



**AGRICULTURAL AND GREEN INDUSTRY  
ADVISORY COMMITTEE MEETING  
TUESDAY, June 13, 2023 – 10:00 AM  
7601 US HIGHWAY 301 NORTH, TAMPA, FLORIDA 33637**

**MINUTES**

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**Committee Members Present**

Luis Alcantara, City of Tampa Parks & Rec. Dept. (alt)  
Ryan Gill, FL Cattleman's Association (alt)  
Curt Williams, Chair, FL Farm Bureau  
Ellen Cruz, FL Farm Bureau (alt)  
Jay Vogel, FL Forestry Association  
Alan Jones, FL Fruit & Vegetable Association  
Kerry Kates, FL Fruit & Vegetable Association (alt)  
Gail Huff, FL Irrigation Society  
Kenneth Parker, FL Strawberry Growers Assoc. (alt)  
David Boozer, FL Tropical Fish Farms Association  
Kevin Wasilewski, FL Turfgrass Association  
Simon Bollin, Hillsborough Co. Extension Service  
Emma Keller, Peace River Valley Citrus Growers  
David Kemeny, Peace River Valley Citrus Growers (alt)  
Travis Council, Turfgrass Producers of FL  
Betsy McGill, Turfgrass Producers of FL (alt)  
Don Rainey, UF Institute of Food & Agricultural Science (alt)

**Staff Members**

Michael Molligan  
Jennette Seachrist  
Brian Starford  
Robyn Felix  
Jay Hoecker  
Chris Zajac  
Amber Smith  
Carole Estes  
Ellen Morrison  
Ken Griner  
Thomas Stevens  
Jeff Whealton  
Taylor Greenan  
Allen Milligan  
Patricia Robertshaw  
Antonio Romaele  
Bob Thompson  
Jeremy McKay

**Board Administrative Support**

Virginia Singer  
Barbara Matrone

**1. Call to Order and Introductions**

The Agricultural and Green Industry Advisory Committee (AGIAC) of the Southwest Florida Water Management District (District) met for its regular meeting at 10:00 a.m. on Tuesday, June 13, 2023.

Chair Curt Williams called the meeting to order, and attendance was called.

**2. Additions and Deletions to the Agenda**

None.

**3. Approval of the September 13, 2022 and March 14, 2023 Meeting Minutes**

A motion was made to approve the minutes from the September 13, 2022 and the March 14, 2023 meetings. The motion passed unanimously.

#### **4. Public Comments**

None.

#### **5. Post Session Legislative Review**

Ms. Amber Smith, Senior Government Affairs Regional Manager, provided a post session legislative review. Florida has a 60-day session, and this year it began on March 7, 2023 and ended on May 5, 2023. The state budget for FY2023-2024 is \$117 billion. Some of the major budget items included Hurricane Relief and Recovery which received \$3.7 billion, Florida Wildlife Corridor which received \$850 million, and the Everglades Restoration which received \$574.6 million. There was also a five percent state employee pay increase and an extension to the Deferred Retirement Option Program from five to eight years for state employees and from eight to 10 years for teachers. Once Governor DeSantis receives the budget, he has 15 days to take action, and then the budget will take effect on July 1. Of the \$117 billion, more than 75% typically goes to health and human services and education, but in the past few years, the Environmental and Land Management Natural Resources have become a larger part of the budget. This year the Florida Department of Environmental Protection (FDEP) received \$4.9 billion and some of those budget items included: \$1 billion for the Florida Forever Program and Land Acquisition, \$850 million for the Florida Wildlife Corridor, \$30.8 million for the Kirkland Ranch, \$300 million for Flood and Sea Level Rise Program, \$60 million for Alternative Water Supplies, \$50 million for springs, \$11.7 million for various water management districts, and the statewide list for local water project appropriations totaled \$193.7 million. FDEP received \$500,000 to update the 1998 Water Resource Atlas of Florida in coordination with the water management districts and \$100,000 was designated to a public access website on trails open to equestrians on public lands including water management district properties.

