



FLORIDA FOREVER NEW PROJECT APPLICATION

Lake Harney - Volusia County

**Supporting Documentation
Attachment A - General Description
Attachment B - Ownership
Attachment C - Maps**

Florida Forever New Project Application



[Florida Forever](#) is the state's conservation and recreation lands acquisition program. To be considered for acquisition, a project must have a willing seller and be on the Florida Forever Priority List. The Florida Forever Priority List identifies projects that are suitable as a conservation property and meet the [Florida Forever Goals, Performance Measures and Criteria](#).

The Florida Forever Priority List is developed by the Acquisition and Restoration Council (ARC) and is approved by the Board of Trustees (BOT). The BOT must approve a project placed on the Florida Forever Priority List before it can be pursued for acquisition.

Proposed projects are prioritized and ranked in categories by ARC members in December, and the BOT approves the ARC-recommended [Florida Forever Priority List](#) in May, when a project is officially added to the list.

Applications for new Florida Forever projects are accepted by the Florida Department of Environmental Protection (DEP) two times per year, April 30 and Oct. 31. To propose a new project for the Florida Forever Priority List, submit this application along with the supporting documentation specified in Attachments A-C below in electronic format (PDF) to the email address below.

Please note that up to 18 copies may be requested. Maps should be in color and set to print no larger than 11 inches x 17 inches. Applicants may also consult the Florida Natural Areas Inventory [Florida Forever Conservation Data Viewer](#) to ensure proposed parcels are not already within an approved project boundary.

General Information

Proposed Florida Forever Project: _____

Nearest City _____ County(ies) _____

Sponsor/Affiliation Proposing Project: _____

Mailing Address: _____
Street City State Zip

Primary Phone: (_____) _____ Email: _____

SUBMIT COMPLETED APPLICATIONS TO:

FloridaForever@FloridaDEP.gov

Or by mail to:

Office of Environmental Services
Division of State Lands
Florida Department of Environmental Protection
3900 Commonwealth Blvd., Mail Station 140
Tallahassee, FL 32399-3000
Phone: 850-245-2555

Learn more about [Florida Forever](#).

Florida Forever New Project Application



Supporting documentation

Attachment A. Provide a general description (narrative) of the land proposed including:

- 1) A descriptive location of the proposed project with total acreage.
- 2) The general physical, natural resource, biological, hydrological, archaeological and historical characteristics of the project.
 - a. Does the property contain historic structures 50 years old or older? If so, provide a brief description, photograph(s) and location.
 - b. Does the property contain any improvements/facilities? If so, please describe.
- 3) Potential public recreation opportunities or other public uses.
- 4) Potential threats or development plans that could impact the value of the proposed project.
- 5) Local resolutions related to the potential public acquisition of the project (if applicable).
- 6) Details on how the project meets Florida Forever criteria [see [Chapter 259.105](#)(9) and (10), F.S.] and furthers the Florida Forever goals and performance measures [see [Chapter 259.105](#)(4), F.S.]. Refer to the [application addendum](#) on the DEP website.
- 7) Whether the project is proposed for fee simple or less-than-fee acquisition.
 - a. If a less-than-fee acquisition is proposed, include a brief description of the current uses of the property. Also include any known activities or property rights proposed to be acquired by the state and those proposed to be retained by the property owner.
 - b. If project is proposed for fee simple acquisition, include the proposed land manager and a management commitment letter from the agency/entity upon application submittal. Applications for fee simple projects may be delayed if a management commitment from the recommended agency/entity is not included.

Attachment B. Ownership and tax information must include:

- 1) One copy of the county property appraiser's property tax card for each parcel of land within the proposal. The tax card should include the following:
 - a. Tax parcel identification number.
 - b. Just or market tax assessed value and tax assessed value.
 - c. Owners' names and addresses.
 - d. Description and value of improvements.
 - e. Tax parcel acreage and its improvements.
 - f. Ad valorem taxes assessed on the property.
- 2) If multiple parcels are included in the project proposal, summarize in table format by county, parcel ID, owner, acres and tax assessed value.
- 3) A letter from each property owner confirming their willingness to sell or a statement from the applicant asserting that each owner has been contacted.

Attachment C. Maps and Aerial Photographs

- 1) Provide shapefiles for the proposed project that depict the project boundaries or show the property boundaries on U.S. Geological Survey (USGS) topographic quadrangle map. USGS topographic quadrangle maps can be obtained from DEP's [Land Boundary Information System](#) (LABINS) or the [U.S. Geological Survey](#).
- 2) Mark the boundaries of the proposed addition on county tax maps, overlain on aerials if available. If tax aerial overlays are not available, aerials or [Digital Orthophoto Quadrangle](#) (DOQs) and tax maps should be submitted. DEP's [Map Direct](#) can also be used to assist with developing aerial and tax maps.
- 3) Mark the boundaries of the proposal on Florida Department of Transportation [county highway maps](#).

**Florida Forever
New Project Application**



Authorized Representative

In accordance with the Florida Forever application process, the following individual is authorized as the primary point of contact for all matters concerning this application on behalf of the owner(s) of the real property described below, in Volusia County, Florida.

Property/Project name: Lake Harney

Name/Affiliation of Authorized Representative: County of Volusia, Resource Stewardship

Mailing Address: 123 W. Indiana Ave Room 200 DeLand, FL 32720

Street

City

State

ZIP

Primary Phone: 386,527.0553 Email: ttelfer@volusia.org

Property information

Section 35 Township 19 Range 33

Lat/Long 28 48'00.33"N/80 58'59.60" W

Acres ~5424.23 (total)

Parcel identification number(s):

Please see attached sheet for 49 parcel ID numbers

Landowner Information

Frank Ford as trustee Elizabeth Ford Williams 10/3/2023
Landowner Signature Date

Frank Ford Elizabeth Ford Williams

Landowner Name (print)

Mailing Address: PO Box 457, DeLand, FL 32721-0457

Street

City

State

ZIP

Primary Phone: 386,527.0553 Email: <lisa@fordpropertiesfl.com>

Please note: The landowner's signature above is not intended to preclude any representative of the Department of Environmental Protection, Division of State Lands (DSL), from contacting the property owner(s) directly concerning the property.

This form is not intended to create or acknowledge an exclusive property listing agreement or any business relationship between the owner(s) of the property and the individual(s) named above. Owner understands that any commission or fee charged by the person named above in connection with the property is the sole responsibility of the landowner.

This authorization will remain in effect throughout the application process unless written notice of rescission by the owner(s) named above is received by the DSL.

ATTACHMENT A

General Location

Attachment A

Florida Forever Application – Lake Harney

+/- 5578 acres (49 separate parcels)

Physical Address: 900 Lake Harney Road, Deltona, FL 32764

Parcels are 45% wetland and 55% upland

BACKGROUND

The Lake Harney property represents a tremendous opportunity to preserve a large, intact, waterfront parcel almost entirely surrounded by existing conservation land. The property contains unique features including roughly two miles of undeveloped waterfront, most of it sandy beach, and large hydrologic conveyances which outflow to a lake which is part of the St Johns River system. Additionally, this property is located within the Florida Wildlife Corridor. Volusia County staff has already been in contact with the Florida Fish and Wildlife Conservation Commission (FWC) to discuss opportunities for inclusion of this property into the Wildlife Management Area (WMA) system for hunting. Once acquired, Volusia County requests to be named lead land manager.

GENERAL DESCRIPTION of PROPOSED LAND

1) A descriptive location of the proposed project with total acreage.

The Lake Harney project has 49 parcels. This project is located near the terminus of Lake Harney Road and along most of Under Hill Road off Osteen-Maytown Road in Osteen in southern Volusia County. These properties lie on the east side of Lake Harney which is part of the St. Johns River in Volusia County. The County of Volusia shows the combined parcels total are approximately +/- 5,578 acres. The property lies 100% within Florida Ecological Greenways Network Priority 1 (Florida Wildlife Corridor).

2) The general physical, natural resource, biological, hydrological, archaeological and historical characteristics of the project.

