

June 21, 2010

Donald J. Quincey, Jr.
Chairman
Suwannee River Water Management District

Dear Chairman Quincey :

The undersigned conservation organizations write this letter to express our grave concern over the seemingly comprehensive effort of the District to identify and offer for sale conservation lands. We believe that this program is contrary to the intent of the Article 10, Section 18 of the Florida Constitution that establishes a high bar for the sale of land acquired for conservation purposes:

The fee interest in real property held by an entity of the state and designated for natural resources conservation purposes as provided by general law shall be managed for the benefit of the citizens of this state and may be disposed of only if the members of the governing board of the entity holding title determine the property *is no longer needed for conservation purposes* and only upon a vote of two-thirds of the governing board.

Further, Section 373.089, F.S., specifies that all lands for which title was vested in the governing board of a water management district prior to July 1, 1999, are deemed to have been acquired for conservation purposes and that after that date, the governing board shall designate which parcels are being acquired for conservation purposes. Land acquired under the P2000 and Florida Forever programs is also deemed to have been acquired for conservation purposes.

We believe that the question of whether a property is no longer needed for conservation purposes should involve analyses of: 1) the conservation purposes for which the property was originally acquired; 2) whether these conservation benefits continue to be provided by the parcel; and 3) whether any new or additional conditions eliminate or enhance the conservation value provided by the parcel. The constitutional test does not allow the surplusing of property that continues to serve a conservation purpose even if the surplusing of that property would generate funds to purchase a property that has a higher conservation value. Moreover, it would appear that the district is limiting its definition of "needed for conservation purposes" to parcels that are either directly adjacent to rivers; located within the 10-year floodplain, as opposed to the 100-year floodplain that the District's 2010 Florida Forever Work Plan establishes as the District flood protection goal; located within a spring protection area that appears to limit protection to lands within an arbitrary buffer distance of approximately 1,000 feet rather than a hydrogeologically delineated springshed; and/or within areas identified as important for recharge function that appear more narrowly focused than the latest recharge data developed to support the Florida Forever Needs Assessment. The District's analyses employ a very narrow definition of water resource protection and disregard other important conservation values.

During your last board meeting, for example, the board voted to surplus a 110 acre parcel of land in Gilchrist County that is located near the confluence of the Santa Fe River and Ichetucknee River. This parcel is the sole connection between lands in the Santa Fe River corridor that the District proposes to retain and the 1,330-acre Fort White Wildlife and Environmental Area to the south. It has important habitat value for wildlife, maintains essential connectivity within a larger network of conservation lands, and if retained in conservation status may enhance the Florida Fish and Wildlife Conservation

Commission's long-term ability to properly manage the Fort White property. The Florida Native Plant Society asserted these points in comments and testimony provided at the June 8, 2010 meeting.

Finally, we recognize and appreciate the fiscal challenges the District faces and the shortage of Florida Forever and Water Management Lands Trust Fund money for environmental lands acquisition; however, we question whether the District's surplus program meets the constitutional standard and the fiscal wisdom of disposing of district lands in the current down real estate market when land values are depressed.

We will be voicing the above concerns at the June 22, 2010 Surplus Lands Committee Meeting and in a letter to Governor Crist. We specifically request that information on the specific parcels to be considered by the Surplus Lands Committee be made available for public review prior to any future meetings of the Committee so that we can have our scientists evaluate the conservation value of those parcels.

Thank you for your consideration.

Sincerely yours,

Eric Draper
Executive Director
Audubon of Florida

Manley Fuller, III
President
Florida Wildlife Federation

Laurie McDonald
Florida Program Director
Defenders of Wildlife

Eugene Kelly
Chair of Policy & Legislation
Florida Native Plant Society

Janet Bowman
Director of Legislative Policy & Strategies
The Nature Conservancy

cc David Still