

## **RESOLUTION NO. 22-04-28**

### **A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA REQUESTING THAT GOVERNOR DESANTIS VETO SB 2508; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Islamorada, Village of Islands (the "Village") is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Florida Forever program is Florida's flagship land conservation and acquisition program and has purchased more than 869,000 acres of land since the inception of the program in 2001; and

**WHEREAS**, the Florida Forever program is a transparent, accountable, and science-based program administered by the Florida Department of Environmental Protection ("FDEP"); and

**WHEREAS**, the Village has benefitted directly from the Florida Forever acquisition program via the acquisitions of Green Turtle Hammock Preserve, Key Tree Cactus Preserve, Plantation Hammock Tropical Preserve and Southwinds Park through the Florida Communities Trust (FCT); and

**WHEREAS**, the Village recently reconvened its Land Acquisition Advisory Committee in order to evaluate potential properties for public acquisition; and

**WHEREAS**, the Village is in the process of identifying properties that may be eligible for Florida Forever funding and other state land acquisition funds; and

**WHEREAS**, during the 2020 legislative session, the Florida legislature passed a conforming appropriations bill, SB 2508: Environmental Resources, which includes changes to the Rural and Family Lands Protection Program (RFLPP) – a program administered by the Department of Agriculture and Consumer Services under the purview of the Commissioner of Agriculture, and which acquires easements on agricultural lands for the stated primary purpose of "protecting agriculture;" and

**WHEREAS**, SB 2508 includes changes to the RFLPP program that would expand the program to allow for full-fee acquisitions, not just easements, thereby making it a competitor to the Florida Forever program; and

**WHEREAS**, SB 2508 expands RFLPP’s purview from the acquisition of easements on ecologically important ranches and timberlands to include all agricultural lands, which would have the effect of allowing citrus groves, sod farms, tomato fields and more to be eligible for acquisition under the program; and

**WHEREAS**, SB 2508 would also enable mitigation banking on lands already protected by state easements, thereby creating the potential for double-dipping, with landowners receiving public money to protect their land, and then accepting mitigation funds to replace offsite wetlands lost to development on their already-protected acreage; and

**WHEREAS**, these changes are also included in the appropriations proviso and so even with a veto of SB 2508, a substantial expansion of the RFLPP will accompany its \$300M appropriation in FY23; and

**WHEREAS**, SB 2508 would effectively codify these changes in statute so that they remain in effect beyond FY23, until amended; and

**WHEREAS**, these changes would not only leave land purchasing and pricing decisions under the RFLPP program to the sole discretion of the Department of Agriculture, without science-based guidance or technical oversight by the state’s Acquisition and Restoration Council, but it would also redirect essential funding needed to preserved Florida’s habitat, water quality, and resilience from the Florida Forever program; and

**WHEREAS**, the Village Council of Islamorada, Village of Islands (the “Village Council”) hereby wishes to convey its concerns regarding the impacts of SB 2508 upon the continued viability and success of the Florida Forever program.

**NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

**Section 2. Supporting Veto of SB 2508.** The Village Council hereby urges Governor DeSantis to veto SB 2508 to prevent any further undermining of the Florida Forever Program.

**Section 3. Authorization of Village Officials.** The Village Manager is hereby authorized to take all necessary and expedient action to effectuate the intent of this Resolution, including authorizing the Village Clerk to transmit a copy of this Resolution to the Governor of the State of Florida.

**Section 4. Effective Date.** This Resolution shall become effective immediately upon its adoption.

Motion to adopt by Vice Mayor Henry Rosenthal, second by Councilman Buddy Pinder.

**FINAL VOTE AT ADOPTION  
VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS**

Mayor Pete Bacheler	YES
Vice Mayor Henry Rosenthal	YES
Councilman Mark Gregg	YES
Councilman Buddy Pinder	YES
Councilman David Webb	YES

**PASSED AND ADOPTED THIS 21st DAY OF APRIL 2022.**

  
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PETE BACHELER, MAYOR

ATTEST:

  
\_\_\_\_\_  
MARNE MCGRATH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY  
FOR THE USE AND BENEFIT OF ISLAMORADA,  
VILLAGE OF ISLANDS:

  
\_\_\_\_\_  
ROGET V. BRYAN, VILLAGE ATTORNEY