The property lies within the St. Johns River (SJR) watershed and the Middle St Johns basin. Lake Harney borders the west side of the project area and this provides nearly two miles of lakefront. The properties to the north and east of this project are conservation areas. One of these conservation areas is Volusia County's property, Deering Preserve at Deep Creek. Deering Preserve at Deep Creek is 1,385 acres in size and managed as a conservation tract with passive recreation opportunities. This private property also links in with Farnton GreenKey. The GreenKey is a conservation area which protects an interconnected network of green space including wildlife corridors, landscape linkages, conservation areas, and restoration sites where development isn't allowed.

There are approximately 19 different natural habitat areas within the boundaries of the project. The dominant upland natural areas are pine flatwoods and grassland/mixed rangelands. The pine flatwoods are mixed throughout the property composed largely of merchantable planted pine. The rangelands occur on the east side of the project (east of Underhill Road). The grassland/mixed rangelands are where the natural vegetation is predominantly grasses, grass like plants, forbs or shrubs. These areas may be used extensively as wildlife forage.

The wetland systems appear to be high functioning or potentially high functioning wetlands. The dominant wetland natural areas are bottomland swamp and freshwater marsh. The bottomland swamp starts in the north-central section of the property just below Lake Harney Road and extends south to Lake Harney's bank. The freshwater marsh runs from the northwest "handle" of the property and follows Lake Harney around on the project's west side.

Approximately half of the project is within the 100-year flood plain. Most of this lies along the east banks of Lake Harney.

The state file shows a small strip along the bank of Lake Harney at the end of Lake Harney Road as a possible prehistoric Indian Village. However, no formal comprehensive archeological survey of this property has been conducted.

a. *Does the property contain historic structures 50 years old or older? If so, provide a brief description, photograph(s) and location.*

N/A

b. *Does the property contain any improvements/facilities? If so, please describe.*

A pole barn is erected on one parcel. An older, unoccupied, and unused single wide mobile home is located within one of the pastures in the central, eastern portion of the property. No utilities are turned on for this structure. There are four active wells located on the property.

PASSIVE RECREATION AND PUBLIC USES

3) *Potential public recreation opportunities or other public uses.*

Public recreation will be passive. Volusia county would consider the following passive recreational opportunities that require minimal, if any, prepared facilities or alteration to the land to ensure compatibility with natural resource functions: hiking, biking, wildlife observation, horseback riding, primitive camping, picnicking, kayaking, canoeing, hunting and fishing. The existing roads, trails and fire breaks are ready-made for most of the above-mentioned uses. This property is considered Priority 1 in the Ecological Greenway Network overlay (Florida Wildlife Corridor). Volusia County is currently in early discussions with FWC staff regarding a potential Wildlife Management Area on this property. Volusia County would work with FWC as a cooperative manager of this property and would defer to FWC to manage the hunting operations.

4) *Potential threats or development plans that could impact the value of the proposed project.*

Currently, no plans for residential or other uses have been brought to the County of Volusia for consideration. This is a

LOCAL RESOLUTIONS

5) *Local resolutions related to the potential public acquisition of the project (if applicable).*

Volusia County passed a referendum in 2000 and again in 2020 with 76.5% of the electorate voting to tax themselves (i.e., property tax levy) to fund land conservation. Volusia Forever has established a process for evaluating and sorting properties nominated for acquisition. Attached are Resolution 2020-80 which authorized the ballot initiative and Resolution 2023-77 establishing the process for selecting and acquiring environmentally sensitive, water resource protection, forests and farmlands and resource-based recreation lands.

MEETING FLORIDA FOREVER GOALS

6) *Details on how the project meets Florida Forever criteria [see [Chapter 259.105](#)(9) and (10), F.S.] and furthers the Florida Forever goals and performance measures [see [Chapter 259.105](#)(4), F.S.]. Refer to the [application addendum](#) on the DEP website.*

Volusia Forever's goals align with the goals of the Florida Forever Program which are to conserve, maintain and restore the natural environment and provide access for the enjoyment and education of the public; provide resources to ensure that sufficient quantities of water are available to meet current and future needs; meet the need for high-quality resource based outdoor opportunities, greenways, trails, and open space; preserve the habitat and water recharge; ensure that the natural resource values of such lands are protected and that the public has the opportunity to enjoy the lands to their fullest potential.

Goal A: Enhance the coordination and completion of land acquisition projects, as measured by:

Measure A 1: The number of acres acquired through the state's land acquisition programs that contribute to the enhancement of essential natural resources, ecosystem service parcels, and connecting linkage corridors as identified and developed by the best available scientific analysis;

The proposed project would contribute 5,578 acres that would help the enhancement of essential natural resources and increase the connection of corridors such as the black bear's range.

Measure A3: The number of shared acquisition projects among Florida Forever funding partners and partners with other funding sources, including local governments and the Federal Government.

This project was ranked eligible to be placed on the Volusia Forever A list for funding the future acquisition. Volusia Forever tries to work with funding partners whenever it is possible in order to leverage our local taxpayers dollars. Volusia County has worked with several different organizations in the past, with Florida Forever being one of them.

Goal B: Increase the protection of Florida's biodiversity at the species, natural community, and landscape levels, as measured by:

Measure B 1: The number of acres acquired of significant strategic habitat conservation areas (SHCA):

The SHCA of this project area consists of two types – Priority 3 and 5. Priority 3 is approximately 70% coverage and Priority 5 is approximately 30%.

Measure B 3: The number of acres acquired of significant landscapes, landscape linkages, and conservation corridors, giving priority to completing linkages;

The entire project area is within the Ecological Greenways Network Priority 1 designation.

Goal C: Protect, restore, and maintain the quality and natural functions of land, water and wetland systems of the state, as measured by:

Measure C 4: The number of acres acquired that protect natural floodplain functions;

Approximately 70% of the project area is within the 100-year floodplain.

Goal D: Ensure that sufficient quantities of water are available to meet the current and future needs of natural systems and the citizens of the state, as measured by:

Measure D 3: The number of acres acquired of groundwater recharge areas critical to springs, sinks, aquifers, other natural systems, or water supply.

The entire +/- 5,578 acres is within the Middle St. Johns BMAP and St. Johns River Watershed.

Goal E: Increase natural resource-based public recreation or educational opportunities, as measured by:

Measure E 1: The number of acres acquired that are available for natural resource-based public recreation or education:

Nearly the entire acreage could be used for passive recreation. This would include hiking, biking, kayaking, canoeing, photography, wildlife observation, hunting, fishing, etc.

Goal F: Preserve significant archaeological or historic sites, as measured by:

Measure 1: The increase in the number of and percentage of historic and archaeological properties listed in the Florida Master Site File or National Register of Historic Places which are protected or preserved for public use.

Once the property is acquired, an archeological survey can be performed to determine the significance.

Goal G: Increase the amount of forestland available for sustainable management of natural resources, as measured by:

Measure G 1: The number of acres acquired that are available for sustainable forest management.

The property currently has approximately 25% (+/- 1375 acres) of the land that is planted pine. These areas, as well as the rest of the property, will be assessed for the best forest management practices to incorporate sustainable practices into the management plan.

ACQUISITION TYPE

7) *Whether the project is proposed for fee simple or less-than-fee acquisition.*

a. *If a less-than-fee acquisition is proposed, include a brief description of the current uses of the property. Also include any known activities or property rights proposed to be acquired by the state and those proposed to be retained by the property owner.*

N/A

b. *If project is proposed for fee simple acquisition, include the proposed land manager and a management commitment letter from the agency/entity upon application submittal. Applications for fee simple projects may be delayed if a management commitment from the recommended agency/entity is not included.*

The Volusia County Resource Stewardship Division's Land Management program is positioned to take management responsibility of this property. As mentioned previously, Volusia County is starting discussions with Florida Fish and Wildlife Commission about the potential to open a new cooperative WMA on this property.

Volusia County currently manages 10 properties totaling 38,000 acres across the county. 8,030 acres are included in the FWC WMA system with Volusia County as the cooperative lead manager. The attached Management Agreement Letter is included in this application. Volusia County has a dedicated funding stream for management with 15% of the Volusia Forever taxes collected each year are set aside for the stewardship of lands acquired for conservation. This collection will continue until 2040.

