

ITEM XX:

Consider whether an approximately 0.07-acre private single-family access easement within Blackwater River State Forest is consistent with the Board of Trustees' Linear Facilities Policy.

LOCATION:

Okaloosa County, S – 30, T – 5N, R – 25W

APPLICANT:

Frances J. Davis and Andrew B. Crawford (“Applicant”)

DSL STAFF REMARKS:

The Applicant has requested a 0.07-acre single family access easement with utilities to access their landlocked parcel off of Beaver Creek Road. A portion of the requested easement abuts an existing private access easement a portion of which is on a privately-owned parcel which the Applicant is a benefiting party of.

The proposed Easement is located within conservation land currently managed by the State of Florida Department of Agriculture and Consumer Services, Florida Forest Service (FFS) under Uplands Lease No. 3686 known as Blackwater River State Forest (the Forest). The property was acquired in 1954 from the United States of America for conservation activities. The natural community consists of primarily mature longleaf pine with scattered hardwoods. There are no known imperiled or other wildlife species that occupy the requested area.

FFS consented to the easement in a letter dated November 19, 2019 and, in a letter, dated November 6, 2019 the Division of Historical Resources stated that the proposed undertaking is unlikely to affect historic properties.

Avoidance

There are no other practical alternatives as state lands are directly adjacent to the Applicants landlocked parcel.

Minimizing Impacts:

The current access the Applicant is using will be abandoned and left to return to its natural state. The Applicant will install barricades to ensure that the current access is no longer used. The proposed easement is the most direct and linear location to connect the existing access easement to public right-of-way. FFS will monitor area to ensure that the current access is abandoned, and all encroachment issues are resolved.

Compensation:

The easement fee will be based on market value and per the BOT's linear facilities policy, additional compensation, in the form of replacement land or goods and services, will be provided to the land manager at 1.5 times the appraised value of the easement.

DSL STAFF RECOMMENDATION:

Approve

ARC RECOMMENDATION:

APPROVE

APPROVE WITH MODIFICATIONS: _____

DEFER

WITHDRAW

NOT APPROVE

OTHER: _____



SITE

Subject Parcel

BEAVER CREEK RD

Harlon C. Cotten

Harlon C. Cotten





Francis Davis &
Andrew B. Crawford

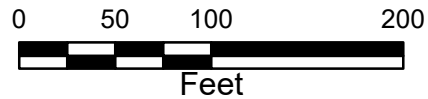
Mary B. King

George Jones

Blackwater River
State Forest

- Data Sources:
- 1) Sketch & Description
 - 2) Cadastral 2018 Data
 - 3) Florida Managed Areas
 - 4) NAVTEQ Roads
 - 5) Bing Aerials

-  Subject Parcel
-  Existing ROW Easement-OR.2809, PG 1654
-  State Managed Conservation Lands
-  Cadastral 2018 (Property Appraiser Parcels)



Easement No. 33315 - Francis Davis

Okaloosa County, Florida

Exhibit "A"

A parcel of land situated in the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 30, Township 5 North, Range 25 West, Okaloosa County, Florida, being 20 feet in width and lying 10 feet on each side of the following described centerline:

Commence at the Southwest corner of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 30, Township 5 North, Range 25 West, Okaloosa County, Florida; thence proceed N $01^{\circ}16'31''$ E along the West line of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section for a distance of 171.49 feet to the Southwest corner of the parcel described in Official Records Book 3399, Page 3790 of the Public Records of Okaloosa County, Florida, said point also being the Point of Beginning; thence departing said West line proceed N $88^{\circ}42'52''$ W for a distance of 170 feet, more or less to a point on the apparent East right of way line of Beaver Creek Road (prescriptive right of way by use and maintenance), said Point also being the Point of Terminus.

Side lines are to be shortened or lengthened to meet the property lines. The above described easement contains 0.07 acres more or less.