Overall, there were 1,873 bills filed, 2,674 amendments to those bills were filed, and 356 bills passed both the House and the Senate. Some of the bills of interest included:

- Senate Bill 106 - Florida Shared-Use Nonmotorized Trail Network. This bill prioritizes the development of regionally significant trails that cross multiple counties and serve as main corridors for trail connectedness across the state. The bill stipulates that trails developed within the Wildlife Corridor maximize the use of previously disturbed lands, such as abandoned roads and railroads, canal corridors, and drainage berms. It also increases recurring funding for the SUN Trail Network from \$25 million to \$50 million and provides a non-recurring appropriation of \$200 million to plan, design, and construct the trail. This was a main priority in Tallahassee this session and Governor DeSantis signed this bill on April 11, 2023.
- House Bill 7003 - Water Management Districts Surplus Lands. Current law provides a public record exemption for written valuations and other documents related to water management districts' surplus lands. This exemption assists the District in marketing and negotiating surplus land sales by keeping written valuations confidential. This helps the District obtain the highest and best offer for surplus property from prospective buyers. As part of the open government sunset review process, this exemption was set to expire on October 2, 2023. This bill deleted the exemption expiration language to maintain the exemption moving forward. This bill was signed by Governor DeSantis on May 11, 2023.
- House Bill 1379 - Environmental Protection. This bill prohibits the installation of new septic systems within a Basin Management Action Plan (BMAP), a reasonable assurance plan, or a pollution reduction plan where connection to a sewer system is available. In addition, on lots of one acre or less the bill requires the installation of an advanced septic system that achieves at least 65% nitrogen reduction and authorizes FDEP to provide grants for projects that reduce the amount of nutrients entering waters that are not attaining nutrient or nutrient-related standards, have an established total maximum daily load, or are located within a BMAP area. The bill also requires FDEP in a BMAP area that includes an Outstanding Florida Spring to develop a septic remediation plan for a spring if DEP determines the septic systems within the BMAP

contribute at least 20% of nonpoint source nitrogen pollution or if DEP determines remediation is necessary to achieve the Total Maximum Daily Load (TMDL). The bill was signed by the Governor on May 30, 2023.

- House Bill 111 – Flooding and Sea Level Rise Vulnerability Studies. This bill expands the requirement for public entities to conduct a Sea Level Impact Projection study before commencing construction of certain state-financed coastal structures. The bill states a water management district is eligible for resilient grant funding to support local government adaptation planning, which may be conducted by the water management district or by a third party on behalf of the water management district. Such grants must be used for the express purpose of supporting the Florida Flood Hub for Applied Research and Innovation. Priority must be given to filling critical data gaps identified by the Florida Flood Hub. This was sent to the Governor for review.

Ms. Smith concluded by providing the upcoming dates for committee weeks and next year's Legislative session. Committee weeks will begin in September and run through December 2023. The Legislative session will begin on January 9, 2024, and will end on March 8, 2024.

## **6. FARMS 20<sup>th</sup> Anniversary**

Ms. Carole Estes, FARMS Program Manager, gave an overview of 20 years of the Facilitating Agricultural Resource Management Systems (FARMS) program. She began by showing a video of water-saving projects throughout the District. The FARMS program is an agricultural cost-share reimbursement program that reduces groundwater use from the upper Floridan aquifer through conservation and alternative water supply projects and Best Management Practices (BMP).

- The FARMS program has its origin in a large and diverse stakeholders group formed to address surface water quality in the Shell Creek reservoir that serves the City of Punta Gorda. As a result of the drought from 1999 through 2001, sampling at the reservoir detected total dissolved solids, conductivity, and chloride concentrations above secondary drinking water standards. Under the guidance of FDEP, a group of 18 state and local governments as well as other agricultural interests, commodity associations, and environmental associations convened to develop a Remedial Action Plan to address these issues. The District was tasked with supervising a Remedial Action Plan and one of the management actions implemented was the FARMS program.
- The remedial action plan gave FARMS the task of improving water quality by reducing the agricultural communities' dependence of lower quality groundwater within the Shell, Prairie, and Joshua Creek watersheds (SPJC). The plan included funding projects that increase the use of better-quality surface water or tailwater. This is why the Governing Board made SPJC watershed a priority area and why it receives 75% project funding from the District.
- In the SPJC, growers found that by reducing their reliance on the more mineralized groundwater and utilizing better quality surface water, there was a significant benefit to the health of their trees and bushes.
- The Southern Water Use Caution Area (SWUCA) was finalized in 2004 and the program was expanded.
- In 2005, to address the needs of smaller farms and smaller projects, Florida Department of Agriculture and Consumer Services (FDACS) and the District developed the MiniFARMS program with operational responsibilities alternating between the two organizations.
- In 2007, the District expanded the reach of FARMS to the entire District and began to consider funding nutrient management BMPs in the springs area.
- Following the extended freeze in the strawberry growing area of Hillsborough County, the Dover Plant City Water Use Caution Area was added to the priority areas focusing primarily on reducing groundwater use for cold protection.
- In 2020, FARMS began funding nutrient management BMPs across the entire District.
- Due to the early success and the favorable conditions for alternative water supplies in the southern part of the District, nearly 45% of the projects are in the SPJC and overall, nearly 80% of the projects are in the SWUCA.