STATE OF FLORIDA
COUNTY OF VOLUSIA

I, GEORGE RECKTENWALD, County Manager and Clerk to the County Council of Volusia County, Florida, do hereby certify that the attached Resolution 2020-80, is a true and correct copy of that certain resolution as adopted by the County Council of Volusia County, Florida, at its meeting held on June 2, 2020.

WITNESS my hand and official seal at DeLand, Volusia County, Florida, this
3rd day of June, A.D. 2020.

George Recktenwald
GEORGE RECKTENWALD
COUNTY MANAGER AND CLERK TO
THE COUNTY COUNCIL OF VOLUSIA
COUNTY, FLORIDA

BY:


BARBARA REDLINE

FOR KARISSA GREEN, DEPUTY CLERK



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WHEREAS, the Volusia County Council recognizes the continued need to plan for future growth and desires to provide the electors of Volusia County to decide whether to extend a long-term program, known as Volusia Forever, to continue to acquire and improve environmentally sensitive, water resource and outdoor recreation lands; and

WHEREAS, it remains the goal of Volusia County to conserve, maintain, and, where necessary, restore the natural environment and provide access for the enjoyment and education of the public; and

1 **WHEREAS**, Florida's groundwater, surface waters and springs are under pressure due to
2 population growth and economic expansion and resources are needed to ensure that sufficient
3 quantities of water are available to meet the current and future needs of the natural systems and
4 citizens of the state; and

5 **WHEREAS**, access to public lands supports a broad range of outdoor recreational
6 opportunities and the development of necessary infrastructure, where compatible with the
7 resource values of and management objectives for such lands, promotes an appreciation for
8 Florida's natural assets and improves the quality of life; and

9 **WHEREAS**, the need for high-quality resource based outdoor opportunities, greenways,
10 trails, and open space have not been fully met by previous acquisition programs and additional
11 emphasis on acquiring, protecting, preserving and restoring open space, greenways, and public
12 access is necessary; and

13 **WHEREAS**, acquisition to protect the integrity of ecological systems provide multiple
14 benefits, including preservation of habitat, recreation space for urban as well as rural areas, and
15 water recharge; and

16 **WHEREAS**, a long-term acquisition and improvement program is needed and funding is
17 required; and

18 **WHEREAS**, a long-term financial commitment to managing public lands must
19 accompany any land acquisition program to ensure that the natural resource values of such lands
20 are protected and that the public has the opportunity to enjoy the lands to their fullest potential;
21 and

22 **WHEREAS**, if said funding is again authorized by the voters of Volusia County and the
23 County Council, in its discretion, levies the necessary millage, it is in the public's interest to have

1 any resulting acquisition and improvement program procedurally implemented in a manner that
2 sets specific guidelines for the program to ensure effective and successful completion of the
3 Volusia Forever program.

4
5 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF**
6 **VOLUSIA COUNTY, FLORIDA, IN OPEN MEETING DULY ASSEMBLED IN THE**
7 **COUNTY COUNCIL CHAMBERS AT THE THOMAS C. KELLY ADMINISTRATION**
8 **CENTER, 123 WEST INDIANA AVENUE, DELAND, FLORIDA, THIS 2nd DAY OF**
9 **JUNE, 2020, A.D., AS FOLLOWS:**

10
11 **SECTION I. Findings.**

12
13 It is found and declared that:

14
15 (A) This Resolution is adopted pursuant to the County's Home Rule Charter, Chapter
16 125, Florida Statutes, Chapters 100 and 101, Florida Statutes, and other applicable provisions of
17 law.

18 (B) It is desired to authorize the continued annual levy of an existing ad valorem tax not
19 exceeding 1/5 mill for twenty years to continue to fund the acquisition of water resource and
20 environmentally sensitive land for conservation and public use either from taxes collected and on
21 deposit or from the proceeds of the issuance of short and/or long term indebtedness authorized
22 herein payable from the aforesaid ad valorem tax.

23 (C) The expenditures authorized serve a paramount public purpose.

24 (D) It is in the best interest of the County to issue such Bonds as are necessary or
25 desirable to finance projects payable as heretofore described.

26 (E) The recitations of the preamble are hereby adopted as findings herein.

27
28 **SECTION II. Election Ordered.**

29
30 An election be and is hereby ordered to be held in Volusia County, Florida, on November
31 3, 2020, to determine whether or not to continue the levy of an existing ad valorem tax and

1 issuance of Limited Tax General Obligation Bonds for said purpose shall be approved by the
2 electors of Volusia County.

3 **SECTION III. Voting.**
4

5 The polls will be open at the voting places on the date of such election from 7:00 a.m. to
6 7:00 p.m. on the same day. All qualified electors residing within the County shall be entitled and
7 permitted to vote at such election as hereinafter provided. The bond election shall be held and
8 conducted in the place or places prescribed by law for general elections in the County. The
9 election shall be held and conducted in the manner prescribed by law for holding general
10 elections in the County, and the County Manager and Supervisor of Elections are directed to take
11 all necessary measures to conduct the election in all manner required by law. The returns shall be
12 properly canvassed by a county canvassing board in accordance with law and all procedures and
13 requirements of state law, the Charter and other applicable law shall be complied with for the
14 purpose of conducting the computation of ballots and completion of election procedures.

15 **SECTION IV. Ballots.**
16

17 The ballots to be used in the election shall be on plain white paper with printed
18 description of the proposed levy of the tax and issuance of the Bonds, and which will provide
19 facilities for qualified electors to vote for or against the levy of the tax and issuance of the Bonds
20 as they may choose. Voting equipment shall be used at such bond election or such other means
21 as is deemed appropriate and permitted by law by the Supervisor of Elections. The question
22 appearing on the ballots to be used in the election shall be in substantially the following printed
23 form:

24
25 **BALLOT**
26

1 VOLUSIA FOREVER: ACQUISITION AND IMPROVEMENT
2 OF ENVIRONMENTALLY SENSITIVE, WATER RESOURCE
3 PROTECTION AND OUTDOOR RECREATION LANDS
4

5 SHALL VOLUSIA COUNTY CONTINUE TO FUND THE
6 ACQUISITION AND IMPROVEMENT OF
7 ENVIRONMENTALLY SENSITIVE, WATER RESOURCE
8 PROTECTION, FORESTS AND FARMLANDS AND
9 OUTDOOR RECREATION LANDS AND RELATED
10 PROPERTY INTERESTS FOR CONSERVATION AND
11 RESOURCE-BASED RECREATION, INCLUDING ISSUING
12 BONDS NOT EXCEEDING \$60 MILLION, BEARING
13 INTEREST NOT EXCEEDING THE MAXIMUM LEGAL
14 RATE, PAYABLE FROM CONTINUATION OF AN EXISTING
15 AD VALOREM TAX NOT EXCEEDING 1/5 MILL LEVIED
16 FOR 20 YEARS, SUBJECT TO FULL PUBLIC DISCLOSURE
17 THROUGH ANNUAL AUDITS?
18

19 YES (FOR BONDS) _____

20 NO (AGAINST BONDS) _____
21

22 **SECTION V. Absentee Voting.**
23

24 Adequate provision shall be made for absentee voting. Ballots shall be used suitable for
25 absentee voting at the election. The form of ballots to be used in the election for absentee voters
26 shall be in substantially the form set out above and in accordance with the Florida Election Code.

27 **SECTION VI. Results of Election.**
28

29 Returns of the votes cast at the election shall be made to and canvassed by the
30 Canvassing Board and such Board shall declare the results and certify the same to the County
31 Manager to be recorded in the minutes of the County. If a majority of the votes cast at such
32 election in respect to the levy of the tax and issuance of the Bonds shall be "YES" (For Bonds),
33 such issuance shall be approved, may be issued by the County pursuant to the terms and
34 provisions of the charter and the other provisions of applicable law. Regardless of the results of
35 the election, the County Manager is hereby directed to submit such results to the Department of
36 State pursuant to Section 100.351, Florida Statutes.