BSM
BY SK
Date: 12.12.2019



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

Mr. Jay Sircy
Bureau of Public Land Administration, MS 130
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

November 6, 2019

RE: DHR Project File No.: 2019-6828
Project: 40967 Easement No. 33315
Easement Request for Frances J. Davis and Andrew B. Crawford
To Access Single family Homestead, 7363 Beaver Creek Road, Baker, Okaloosa County

Dear Mr. Sircy:

In accordance with this agency's responsibilities under Section 267.061, *Florida Statutes*, we reviewed the referenced easement request.

It is the opinion of this office that the proposed undertaking is unlikely to affect historic properties, provided that the applicant makes contingency plans in the case of fortuitous finds or unexpected discoveries during ground disturbing activities within the easement area:

- If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the easement area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The applicant shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850) 245-6333. Project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, *Florida Statutes*.

For any questions concerning our comments, please contact Robin Jackson, Historic Preservationist, by electronic mail at robin.jackson@dos.myflorida.com, or at 850.245.6496, or 800.847.7278.

Sincerely,

Timothy A. Parsons, Ph.D.
Director, Division of Historical Resources &
State Historic Preservation Officer

FLORIDA FOREST SERVICE
(850) 681-5800



THE CONNER BUILDING
3125 CONNER BOULEVARD
TALLAHASSEE, FLORIDA 32399-1650

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
COMMISSIONER NICOLE "NIKKI" FRIED

November 19, 2019

Frances Davis and Andrew Crawford
7722 Red Barrow Rd
Baker, FL 32531

Subject: Proposed Ingress/Egress Easement – Blackwater River State Forest (BRSF)

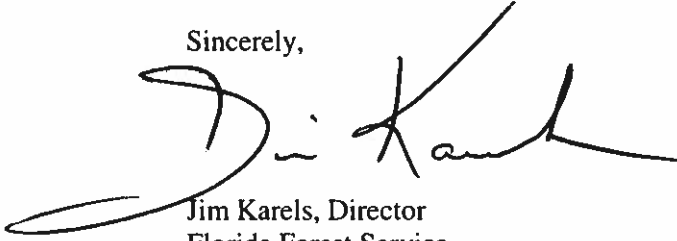
Mr. Davis:

The Florida Forest Service (FFS) reviewed your proposal (attached), regarding the proposed easement located on a portion of BRSF in Okaloosa County. The FFS has no objection to this request, and recommends the proposed grantee provide additional compensation to the lead manager (FFS) of the state-owned lands, per Chapter 253.02 (2)(b)4. Florida Statute. BRSF is managed by the FFS under Lease Number 3686.

The FFS will look to the Department of Environmental Protection's Division of State Lands to negotiate the terms and conditions of the easement and an agreeable net positive benefit for the state forest. FFS staff will provide input regarding impacted resources and necessary mitigation to ensure the success of this transaction.

We also suggest the proposed grantee be made aware that the FFS utilizes prescribed fire to manage natural communities, and smoke may impact the area from time to time. Please keep us apprised of the progress. Should you need further assistance please contact Alan Davis at (850) 681-5816.

Sincerely,



Jim Karels, Director
Florida Forest Service

JRK/ad

cc: Erin Albury, Assistant Director, FFS
Keith Rowell, Land Programs Administrator, FFS
Mike Hudson, Center Manager, FFS

Attachment



TEN QUESTIONS

Project Name:	Easement – Blackwater River State Forest (BRSF)	
Managing Agency:	Florida Forest Service (FFS)	
Submitted by:	Alan Davis	Date: 12/11/2019
Applicant:	Frances J Davis	