- Since 2003 the FARMS program has funded 242 projects with an estimated groundwater reduction of 31.5 million gallons a day. Total project costs have totaled \$88 million with the District contributing nearly \$51 million. The District contributed an average of 58% of the total project costs with growers contributing about 42%. The cost benefit has stayed around \$2.43 per thousand gallons saved with contract terms limited to about 5 to 10 years.
- Additionally, over 90% of FARMS projects are active and still saving water long after their contract with the District is complete.
- FARMS projects can be categorized into alternative water supplies, conservation, cold protection, and nutrient reduction projects. The Governing Board has prioritized projects that address additional BMPs in our priority areas. These other benefits might be improving inorganic water quality in the SPJC and Horse Creek watersheds, improving the natural hydroperiod in the Upper Myakka River Watershed, reducing use of groundwater for cold protection in the Dover Plant City Water Use Caution Area, and reducing nutrient applications Districtwide. These projects can be funded up to 75% of total project costs.
- Alternative water supply projects use either an existing surface water body, a tailwater recovery pond or another excavated reservoir. About 73% of projects are alternative water supply projects. These projects average about a 30% reduction in groundwater use per project and about 86% of our programmatic offset comes from alternative water supplies.
- Conservation projects involve reducing water use from groundwater sources. This can be done with soil moisture sensors, weather stations, but particularly automated pump controls and automated valve controls. Being able to turn pumps and irrigation zones off and on is key to agricultural water conservation. While many of the alternative water supply projects also employ conservation technology, projects that involve just conservation are about 23% of the projects and make up about 13% of the estimated offset.
- Cold protection technology includes wind machines used by blueberry growers, crop cloth used by strawberry growers, and alternative water supply used by a variety of commodities. The cold protection projects have saved roughly 122 million gallons per year since 2011.
- Nutrient management projects have been included Districtwide since 2020 and have prevented 5,100 pounds of nitrogen per year from leaching into groundwater primarily through fertigation systems.
- MiniFARMS is a program for smaller projects. Its funding cap has varied over the years, but it primarily funds soil moisture sensors, weather stations, simple pump controls, and smaller fertigation systems. The program was initially devised by FDACS with support and cooperation from the District. Since MiniFARMS originated, the District has funded 342 projects with an estimated groundwater reduction of more than 1.5 million gallons per day and reimbursed about \$1.5 million in costs. District staff are currently working on approvals to implement the recommendation made by this committee last year to increase the funding cap on projects from \$8,000 to \$10,000.
- In addition to projects, FARMS staff are also responsible for evaluating and managing the funding the District provides to the University of Florida Institute of Food and Agricultural Sciences (IFAS). This helps evaluate the practicality of proposed BMPs and helps to keep up with new crops and new technology. Since 2011 the District has funded nearly \$6 million in IFAS research into a variety of subjects including the viability of new crops, such as hops, and new BMPs.
- The District will continue to support innovation in agriculture and find ways to continue to address the agricultural and water resource challenges of the future.

Mr. Simon Bollin asked what the status is for increasing the funding of the MiniFARMS program.

Ms. Estes replied that it has been included in the budget for FY2024 and if approved, should begin on October 1.