1 **SECTION VII. Publication of Resolution and Notice.**

2
3 At least 30 days' notice of the election shall be published in the News Journal, or any
4 other newspaper of general circulation within the County, at least twice, once in the fifth week
5 and once in the third week prior to the week in which the election is held, in the manner provided
6 in Section 100.342, Florida Statutes.

7
8 The notice of election shall be in substantially the following form:

9
10 NOTICE OF TAX AND BOND REFERENDUM
11 COUNTY OF VOLUSIA, FLORIDA,
12 ON NOVEMBER 3, 2020

13
14 NOTICE IS HEREBY GIVEN THAT A COUNTY OF
15 VOLUSIA, FLORIDA, TAX AND BOND REFERENDUM will
16 be held on the 3rd day of November, 2020, in the County of
17 Volusia, Florida, for the purpose of determining whether or not an
18 existing ad valorem tax not exceeding 1/5 mill shall continue to be
19 levied annually for 20 years and Limited Tax General Obligation
20 Bonds of the county issued in one or more series, payable
21 therefrom shall be issued in the aggregate principal amount of not
22 exceeding \$60 million, bearing interest, payable at such interest
23 rate or rates not exceeding the maximum rate permitted by law and
24 redeemable as shall be determined at or before the time of sale
25 thereof, maturing over a period of not to exceed twenty years from
26 the date of the bonds, to finance acquisition and improvement of
27 environmentally sensitive, water resource protection, forests and
28 farmlands and outdoor recreation lands and purposes incidental
29 thereto and subject to full public disclosure through annual audits.

30
31 The polls will be open at the voting places on the date of
32 bond election at 7:00 a.m. to 7:00 p.m. on the same day, all as
33 provided in Resolution No. 2020-80 adopted by the County
34 Council of the County of Volusia, Florida, on June 2, 2020, which
35 is a matter of public record.

36
37 All qualified electors residing within the County of Volusia
38 shall be entitled qualified and permitted to vote at such election.

39
40
41 The County of Volusia, Florida

SECTION IX. Oversight Committee.

In order to implement a program to finance negotiations, acquisition, protection, restoration, access, and management costs, the County Council shall create an advisory oversight committee, by June 1, 2021, to conduct an ongoing review of all projects under consideration and to make recommendations to the Council.

SECTION X. Policies and Procedures.

The oversight committee shall recommend a land acquisition program with policies, procedures, standards and criteria for the purchase of endangered and conservation lands, and water resource areas. Each project must state a public purpose for the restoration, conservation, or preservation of environmentally sensitive lands and water areas and for providing public use opportunities. It is the intent of the program to achieve maximum impact by partnering with other entities through award or acceptance of grants, joint projects and other cooperative efforts. It is the intent of the county to use the funds approved herein to apply for matching grants awarded under the Florida Forever Program, set forth in Florida Statute § 259.105, et seq. and any amendments thereto and any similar federal funding program, to maximize the use of public monies to benefit Volusia County. The goals and criteria of the Florida Forever Program will provide the basis for the adoption of the policies utilized in the implementation of the Volusia Forever program.

SECTION XI. Acquisition Goals.

Acquisition projects must contribute to the following goals:

- Increase in the level of protection, and increase
in the population of, listed species
- Restoration of land areas
- Completion of projects begun under previous

1 land acquisition programs
2 Increase in the amount of forest land for sustainable natural resources
3 Increase in resource-based public use opportunities
4 Improvement of water recharge rates on public lands
5 Protection of natural flood plain functions and prevention of
6 or reduction in flood damage
7 Restoration of degraded water bodies
8 Restoration of wetlands
9 Preservation of strategic wetlands
10 Preserving of, or reduction of contaminants in, aquifers and springs
11 Greenways and open space and improving natural systems corridors
12 Water resource development
13

14 **SECTION XII. Acquisition Priorities.**
15

16 Priority will be given to acquisitions which achieve a combination of conservation goals,
17 including improving water resources and natural groundwater recharge, provide resource based
18 recreation opportunities.

19 **SECTION XIII. Public Access.**
20

21 Lands shall be managed and maintained to the extent practicable in such a way as to
22 ensure a balance between public access and restoration and protection of their natural state and
23 condition. Public access, as well as public use, will be determined in the management plans.

24 **SECTION XIV. Effective Date.**

25 This Resolution shall go into effect immediately upon its passage and adoption.
26

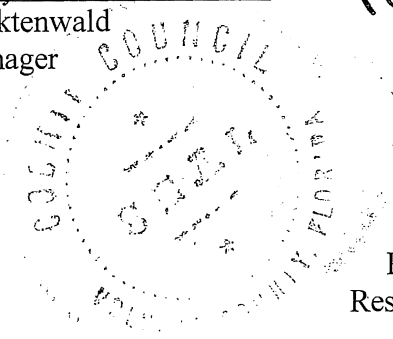
27 **DONE AND ORDERED IN OPEN MEETING.**
28

29
30 ATTEST:

COUNTY COUNCIL
VOLUSIA COUNTY, FLORIDA

31
32 
33
34
35 George Recktenwald
36 County Manager


Ed Kelley
County Chair



RESOLUTION NO. 2023-77

A RESOLUTION OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, UPDATING THE ESTABLISHED PROCESS FOR SELECTING AND ACQUIRING ENVIRONMENTALLY SENSITIVE, WATER RESOURCE PROTECTION, FORESTS AND FARMLANDS AND RESOURCE BASED RECREATION LANDS PURSUANT TO THE VOLUSIA FOREVER PROGRAM, BY REPEALING RESOLUTION 2021-134; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Volusia County contains many treasured natural resources of significant environmental and resource based recreational importance which should be preserved in perpetuity; and

WHEREAS, Article 2, Section 7(a) of the Florida Constitution states in part that it shall be the policy of the State of Florida to conserve and protect its natural resources and scenic beauty and that adequate provisions shall be made for the protection and conservation of natural resources; and

WHEREAS, it is consistent with the State of Florida Comprehensive Plan, the Strategic Regional Policy Plan adopted by the East Central Florida Regional Planning Council, and the Volusia County Comprehensive Plan to acquire, preserve and use environmentally sensitive, water resource protection, forests and farmlands, and resource based recreation lands located in Volusia County, Florida; and

WHEREAS, on June 2, 2020, the County Council adopted Resolution 2020-80 calling for a referendum on November 3, 2020, submitting to the qualified electors of

Volusia County the question as to whether or not to continue the levy of ad valorem tax and issuance of limited tax obligation bonds for said purpose shall be approved by the electors of the County; and

WHEREAS, the voters of Volusia County ratified the referendum known as Volusia Forever at the General Election held on November 3, 2020; and

WHEREAS, referendum was approved by 75.6% of the voters; and

WHEREAS, the County Council adopted Resolution 2021-11 creating the Volusia Forever Advisory Committee; and

WHEREAS, on September 7, 2021, the County Council adopted Resolution 2021-134 which re-established the Volusia Forever Program as approved by the electorate with procedures and standards to guide its implementation; and

WHEREAS, the Volusia Forever Committee and staff, continuously evaluate the procedures and standards that guide the County's commitment to acquire and maintain public conservation lands and desire to make changes in order to refine the acquisition process; and

WHEREAS, County Council recognizes the need to provide public access, land management and improvements thereon.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, IN OPEN MEETING DULY ASSEMBLED IN THE COUNTY COUNCIL CHAMBERS AT THE THOMAS C. KELLY ADMINISTRATION CENTER, 123 WEST INDIANA AVENUE, DELAND, FLORIDA, THIS 4TH DAY OF APRIL 2023, A.D., AS FOLLOWS:

Section 1. Authority. This Resolution is adopted pursuant to the County's Home Rule Charter, Chapter 125, Florida Statutes, FL. Const. Art. II Section 7(a), Resolution

2020-80, and other applicable provisions of law.

Section 2. Alternatives for Financing Acquisition. The County Manager will investigate and report to the County Council alternative methods for funding acquisitions, including long term financing through the issuance of bonds, notes, and other authorized indebtedness when it is deemed necessary and appropriate by the County Manager, or his/her designee, that a Group A property will require debt financing.

