ITEM XX:

Consider whether an approximately 0.21-acre private single-family access easement within Blackwater River State Forest (BRSF) is consistent with the Board of Trustees' Linear Facilities Policy.

LOCATION:

Santa Rosa County, Section – 31, Township – 05N, Range – 27W

Applicant's Parcel ID Number: 31-5N-27-0000-00501-0000

APPLICANT:

Deborah K. Foster (Applicant)

DSL STAFF REMARKS:

The Applicant has requested a 25-foot-wide single-family ingress/egress access easement, totaling 0.21 acres, for private access to the landlocked property owned by the Applicant located off James Jernigan Road. The proposed easement is located within conservation land currently managed by the Florida Forest Service (FFS) under Uplands Lease No. 3686. Title to BRSF was transferred from the Florida Board of Forestry to the Board of Trustees of the Internal Improvement Trust Fund for the use and benefit of the state, pursuant to F.S. 253.03 (6), laws of 1967.

FFS consented to the easement in a letter dated January 31, 2020 and, in a letter, dated March 5, 2020, the Division of Historical Resources stated that the proposed undertaking is unlikely to affect historic properties.

Avoidance:

There are no other practical alternatives to access the Applicants landlocked parcel.

Minimizing Impacts:

The proposed easement is an existing dirt road and is not anticipated to have any additional impacts to the Forest. The applicant will make contingency plans, per DHR requirements, in the case of fortuitous finds or unexpected discoveries during ground disturbing activities within the easement area. There are no known imperiled or other wildlife species that occupy the requested area.

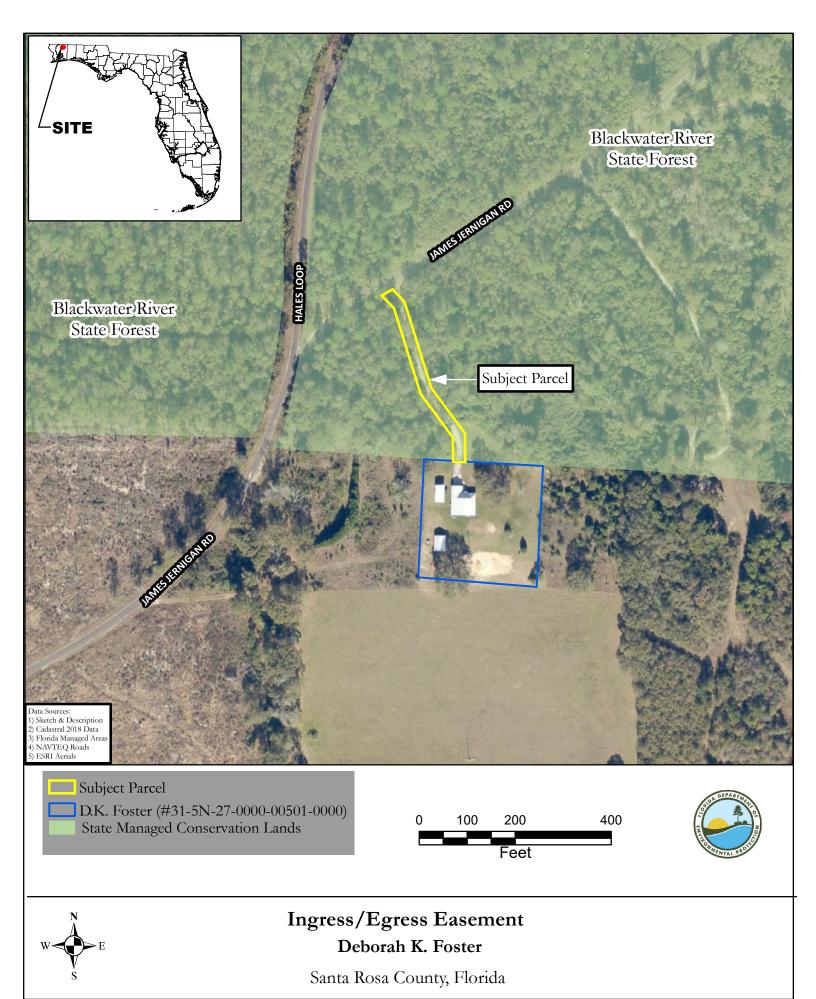
Compensation:

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 FFS at 1.5 times the appraised value of the easement.

