of LA funds. It provides an option for the Board if/when it chooses to provide a subsidy for a affordable housing development, enabling them to use LA funds (tourist-paid) or General Fund (property-owner paid)).*

There are three additional sections in the bill that are not ours.

- 1) One was a request from DEO and DACS which are looking to put more (unused) land into agricultural production by allowing this activity on state-owned base buffering lands, so long as the base approves. So there is a section in the bill that:

- Authorizes the state to lease state-owned military buffer lands for agricultural/silvicultural purposes if the base approves such use of those lands.
- 2) The second was a request from House leadership that is looking for relevant bills to park various recommendations from the Hurricane Select Committee. So there are two sections in the bill that:
- Authorizes flood mitigation as an additional goal for Florida Forever acquisition.
 - Authorizes additional uses for FCT's greenways and open spaces as temporary flow ways and water storage during storm events.
- 3) The third was a request from Apalachicola Bay's Representative to amend legislative intent language for Apalachicola ASCS.