Section 3. Applicability. These procedures apply to selection and purchase of land under the Volusia Forever Program and shall not apply to property acquisitions completed by Volusia County for other purposes or using other funding sources.

Section 4. Overall Goals, Values and Policies of the Volusia Forever Land Selection and Acquisition Program: The following goals, values and policies shall apply to the Volusia Forever Program:

a. The goals and values of Volusia Forever are to protect and manage environmentally sensitive lands, areas necessary for water resource protection, forests farmlands and outdoor recreation sites for the purposes of conservation and resource based recreation.

b. Volusia County seeks to maximize the effectiveness of local tax dollars by using them to leverage funds available from federal, state, municipal, private non-profit, and Water Management District (WMD) sources. The County may own land in partnership with other agencies. The County may preferentially elect to designate Volusia Forever funds as matching funds for federal, state, municipal, private non-profit or Water Management District land acquisition projects if the County Council

determines that any such project adequately meets the eligibility requirements established in the site ranking criteria or otherwise conforms with the above-stated overall goals of this program. The County need not hold title to such lands, or may hold title in partnership with other agencies, or non-profit organizations.

c. Notwithstanding the policy of the previous paragraph, the County Council may approve the acquisition of a parcel of land and subsequently submit an application to a state, federal, or other land acquisition program for reimbursement of all or a portion of the acquisition cost. In the event the County Council chooses this methodology and it proves to be unsuccessful in obtaining said reimbursement, then the County will be responsible for the full acquisition cost.

d. Acquisition procedures for federal, state, municipal, private non-profit or water management district (WMD) programs may be substituted in part or in whole for the provisions of these County policies and procedures when federal, state, municipal, private non-profit or WMD funds are available and will be utilized for the purchase of land. The procedures outlined herein may be expedited to meet the requirements of the federal, state, municipal, private non-profit or WMD agencies when they are the lead agency in an acquisition or the land is being acquired from one of these entities. The County Council may waive any provision of the County's acquisition procedures when land is being conveyed to the County from another governmental entity.

The County Council recognizes that significant conservation goals can be achieved by alternatives to traditional fee simple acquisition. The acquisition of conservation easements, agricultural easements, or other non-fee mechanisms is encouraged by the WMD, state and federal programs and can result in maximizing open space acquisition

and rewarding good private stewardship of the lands, while keeping property on the tax rolls. Negotiations for acquisition of a conservation easement shall use appraisals based on the difference between the full fee simple valuation and the value of the interests remaining with the seller after acquisition, or as otherwise provided by law.

e. The goal of all purchase negotiations shall be to obtain the appropriate interest in land free of encumbrances, conditions, restrictions and reservations at the lowest possible price. However, the County Council has the authority to accept lands with less than marketable title if it is determined to be in the best interests of the County, and that conservation goals will be achieved.

f. The preference for land acquisitions pursuant to this program is to acquire vacant lands. Therefore, acquisition of structures, including single-family dwellings, is discouraged. However, the acquisition of such structures will be considered on a case-by-case basis.

Section 5. Steps of the Land Selection Process. Environmentally sensitive, water resource protection, forests and farmlands and resource based recreation lands to be acquired pursuant to Volusia Forever shall be selected for acquisition according to the following process:

a. Establishment of a Nomination Process. Volusia County shall accept nominations for land acquisitions from any government entity, conservation organization, corporation or individual for any property located in Volusia County. The Volusia Forever Advisory Committee or County staff may also nominate properties for acquisition, to be handled in the same manner as any other proposed property. Nominated properties shall be reviewed in order on a first-come, first-serve basis. The

County Council or the Resource Stewardship Division Director may establish deadlines for consideration within the active cycle. Those applications that are not received by the deadline in the active cycle shall be automatically considered in the next available cycle. The County Council shall periodically inform the public of the open process for accepting nominations for said land acquisitions.

b. Acceptance of Nominations. Each nomination shall be submitted on an application form provided by Volusia County. Information on the form should include the property location (street address and/or section, township, range), a site access agreement, a signed willing seller statement, tax parcel number(s), approximate property size, record title owner, existing designations on the applicable future land use and zoning maps, designation of the property on a USGS topographic map, a generalized description of the property, and reasons the land should be acquired. If requested, Volusia County staff shall provide any needed help in completing this form. Applications should not exceed ten pages of text, maps, surveys, photographs, letters, appraisal summaries, or other documentation that maybe provided to the County for consideration at the time of nomination.

c. Initial Review of Proposals. Upon receipt of a complete application form, each property shall be given an initial review by County staff or designees using the most accurate reference materials available, as well as any information submitted with the application form. References used to complete this initial office review shall include but not be limited to existing maps, Geographic Information System (GIS) databases, aerial photographs, and reports. Information that is unavailable at the time of the office review will not detract from nor add to the property's eligibility determination.

d. Primary Site Ranking Criteria for Applications. Each property application proposing fee-simple acquisition should meet a minimum of 10 of the 21 Primary Site Ranking Criteria and state a public purpose for the restoration, conservation, or preservation of environmentally sensitive, water resource protection, and resource-based recreation lands and water areas and provide public use opportunities. Priority will be given to acquisitions which achieve a combination of conservation goals, including improving water resources and natural groundwater recharge, and providing resource-based recreation opportunities. Each property application proposing acquisition of less than fee simple title should meet a minimum of 7 of the 21 Primary Site Ranking Criteria and state a public purpose for the conservation or preservation of environmentally sensitive and water resource protection lands.

e. Site Criteria for Forests and Farmlands Applications. In order to qualify for acquisition, agricultural land must protect the integrity and function of working landscapes, ensure opportunities for viable agricultural activities on working lands threatened by conversion to other uses, and meet at least one of the goals of the Volusia Forever program. Each property application proposing acquisition of less than fee simple title should meet a minimum of 9 of the 19 Site Ranking Criteria for Forests and Farmlands and state a public purpose for the preservation of the agricultural land.

f. It is the intent of the program to achieve maximum impact by partnering with other entities through award or acceptance of grants, joint acquisitions/projects and other cooperative efforts. County staff shall review applications use, depending on application type, the following Primary Site Criteria or Forests and Farmlands Site

Criteria for ranking each site. The staff and committee shall review the criteria in relation to standards and procedures of other federal, state, and water management district programs to propose properties which have the best chance of attracting other grants.

Primary Site Ranking Criteria

PROXIMITY AND CONNECTIVITY

1. Is the property functionally adjacent to existing conservation land (conservation easement or public ownership) or a Volusia Forever eligible property?
2. Is the property an inholding, adjacent to a state or federally designated scenic highway, or will it link two or more otherwise unconnected existing conservation properties (conservation easement or public ownership)?
3. Is the property within Priority 1, 2, or 3 of the Florida Ecological Greenways Network (i.e. the Florida Wildlife Corridor) or the County's Environmental Core Overlay?

FURTHERANCE OF ACQUISITION EFFORTS

4. Will the acquisition further a project begun under previous or existing governmental land acquisition programs?
5. Based upon preliminary assessment (i.e., partnership experience, property size, location and features), is there a reasonable expectation of matching funds from other sources to assist in the acquisition?

WATER RESOURCES

6. Does the property contain a significant area of medium or high groundwater recharge as determined by St. Johns River Water Management District Upper Floridan Aquifer Groundwater Recharge Map?
7. Does the property contain or have frontage on a natural waterbody or is it within the 100-year floodplain?
8. Does the property contain springs identified by the St Johns River Water

Management District and/or provide retention and storage of surface water in naturally occurring storage areas?

9. Does the property have the potential to capture beneficial recharge, reduce water consumption within a springshed, or replace degraded freshwater supplies?

ENVIRONMENTALLY SENSITIVE LANDS

10. Is the property within a Florida Natural Lands Rare Species Habitat Conservation Priority Area (1-3) or are there known populations of Federal or State listed species?
11. Does the property contain viable acreage of one or more scarce or unique communities, as identified by the Florida Natural Areas Inventory, or other significant upland community?
12. Does the property contain coastal or estuarine habitats or areas vulnerable to sea level rise by 2040?
13. Does the property contain high functioning or potentially high functioning wetland ecosystems?

