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# Palmetto



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# Encouraging News for Land Conservation

## – And Why FNPS Must Continue Pressing Lawmakers

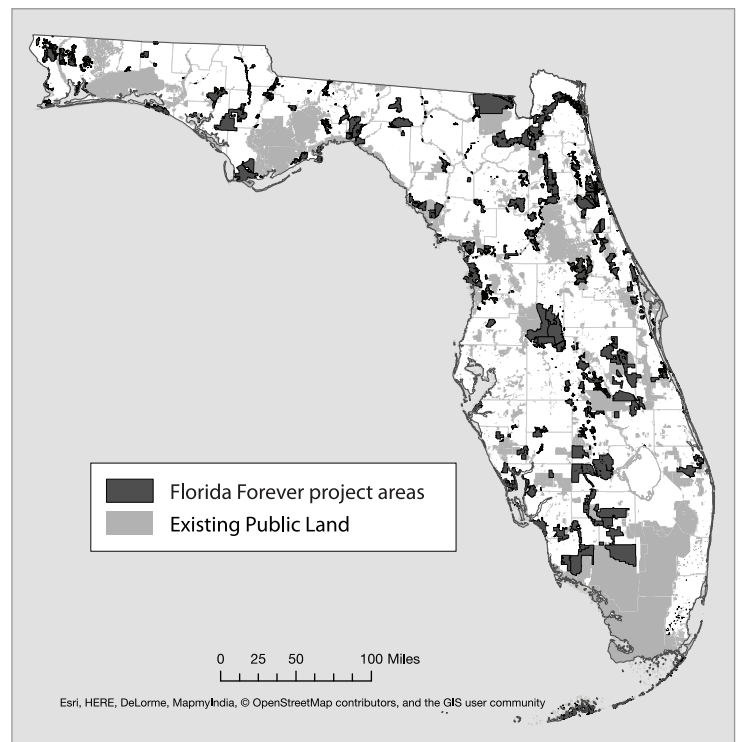
We are pleased to share news about the best thing to happen for native plant conservation in Florida in the last 10 years: the Florida Legislature approved \$100.8 million in funding for the Florida Forever land conservation program. That means \$100.8 million to help protect the places that native plants and native plant communities need to survive. Florida Native Plant Society members deserve a pat on the back because they played a pivotal role in this positive outcome after so many years of unanswered pleas and legislative intransigence. While \$100 million is far short of the \$300 million Florida Forever received annually prior to 2008, it is a big step in the right direction.

The seeds of this successful effort were planted in the fall of 2017 when FNPS lobbyist Sue Mullins coordinated with Senator Rob Bradley and his staff to develop the bill that ultimately set the stage for funding to be awarded. Senator Bradley served as Chair of both the Environmental Preservation and Conservation Committee and the powerful Appropriations Committee during the 2018 session. His sponsorship of SB 370, which would have directed at least \$100 million annually to Florida Forever, and his unwavering commitment culminated in unanimous passage of the bill by the Senate.

Unfortunately, the Florida House of Representatives had other plans. Their companion bill to SB 370 never received a single hearing. Instead, they put forward a separate bill that would have diminished the Florida Forever program by requiring most of the funds to be dedicated to projects of lesser conservation value. We asked our members to encourage Senator Bradley and Senate President Joe Negron to stand firmly against the House bill and ensure the integrity of Florida Forever would be protected from the House's attempt to re-write how the funds could be spent. When the bad House bill failed to advance, it also meant the good Senate bill could not be signed into law. It takes two to tango, and in the case of legislation it takes two bills – one from each chamber – to enact new laws. However, Senators Negron and Bradley ensured the final state budget included a one-time appropriation of \$100.8 million for Florida Forever. The “one-time” part of that is important – it means the fight for land conservation funding is not over.