## **7. Conservation Easement Program**

Ms. Ellen Morrison, Land Resources Bureau Chief, gave a presentation on conservation easements and how the District uses them to protect the natural resource value of the conservation

land within the boundaries. A conservation easement is a less-than-fee interest in real property. Fee ownership is the complete ownership of all the legal rights associated with a piece of property. The less-than-fee ownership that is sold is the developer's rights that are associated with the parcel. The fee owner sells that right while retaining the balance of the bundle or remaining legal rights. The sale of that right is forever, and a conservation easement runs with the land in perpetuity. The intent of the conservation easement is to protect the property in its existing state. Conservation easements can also allow for improvement of natural systems that have been altered or impacted and may include opportunities for restoration activities of previously altered portions of the property, and ultimately the fee owner retains control.

Conservation easements are contemplated in Florida Statutes (F.S.) and are expressly encouraged as a tool to protect conservation lands for a variety of reasons. F.S. 704.06 defines a conservation easement as a right or interest in real property which is appropriate to retaining land or water areas predominantly in their natural, scenic, open, agricultural, or wooded condition retaining such areas suitable for fish, plants, or wildlife retaining the structural or integrity or physical appearance of a site or property for historical, architectural, archaeological, or cultural significance or maintaining existing land uses and prohibits or limits certain uses.

Some of the benefits of conservation easements to public entities are that it is encouraged by legislature, it stretches the acquisition dollars, it less private competition, the property remains on tax rolls after purchase, it allows agricultural uses, and has management efficiency. Some of the benefits to landowners are that it protects assets for perpetuity, it allows the fee owner to receive compensation and continued operations, estate tax benefits, federal tax breaks, and the control is retained subject to conservation easement terms.

Florida has one of the largest public land acquisition programs for conservation purposes in the United States. Conservation easement purchases are eligible under Florida Forever funding. One of the main initiatives through Florida Forever is acquisition of lands designated within the Florida Wildlife Corridor. It presently has a goal of 18 million acres of acquisition to protect Florida's wildlife, and of that goal, about 8 million acres remain outstanding in the Corridor. Florida's end of year goal for conservation acquisition is 900,000 acres. The Cabinet recently approved 38,848 acres of conservation easement property for about \$97 million dollars. As of January 2023, Florida's Natural Inventory reports that the water management districts own 463,233 of the one million acres of conservation easement ownership across all five water management districts in the state.

The District started purchasing conservation easements in the mid-1990s and currently owns almost 100,000 acres in the form of conservation easements through about 68 agreements. Since March of 2020, the District has purchased approximately 6,500 acres of conservation easements and is presently negotiating about 3,000 acres for purchase. The District also explores partnerships with other local government agencies.

Chair Williams asked if the terms are negotiated at the acquisition, or if they can freely do what they need to do to continue operating.

Ms. Morrison replied that the District negotiates the terms at the onset of the conservation easement and tries to work with the landowner.

Mr. Alan Jones asked how the Florida Wildlife Corridor, the conservation easements, and the water management districts coordinate and collaborate into a bigger picture. He also asked if there are maps that show areas that are regional as well as statewide from a wildlife corridor.

Ms. Morrison replied that the Florida Wildlife Corridor has some great maps on its website that show what is within the Corridor, what is already purchased, and what remains outstanding.

Mr. Kenneth Parker asked, as a landowner, what is the best way to contact the District to facilitate selling a conservation easement.

Ms. Morrison replied that he should reach out to the Land Resources Bureau, and staff will start the internal evaluation process.

Mr. Bollin asked what the difference was acreage-wise between conservation easements and fee simple acreage that the District owns.

Ms. Morrison replied that the District owns 459,000 acres and of that about 100,000 are conservation easements.

Discussion ensued.

A motion was made to have the Land Resources Bureau look into selling or leasing easements to District lands for agricultural purposes to veterans and beginning farmers. The motion carried unanimously.

**8. Development of agenda topics for the next Agricultural and Green Advisory Committee meeting tentatively at 10:00 a.m. on Tuesday, September 12, 2023**

Mr. Jones reminded the committee that elections will be taking place at the next meeting in September.

**9. Announcements and Other Business**

None.

**10. Adjournment**

The meeting adjourned at 10:57 a.m.