PROVIDE RESOURCE-BASED RECREATION LANDS

14. Does the property offer the potential for the establishment or enhancement of resource based public use opportunities, including environmental education, Greenways, Blueways and trails?
15. Does the property have public right of way (roads or trails) accessing or abutting?
16. Does the property contain an archeological site or historical resources?

MANAGEMENT

17. Is the size, access, and location of the property appropriate for cost effective management or will it be managed by others?
18. Is there limited (<5% by ocular view) Florida Exotic Pest Council Category 1 invasive exotic plant coverage observed?
19. Is the percentage of uplands, water bodies, or wetlands requiring restoration

minimal?

CONVERSION FROM ENVIRONMENTALLY SENSITIVE LAND

20. Is the property currently serviced by or within 1 mile from access to public water and sewer or does the property have extensive developable road frontage or is it within a half (1/2) mile of a major thoroughfare?
21. Has the property been identified as a high priority (i.e., Horizon 1) for protection by the Florida Wildlife Corridor Foundation development model?

Forests and Farmlands Site Ranking Criteria

PROXIMITY AND CONNECTIVITY

1. Is the property within 1 mile of other protected land whose purpose is to protect agricultural use or conservation?
2. Is the parcel within 1 mile of other agricultural operations and agricultural infrastructure?
3. Will the acquisition expand the boundary of a conservation area or connect two or more otherwise unconnected existing conservation properties (conservation easement or public ownership)?

FURTHERANCE OF ACQUISITION EFFORTS

4. Will the acquisition further a project begun under previous or existing governmental land acquisition program?
5. Based upon preliminary assessment (i.e., partnership experience, property size, location and features), is there a reasonable expectation of matching funds from other sources to assist in the acquisition of the agricultural easement?

ENVIRONMENTALLY SENSITIVE LANDS

6. Will the easement area protect native (non-farmed) habitat?
7. Is there the potential that acquisition of the property will protect or maintain populations of any Federal or State listed species (including, but not limited to, endangered, threatened, or species of special concern) which may typically be expected to occur on the property?

8. Is the property within Priority 1, 2, or 3 of the Florida Ecological Greenways Network (i.e. the Florida Wildlife Corridor) or the County's Environmental Core Overlay?
9. Does the property contain or have frontage on a waterbody or is it within the 100-year floodplain?

PROVIDE FOR PRESERVATION OF FARMLANDS

10. Is the property a working farm?
11. Does the property contain at least 50 percent of soils which are available for agricultural production and are of Capability Classes I through IV, as defined by the USDA-NRCS?
12. Will greater than 50% percent of cropland, pastureland, grassland, and/or rangeland in the parcel be protected?
13. Does the parcel contain historical or archaeological resources that will be protected by the easement area?

MANAGEMENT

14. Does a farm or ranch succession plan or similar plan exist to address farm viability for future generations?
15. Is the farm currently enrolled in a Best Management Practices or other conservation program?
16. Is the farm actively managed?

CONSERVATION TO NON-AGRICULTURAL USES

17. The property is currently serviced by or within 1 mile from access to public water and sewer?
18. Does the property have extensive developable road frontage or is it within a half (1/2) mile of a major thoroughfare?
19. Has the property been identified as a high priority (i.e., Horizon 1) for protection by the Florida Wildlife Corridor Foundation development model?

g. Initial Property Eligibility Evaluation and Nominator Notification by

County Staff. When the review is complete, a draft property evaluation report utilizing the Site Ranking Criteria shall be provided to the person nominating the property and the property owner(s). The property owner(s) and nominator shall be given an opportunity to provide additional written or verbal information regarding the draft property eligibility evaluation within a specified timeframe. County staff shall consider all additional information submitted in a timely manner prior to submitting the draft property evaluations to the Volusia Forever Advisory Committee.

h. Eligibility Review of Properties by the Volusia Forever Advisory Committee. County staff shall provide an eligibility evaluation report on nominated properties at any open, public meeting of the Volusia Forever Advisory Committee. Prior to the presentation before the Committee, the staff shall make a good faith effort to provide notice of the Volusia Forever Advisory Committee meeting date to the property owner(s) and the person(s) or organization nominating the property. Each shall be notified of the opportunity to speak and present additional evidence before the Volusia Forever Advisory Committee. At this open, public meeting, the Committee shall sort properties into two categories for the purpose of establishing an eligibility pool: (1) properties eligible for further consideration for public acquisition by Volusia County employing the Site Ranking Criteria; and (2) properties not eligible for further consideration for public acquisition by Volusia County at the present time. The decision to add a property to the eligibility pool shall be made by a vote of at least five members of the Volusia Forever Advisory Committee after a finding that the property substantially furthers the goals of Volusia Forever as set forth in the Site Ranking

Criteria. The Volusia Forever Advisory Committee shall determine that a property is not eligible for further consideration when it finds that it does not substantially further the goals of the program as set forth in the Site Ranking Criteria.

i. Project Boundaries. Once a property is determined to be part of the eligibility pool, the Volusia Forever Advisory Committee may recommend, and the County Council may adopt, a project boundary. If this recommended boundary includes adjacent land parcels, the owners of these lands will be informed in writing by County staff, and will be provided with an opportunity to comment on their willingness to be included. Project boundaries should conform to federal, state, and water management district boundaries. If a project includes multiple properties with different owners, the Volusia Forever Advisory Committee may identify and recommend to the County Council those keystone properties that are necessary to acquire to justify obtaining other adjacent parcels. In general, no property should be advanced through the acquisition process unless the project's keystone properties are advancing as well.

j. Evaluation and Ranking by the Volusia Forever Advisory Committee and the County Council.

(1) The property owner(s) shall be notified in writing of the eligibility pool determination of the Volusia Forever Advisory Committee.

(2) Following a site inspection, if necessary, and public hearing, the Volusia Forever Advisory Committee shall, no less than twice each year, review all properties within the eligibility pool and shall prioritize all properties within each of the following categories:

(a) Group A. Those properties proposed for approval that will receive the highest priority for acquisition. Each property within Group A shall significantly further

the goals of the Volusia Forever Program based on the Site Ranking Criteria for the property. Each property within Group A should be eligible for matching funds from other sources. Completion of acquisition of properties within an approved project boundary of the Florida Forever programs shall be given high priority.

(b) Group B. Those properties proposed for approval that are considered by the Volusia Forever Advisory Committee to be important but not the highest priority based on the Site Ranking Criteria, Project Evaluation Report, or availability of matching funds.

(3) Group A properties will be forwarded to the County Council for authorization to proceed with the acquisition process. The County Council may move a property from one group to another, but may not add a property to the ranking group that has not been determined as eligible. The County Council may also direct staff to pursue matching funds from outside agencies or private parties for any property listed in the ranking group. Because different outside agency funding sources are suited to different types of projects, pursuit of matching funds need not be made in priority order.

(4) Any property may be retained in the ranking group or removed at the request of the property owner. If the property is retained in the Group B, reconsideration for advancement to the Group A may be requested at any time with receipt of updated information that may affect the site ranking or viability of sale.

(5) Based on a recommendation of the Volusia Forever Advisory Committee, a property may be removed from the Group B Category by the County Council upon the expiration of at least two (2) ranking cycles.

Section 6. Access, Management and Improvements. To ensure that there

is adequate funding for continued public access, land management and improvements thereon of lands purchased under Volusia Forever, as well as the 1986 referendum and other lands purchased for conservation purposes, there shall be set aside on an annual basis an amount equal to fifteen (15) percent of all property taxes levied under this program, which shall be transferred to a separate fund for the purpose of land management. In any case whereby the property tax levied for this program are split for debt service and operating tax rates, the fifteen (15) percent calculation shall apply to both levies, however, the operating fund shall pay the entire amount. In addition, all receipts of the county, from any lease or other miscellaneous revenues derived from lands acquired by the program, shall be deposited in the same separate land management fund. The disposition of the balances of the prior levy of the Volusia Forever program shall be in accordance with the fiscal year 2022 budget adopted by the county council.