DSL STAFF RECOMMENDATION: APPROVE

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ARC RECOMMENDATION:	
() APPROVE	
() APPROVE WITH MODIFICATIONS:	
() DEFER	
() WITHDRAW	
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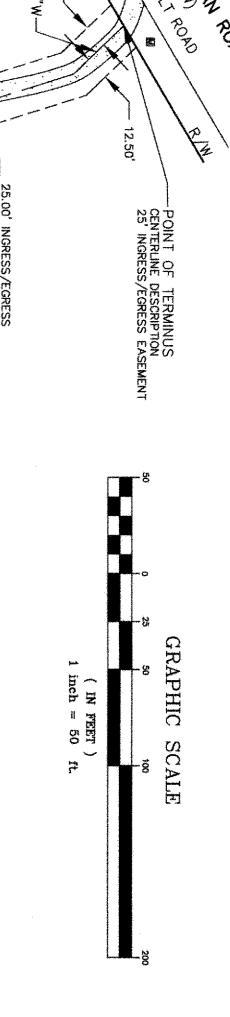
Township 5 North, Range 27 West, Santa Rosa County, Florida.

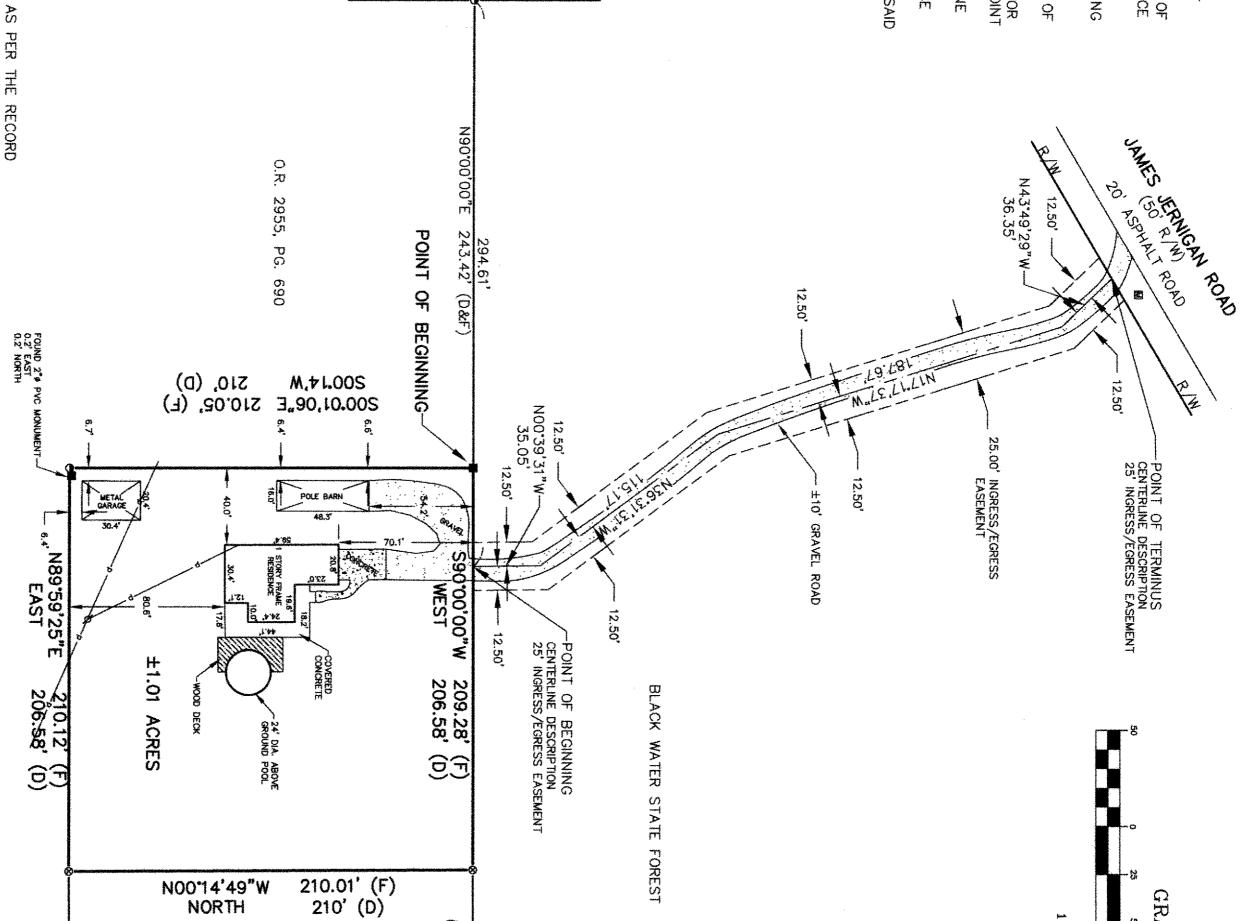
3018, PG.