More good news related to the legislative intransigence we referenced above: Circuit Judge Charles Dodson ruled in June that the legislature failed to properly implement Amendment 1, the Water and Land Conservation Amendment, by continuing to withhold funding from Florida Forever despite passage of the amendment by 75% of Florida's voters in 2014. While this good news should result in much more funding for land conservation next year, and in subsequent years, the legislature has filed an

appeal that challenges the judge's decision. The judge's ruling was actually a mixed bag. Although we appreciate the decision that Amendment 1's proceeds should go to land conservation, the judge also ruled the funds cannot be used to support land management or habitat restoration on lands acquired before the 2014 passage of the amendment. Current projections indicate that the 33 percent



share of annual real estate taxes reserved for Amendment 1 implementation will exceed \$800 million next year, and the year after that, and the year after that. We must follow and evaluate the full impact of the ruling and the results of the appeal. FNPS will not sit passively on the sidelines if the legislature seeks to continue starving Florida Forever of funds.

If you receive emailed Action Alerts from the FNPS Policy and Legislation Committee, or if you follow the Action Alert postings on our website, you are familiar with our regular calls for members to contact their legislators and press for the restoration of funding to the Florida Forever program. Maybe you have tired of hearing that refrain, year after year, and wondered whether there are other mission-related issues that have escaped our attention or otherwise been ignored. While we do not have the resources – people and funding – to engage effectively on every important issue, FNPS has advocated for native plant conservation on many other fronts, and

will continue to do so. We will share a little about some of those activities below; however, you will hear more calls for action on behalf of Florida Forever. Simply put, conserving land is the single most effective way to achieve our mission.

The legislature also budgeted \$240,000 for research on endangered plant species. As in previous years, this funding was rescinded in the middle of the session and then restored in response to pressure from FNPS. This demonstrates the important role FNPS plays in promoting native plant conservation. Ours is the only voice advocating specifically for native plants. The annual funding for endangered plants provides essential support to researchers at Archbold Biological Station, Bok Tower Gardens and elsewhere.

The legislature debated several ill-conceived bills that would have preempted the ability of local governments to adopt and enforce tree protection ordinances. Although the bills were amended in ways that made them less horrible, they still represented a power-grab that would have eroded home rule. They failed to pass following heavy opposition from city and county governments and conservation organizations like FNPS.

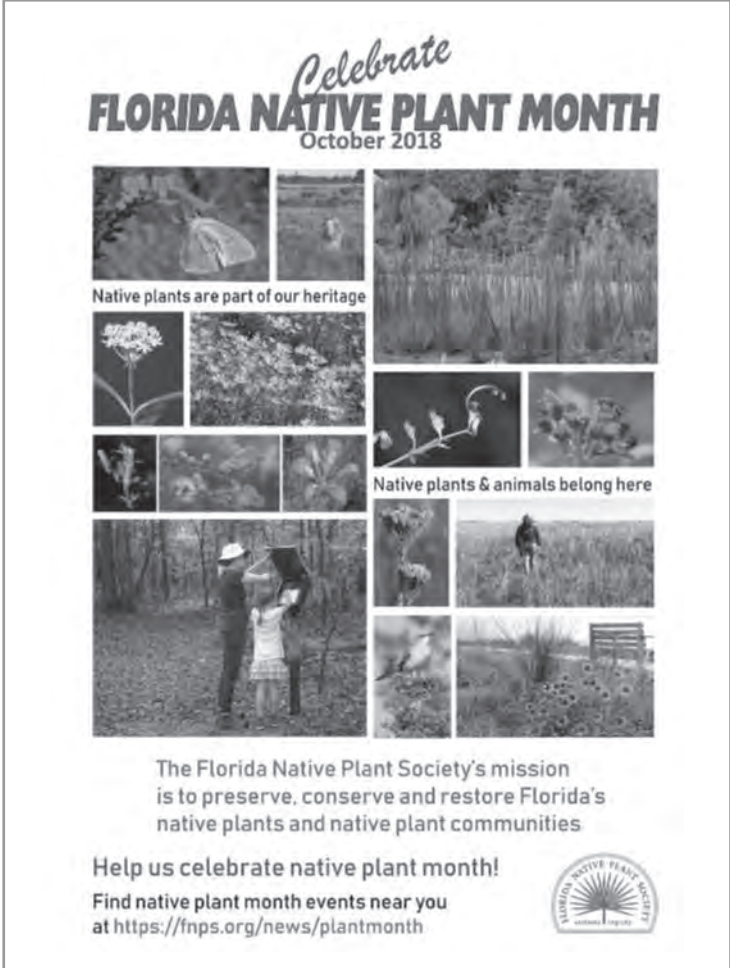
Other legislative priorities for FNPS in 2018 included an effort to secure funding for research on Texas Phoenix Palm Decline (TPPD) and tracking the state's attempt to assume permitting authority for dredge-and-fill projects from the Army Corps of Engineers. Both issues will continue to be legislative priorities in 2019. The threat TPPD poses to palms extends to our state tree, the cabbage palm, which has been shown to be vulnerable to this foreign disease. TPPD first appeared in Texas and has now been documented across much of Florida. We will continue the pursuit of funding for TPPD to ensure researchers have the resources they need to effectively study and respond to this threat. The potential transfer of dredge-and-fill permitting authority from the feds to the Florida Department of Environmental Protection (DEP) will be a multi-step process, and the devil will be in the details. FNPS will work in concert with other conservation organizations to ensure that any future transfer of permitting authority will not result in less protection for sensitive wetland habitats. Stay tuned for future updates on these FNPS concerns.