Section 7. Final Steps of the Acquisition Process by County Staff, Contracted Outside Agencies, and the Seller for Properties on the Group A List. The final steps in the acquisition process are as follows:

a. Group A List Constitutes the Active Acquisition List. The Group A list will be maintained and regularly modified no less than twice a year by the County Council based on a combination of factors including the final Site Ranking Criteria, negotiated sale price relative to appraised value, availability of matching funds, urgency of purchase based on imminent threat of loss, or other factors deemed significant by the decision-making bodies.

(1) Inclusion on the Group A list will authorize the final steps listed in this section for closing on the properties within each project, but does not guarantee site

acquisition.

(2) These final acquisition steps may be completed concurrently to the greatest extent possible, to expedite the acquisition process.

(3) The County may elect to contract with a qualified not-for-profit agency, government entity or other professionals to oversee and complete property appraisals, surveys, environmental audits, title insurance, negotiations and other related acquisition activities.

(4) If the seller chooses to be represented by a licensed realtor or other registered agent, all realtors' and agents' costs and commissions shall come from the seller's proceeds.

b. Final Steps for the Acquisition of Property on the Group A List. The Group A ranked properties shall be pursued for acquisition by completing the following final steps:

(1) A Contract for Acquisition shall be signed using a form acceptable to the County. The County shall not be under any obligation to exercise any option under the contract, and the contract is not required to contain either a minimum or maximum consideration to the Seller. The contract may establish a fixed price for the proposed transaction, or may establish a price per acre if a reliable survey is not available. No action on the part of County staff or any agency contracted to represent the County shall be interpreted to bind the County. Only the County Council may exercise a contract by formal action of a majority vote during a duly advertised public meeting.

(2) A Boundary Survey shall be completed by a Professional Land Surveyor registered in Florida. The County may solicit professional surveying services to expedite real property acquisitions in a consistent and cost efficient manner. All survey work shall be reviewed and approved by appropriate County staff.

(3) A title and encumbrance report shall be completed to clarify any issues related to the property title. All title work, including earliest record searches, title binders, title insurance policies, ownership reports, encumbrance reports and updated title reports shall be performed in accordance with adopted industry standards. The County may solicit professional title services to expedite real property acquisitions in a consistent and cost efficient manner.

(4) Appraisal(s) shall be completed. Purchases of real property having a value of \$100,000 or less may be appraised using current estimated just market value tax appraisals on file with the Volusia County Property Appraiser's Office. All purchases of real property having a value of between \$100,000 and \$500,000 shall be supported by one independent appraisal report provided by a state certified real estate appraiser. All purchases of real property having a value greater than \$500,000 shall be supported by two current, independent appraisal reports prepared by different state certified real estate appraisers within one (1) year of the property purchase. If the agreed purchase price exceeds the average appraised price of the two appraisals, County Council may do so only upon the concurrence of five members.

(5) Negotiations shall be formally initiated following receipt of the required number of appraisal reports approved by appropriate County staff. Every appraisal, offer or counteroffer for purchase of real property for a public purpose must be in writing. When operating under a Joint Acquisition Agreement with another agency, the County may disclose appraisal information to, or use an appraisal provided by a cooperating agency, pursuant to the formal acquisition agreement. If the County is disclosing the appraisal information, the agreement shall identify the individual who

will have custody of the appraisal report, and individual(s) within the cooperating agency who have access to the appraisal report. Written consent of the County will be required prior to the cooperating agency disclosing appraisal information to any other person. When the county is negotiating to acquire an option to purchase lands and a Joint Acquisition Agreement has not been executed, the County may disclose its appraisal to the landowner for the purpose of negotiation of the option.

(6) Phase I and, if necessary, Phase II Environmental Audit(s) prepared in accordance with the American Society of Testing and Materials Practice E1527 as amended shall be performed by a Professional Engineer or Professional Geologist registered in the State of Florida. However, County staff may perform a Phase I audit. Unfavorable or inconclusive environmental audit results, or any other available information that indicates potential onsite contamination, shall be sufficient cause to terminate the acquisition process or re-open property negotiations. Property shall only be approved for purchase when it is determined by County staff to be substantially clear of litter, debris, and contamination.

(7) Deed or Easement shall be approved by the County Attorney's office. Volusia County may share title with any other governmental organization and may hold less than fee title for conservation easements on private land. Volusia County may accept a special warranty deed or quit claim deed if reasonable assurance is provided that the desired conservation values of the property are being conveyed to the County in perpetuity as a result of the agreed-upon transaction. All exceptions, reservations, encroachments, or other adverse conditions that are disclosed in the course of the acquisition process shall be individually evaluated by the County in writing to review possible adverse effects on the objectives of the acquisition. Acquisitions may be

completed subject to mineral interests or reservations.

(8) County Council's final action on the acquisition of property shall occur as a time certain matter at a regular Council meeting or a special meeting called for that purpose. Information provided at the Public Hearing shall include the parcel description and boundary map, the title report and environmental audit, the contract purchase and sale agreement, and the final closing costs. The property shall be automatically removed from the Group A Category upon acquisition.

(9) Real Estate Closing shall be completed in accordance with standard practice, including recording with the Clerk of the Court.

(10) The County Manager, or his/her designee, may recommend that a property not be considered for further acquisition when: (1) The property owner is unwilling to negotiate for sale or easement; or (2) There is no likelihood of matching funds from other sources to acquire the property.

Section 8. Small Lot Acquisition Program. Notwithstanding anything to the contrary contained in this Resolution, there is established a Small Lot Acquisition Program, utilizing a set percentage of the annual Volusia Forever tax receipts and/or an annual appropriated amount of the Volusia Forever tax receipts. This program will supplement the County's efforts in acquiring environmentally sensitive lands in antiquated platted subdivisions. The lots within these subdivisions are small in size, have no or limited physical access and/or infrastructure. The goal of the program is to assemble enough contiguous small lots into ecologically significant tracts. As these lots have low assessed values the usual Volusia Forever acquisition procedures are modified. Specifically, it is a willing seller only program, no survey or appraisal will be

performed, there will be a limited title search, and an affidavit will be obtained from the property owner(s) stating there are no known pollutants on the property, which will be substituted for a Phase I Environmental Assessment. The Just/Market Value of the parcel as published by the Volusia County property appraiser will form the basis of any offer to purchase said property.

Section 9. Audit. An annual audit will be conducted to provide full public disclosure.

Section 10. Severability. In the event that any word, phrase, clause, sentence or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, clause, phrase, sentence or paragraph hereof.

Section 11. Repeal. Resolution 2021-134 is hereby repealed.

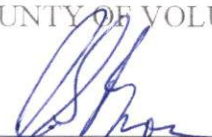
Section 12. Effective Date. This Resolution shall become effective immediately upon its adoption.

DONE AND ORDERED IN OPEN MEETING.

ATTEST


George Recktenwald
County Manager

COUNTY COUNCIL
COUNTY OF VOLUSIA, FLORIDA


Jeffrey S. Brower
County Chair





Resource Stewardship Division

October 11, 2023

Office of Environmental Services
Division of State Lands
Department of Environmental Protection
ATTN: Florida Forever Activity
3900 Commonwealth Blvd Mail Station 140
Tallahassee, FL 32399-3000

RE: Florida Forever Application from Volusia County for the Lake Harney Project
Attachment A: Management Agreement

Dear Sine Murray:

This letter is to express the County of Volusia's Resource Stewardship Division's (RSD) willingness, pending Governing Board approval of an intergovernmental agreement, to manage the approximately 5424 acres adjacent to Volusia's Deering Preserve. The County of Volusia proposes to manage the Lake Harney parcels. This acquisition would increase the protection of our natural resources.

When the County purchases the property, the details of the management arrangement for the County's property and the Florida Department of Environmental Protection property (Lake Harney) would be included in the intergovernmental agreement, which would require approval by Volusia County Council.

