

# Amendment 1 and Beaches: Expectations Versus Reality

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# Amendment 1 Campaign

## Florida's Land and Water Legacy

### Steering Committee

- 1000 Friends of Florida
- Alachua Conservation Trust
- Audubon Florida
- Conservancy of Southwest Florida
- Conservation Trust for Florida
- Defenders of Wildlife
- Florida Conservation Alliance
- Florida Conservation Coalition
- Florida Wildlife Federation
- Rails to Trails Conservancy
- Sierra Club
- The Conservation Fund
- The League of Women Voters of Florida
- The Trust for Public Land

# Amendment Text

## What does the Amendment require?

- For a period of 20 years, the Land Acquisition Trust Fund (LATF) is to receive no less than 33% of net revenues derived from the existing excise tax on documents.
- Funds in the LATF may be expended only to:
  - Finance or refinance a laundry list of approved activities; and
  - Pay the debt service on bonds issued pursuant to the Constitution, which includes P2000 and Florida Forever bonds.
- Moneys in the LATF shall not be commingled with the General Revenue Fund.

# Amendment Text

## What does the Amendment allow to be funded?

- The acquisition and improvement of land, water areas and related property interests,
  - Including conservation easements, and resources for conservation lands including wetlands, forests, and fish and wildlife habitat;
- Wildlife management areas;
- Lands that protect water resources and drinking water resources,
  - Including lands protecting the water quality and quantity of rivers, lakes, streams, springsheds, and lands providing recharge for groundwater and aquifer systems;
- Lands in the Everglades Agricultural Area and Everglades Protection Area;
- **Beaches and Shores;**
- Outdoor recreation lands,
  - Including recreational trails, parks, and urban open space;
- Rural landscapes;
- Working farms and ranches;
- Historic or geologic sites; and
- Management, restoration of natural systems, and the enhancement of public access or recreational enjoyment of conservation lands.

# Legislative Process/Implementation

- House and Senate Hearings
  - Public Testimony
  - Senate solicits public comment via webpage
- Regular Session
  - Rocky Conclusion
  - No Budget, No Implementing Legislation
- Special Session
  - Implementing legislation passes – this creates a framework for Amendment 1
  - Budget passes – program funding will be determined each year in the budget (no committed funding amounts or percentages)



# Where did the money go?

## Notable Appropriations

- Debt Service - \$190M
- Program related recurring staffing and agency operating expenses - \$172M
- Everglades restoration - \$59M
- Land acquisition for springs restoration - \$38M
- Land Management - \$32.8M
- **Beach Projects - \$25M**
- Land Acquisition for Kissimmee River restoration - \$20M
- State Park Facility Improvements - \$20M
- Florida Forever - \$15M
- Rural land protection easement and land conservation agreements - \$15M
- Restoration of lakes - \$10M
- Lake Okeechobee restoration - \$5M

# What was/wasn't accomplished

- Accomplished: Inclusion of beaches in Amendment 1 at outset
- Not (yet) accomplished: significant increase in beach funding
  - Overriding factors included:
    - LIP/Medicaid
    - Lack of bonding
    - Both of which made GR scarce.
  - Projected increase of Amendment 1 funds over time should eventually change the dynamic

# Beach Project Funding Summary

- \$36.2M total funding for beach management
  - \$29.1M Amendment 1 (LATF) funding
    - \$25M LATF - beach projects
    - \$4.1M LATF - DEP salaries, benefits, other expenses, etc.
  - \$7.1M GR – beach projects
  - \$32.1M in total for beach projects
- 21 projects funded in total
  - 3.5 projects funded from GR
  - 17.5 projects funded from LATF
    - Note – one project is partially funded by GR and partially by LATF
- Projects listed in front of budget for first time, rather than described narratively in proviso
- A few projects funded at amounts less than requested



# Where do we go from here?

## ● Litigation

- Florida Wildlife Federation, St. Johns Riverkeeper, Environmental Confederation of South Florida, and Manley Fuller
- Complaint alleges that the Legislature misappropriated over \$300 of Amendment 1 funds in violation of the Constitutional mandate to fund “the acquisition, improvement, and maintenance of conservation and recreation lands.”
- Complaint lists the appropriations that the Plaintiffs consider appropriate. This list includes the \$25M allocation for beach projects.
- LATF appropriations not listed in the complaint are alleged to fall outside the permissible uses of the Trust Fund.
- Most significant appropriation not listed is salaries for DEP employees - \$172M

# Next Steps for FSBPA

- Legislative Process/Continued Implementation
  - Budget
  - As Amendment 1 allocation increases, funding for beaches must be increased as well
- Revisit Criteria for ranking beach projects
  - Integrity of the annual project selection process must be re-established to ensure continuation of a statewide program rather than a member project process