FNPS' advocacy over the past year has not been confined solely to legislative issues. We coordinated with the Florida Exotic Pest Plant Council to place additional nonnative species on the state's official Noxious Weed List. Listing prohibits any future sale and propagation of these species. We succeeded in placing a proposed amendment on the agenda of the Constitution Revision Commission (CRC) which would have provided additional clarity to Amendment 1 by requiring a minimum of one-third of annual Amendment 1 proceeds to be deposited to the Florida Forever Trust Fund. CRC Commissioner Jacqui Thurlow-Lippisch stepped up to sponsor the proposal, P46, and our greatest disappointment of 2018 is that P46 failed to advance through the CRC process after a number of conservation organizations we would typically consider to be allies waged a misguided campaign against it. Nevertheless, our efforts with the CRC elevated the discussion of spending for land conservation.

The Policy and Legislation Committee is proud of the support and participation we have received from our committed members. You are the source of FNPS' ability to influence decision-makers. Please watch your inbox for future alerts. This fall we will share announcements of upcoming meetings of legislative delegations. Maybe your chapter could organize a field trip for your legislators so you can tell them it is more important than ever that we conserve more land in Florida. We can provide information and other assistance if you want to organize a field trip. But first, take a moment to enjoy the encouraging results we have achieved through your advocacy for native plants.

### **About the Author**

Eugene Kelly is a conservation biologist with a long history of working to conserve natural Florida. As the environmental lands planner for the Southwest Florida Water Management District, he helped identify lands to be protected through the Save Our Rivers, Preservation 2000 and Florida Forever land acquisition programs, and also played the lead role in writing land management and public use plans for the acquired properties. After 16 years at SWFWMD, he spent 5 years serving as the conservation planner for the Florida Chapter of The Nature Conservancy before working for several years as a wildlife biologist for the Florida Fish and Wildlife Conservation Commission. He is currently self-employed as a conservation biologist and environmental consultant. Gene has also been actively involved with the Florida Native Plant Society's Board of Directors, where he has served terms as President and Conservation Chair, and is serving currently as the Policy and Legislation Chair.



*Celebrate*  
**FLORIDA NATIVE PLANT MONTH**  
October 2018

Native plants are part of our heritage

Native plants & animals belong here

The Florida Native Plant Society's mission is to preserve, conserve and restore Florida's native plants and native plant communities

Help us celebrate native plant month!  
Find native plant month events near you at <https://fnps.org/news/plantmonth>