- Description of when and under what program or fund the parcel under consideration was acquired (EEL, LATF, CARL, P-2000, Florida Forever, etc.) or donated.**
Response: BRSF was acquired as a land-use project by the U.S. Government in the mid-1930s. Shortly after the U.S. Government acquired the property, it was turned over to the Soil Conservation Service (SCS) for management. In 1954, title to the property was transferred from the SCS to the U.S. Forest Service (USFS) which, in 1955, deeded the property to the State of Florida, Board of Forestry.
- Description of the purpose for the parcel’s acquisition (P-2000 or Florida Forever goals and criteria or similar purpose descriptions) or donation and any restrictions or conditions of use that apply to the parcel, if any.**
Response: The property was acquired by the Federal Government to revegetate, resettle, and protect the area following extensive deforestation by land and timber companies in the early 1900s, as well as, to preserve undeveloped land around Naval satellite airfields to enhance military training by preventing encroachment on military reservations.
- Description of the current level of public recreational use or public access of the parcel.**
Response: There are no impacts to recreational uses or public access anticipated within the proposed easement area.
- Description of the natural resources, land cover, vegetation, habitat or natural community, if any, that are currently present on the parcel.**
Response: The site is mature longleaf pine with scattered hardwoods.
- Description and list of the imperiled and other wildlife species, if any, that occurs on or use the parcel.**
Response: There are no known imperiled or other wildlife species that occupy the proposed easement area.
- Description and list of historical or archaeological resources, if any, that occurs or has the potential of occurring on the site.**
Response: There are no known historical archaeological resources known to occupy the proposed easement area.
- Formal alternative site analysis that includes a description and assessment of other potential alternative sites and why they are not feasible or practicable alternatives.**
Response: There are no feasible or practicable alternatives than the recommended easement route (see the application).
- Assessment of the impacts the proposed alternative use will have on the natural/historical/archaeological/recreational resources, if any, as well as on the current public use and purpose for the site or parcel.**

Response: The proposed easement is not anticipated to have any of these impacts within the proposed easement area.

9. **Assessment of the potential impacts on the larger area of conservation lands the parcel is located within (park, wildlife management area, forest trail, etc.) and on any surrounding conservation lands, if any.**

Response: The proposed easement will not negatively impact the surrounding BRSF nor the multiple-use management activities occurring on the forest.

10. **Assessment of how the proposed package of consideration and net positive benefit for the requested alternative use of the parcel, such as the generally standard requirement for replacement land (depending on the parcel's size), will offset the impacts and benefit the larger area of conservation lands (park, forest, wildlife management area, trail system, etc.) the parcel is within and particularly how it will offset the impacts or benefit the natural/historical/ archaeological resources, habitat and public recreational uses of the public conservation area the parcel is located within.**

Response: The Florida Forest Service (FFS) will look to the Division of State Lands in determining the compensation for this project, including the net positive benefit, however, recommends the proposed grantee provide additional compensation to the lead manager FFS of the state-owned lands, per Chapter 253.02 (2)(b)4. Florida Statute. BRSF is managed by the FFS under Lease Number 3686.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
TITLE AND LAND RECORDS SECTION
BOARD OF TRUSTEES LAND DATABASE SYSTEM
WORKSHEET SHORT FORM (FOR INTERNAL DEP USE ONLY)

WORKSHEET ID: 116195
COUNTY: Okaloosa
FILE NUMBER: 46-40967 EASEMENT NO. 33315 - FRANCIS DAVIS
APPLICANT: FRANCES J DAVIS
COMPANY:
SITE: 7363 BEAVER CREEK RD, BAKER, FL 32531; PARCEL ID NUMBER: 30-5N-25-0000-0002-0000; COM SW COR NE1/4 OF NW1/4 E330 FT N 188.76 FT TO POB N 198 FT W 330 FT S 198 FT E 330 FT TO POB
TYPE OF ACTIVITY: TITLE DETERMINATION
PROJECT LOCATION: 30 05N 25W
AQUATIC PRESERVE:
WATER BODY:

DETERMINATION STATEMENT: OUR RECORDS INDICATE THAT THE PROPOSED LAND AREA IS STATE OWNED AND IS SUBJECT TO LEASE #3686. ACCORDING TO THE PARENT LEASE (DMID 26520), THE TERM FOR THIS LEASE IS FROM 11/22/1968 THRU 10/29/2067.

TO JAY SIRCY
MG 10/04/2019

PREPARER: GORDON_M
DATE APPROVED: 10/04/2019
APPROVED BY: ASHMAN_M
WORKSHEET STATUS: Approved