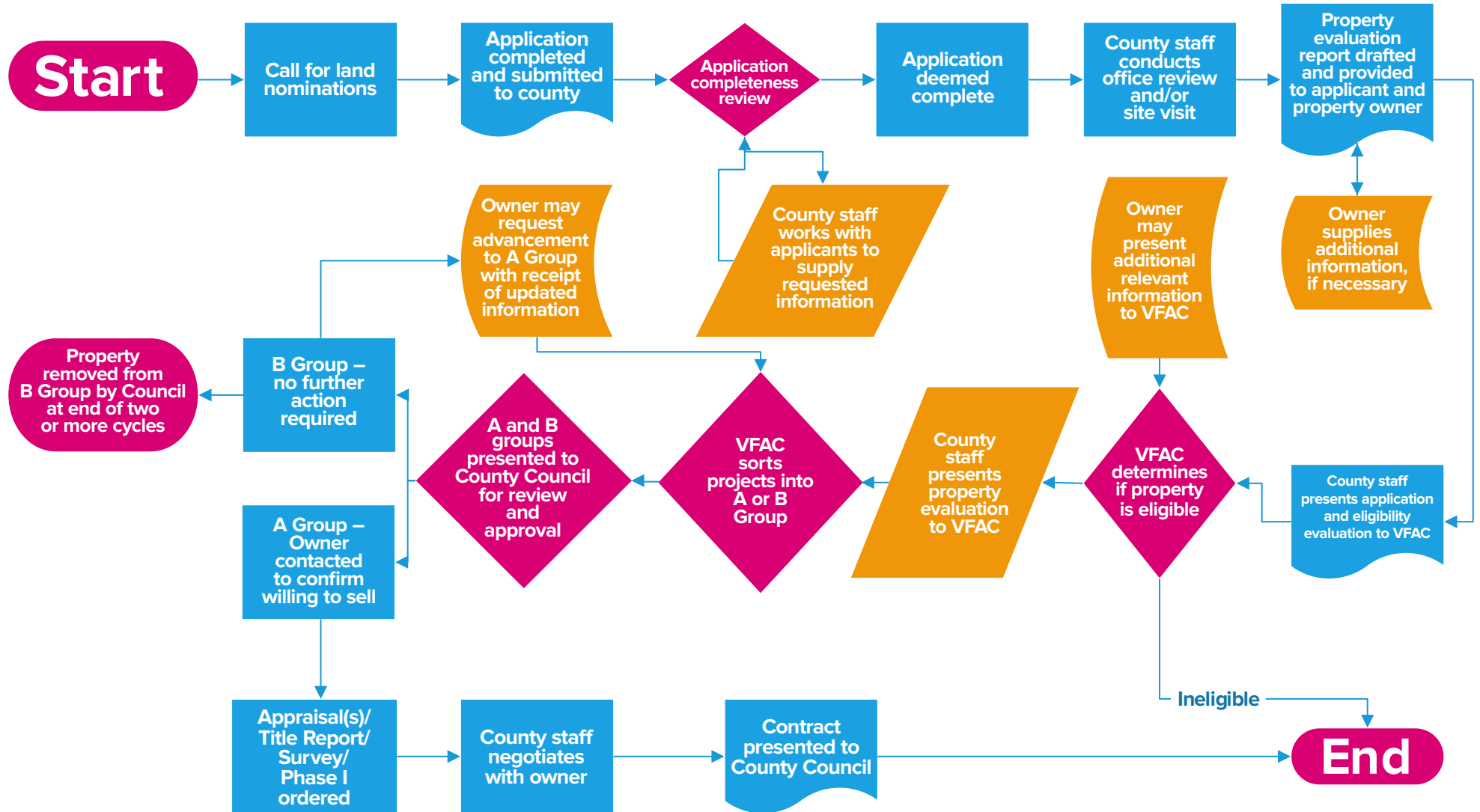
The Florida Department of Environmental Protection has been a wonderful partner in conservation with the County of Volusia, and we look forward to another successful collaboration with them.

If you have any questions, please feel free to contact me at 386-943-7081 ext. 13461.

Sincerely,

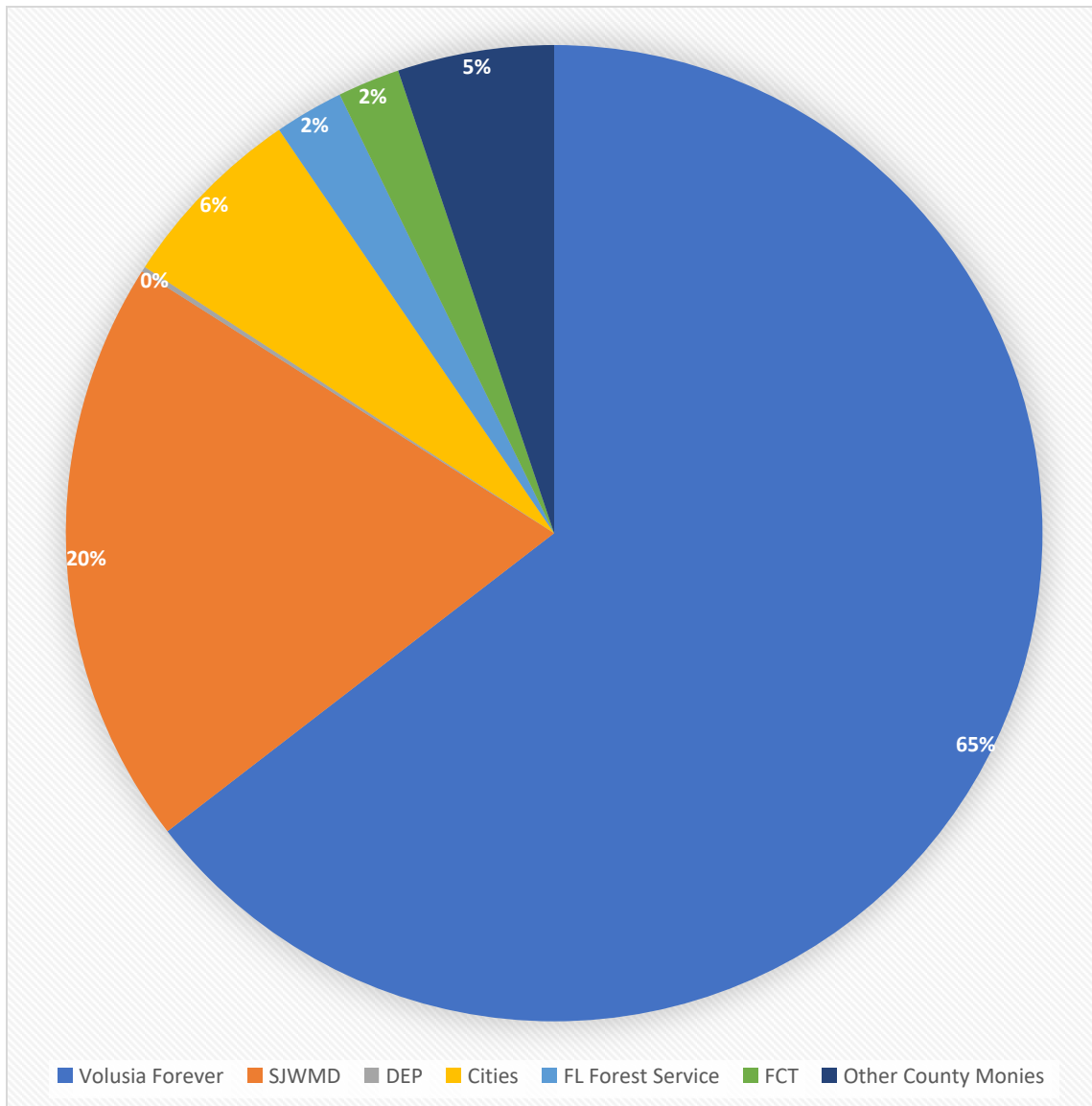
Danielle Dangleman, Volusia Forever Coordinator

Volusia Forever Process Flowchart



Flowchart Shape Key





**Graph representing percentage of Partner funding from 2000-2019
(Reference Question 6 above)**