COMMENCING AT THE NORTHWEST CORNER OF THE SW% OF THE NW% OF SECTION 31, TOWNSHIP 5 NORTH, RANGE 27 WEST, SANTA ROSA COUNTY, FLORIDA; THENCE RUN EAST ALONG 40 LINE A DISTANCE OF 243.42 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 00 DEGREES 14' WEST A DISTANCE OF 210 FEET; THENCE RUN EAST A DISTANCE OF 206.58 FEET; THENCE RUN NORTH 210 FEET TO THE NORTH LINE OF SW% OF NW%; THENCE RUN WEST ALONG 40 LINE A DISTANCE OF 206.58 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING DESCRIBED 25 FOOT INGRESS AND EGRESS EASEMENT BEING 12.50 FEET ON BOTH AND EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

FOR A POINT OF REFERENCE, COMMENCE AT THE NORTHWEST CORNER OF OF THE SW1/4 OF THE NW1/4 OF SECTION 31, TOWNSHIP 5 NORTH, RANGE 27 WEST, SANTA ROSA COUNTY, FLORIDA AND RUN N90'00'00"E ALONG THE NORTH LINE OF SAID SW1/4 OF THE NW1/4 FOR A DISTANCE OF 294.61 FEET TO THE CENTERLINE OF 10 FOOT GRAVEL DRIVE AND THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTH LINE, RUN N00'39'31"W ALONG SAID CENTERLINE FOR A DISTANCE OF 31.05 FEET; THENCE N36'31'31"W ALONG SAID CENTERLINE FOR A DISTANCE OF 187.67 FEET; THENCE N43'49'29"W ALONG SAID CENTERLINE FOR A DISTANCE OF 36.35 FEET TO THE SOUTHERLY RIGHT OF WAY LINE JAMES JERNIGAN ROAD (50' MAINTAINED R/W) AND THE POINT OF TERMINUS OF THE HEREIN DESCRIBED CENTERLINE. SAID EASEMENT CONTAINING ±0.21 ACRES (9, 356 SQ. FT.)





NORTH LINE OF SW1/4 OF NW1/4

210.00

9

O.R. 946, PG. 612

210.017' (0) W"IE'AA'ION

N89*59'25"E 215.48" (D&F

(D&F)

RRIGORE PSW

Distance no Distance no Power Pole
Power Pole
Overhead Power Line
Wire Fence (not shown to sca
Board Fence (not shown to s

Professional Surveyor and Mapper Licensed Business Official Records Book

stered Land Surveyor t of Way

POINT OF COMMENCEMENT-NW CORNER OF SW1/4 OF NW1/4 SECTION 31-T5N-R27W

2"DIA. PVC Concrete Monument found, n 1/2" Rebar found, no identification 1/2" Rebar found, cap 'LB 7277' 1/2" Iron Pipe found, no identification 5/8" Rebar set, cap 'PSM, LB# 7237' Distance not shown to scale

found, no

SURVEYING MAPPING, ZO.

PASCOESURVEYING.COM

PROJ:\11\11-0002

Survey Report:

TY BANK RAH K. FOSTER LAW & TITLE, PLLC AMERICAN TITLE INSURANCE COMPANY

BEARINGS DEED.

SHOWN HEREON ARE REFERENCED

TO THE NORTH LINE OF

SUBJECT PARCEL

BOUNDARY SURVEYS TOPOGRAPHIC SURVEYS RESIDENTIAL—COMMERCIAL

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BEP

NO SEARCH OF THE PUBLIC RECORDS WAS DONE BY PASCOE SURVEYING & MAPPING, INC. VISIBLE EVIDENCE OF EASEMENTS WILL BE SHOWN HEREON, BUT NO CERTIFICATION IS GIVEN THAT EASEMENTS, DEED OVERLAPS, UNDERGROUND IMPROVEMENTS, OR APPARENT USE DOES NOT EXIST.

THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF SANTA ROSA COUNTY, FLORIDA.

PHONE: (850) 651-4200 FAX: (850) 651-4222 13 TWISTED OAK TRAIL SHALIMAR, FL 32579 SCALE: DRAWN BY: PROJECT:

11-0002

FIELD DATE:

FIELD BOOK(S): 52/70 12 JAN ŠĀN 2011 30 DEC 2 18 4101 JAMES JAY, F B. FL 32565 OR# 19-0380 ROAD 목

I hereby certify that this survey was made under my responsible charge of Practice as set forth by the Florida Board of Professional Surveyors 51-17-050, 51-17.051 and 51-17.052, pursuant to Section 472.027 Florida and meets the Stone Standards

E. PASCOE FLORIDA LICENSED SURVEYOR AND MAPPER SURVEYING & MAPPING, INC. LB# 7237 W 11-0002

BRIAN



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

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

January 31, 2020

Callie DeHaven, Director Division of State Lands Department of Environmental Protection 3900 Commonwealth Boulevard Tallahassee, Florida 32399-3000

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

Ms. DeHaven:

The Florida Forest Service (FFS) reviewed Deborah Foster's proposal (attached), regarding the proposed easement located on a portion of BRSF in Santa Rosa 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



RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

March 5, 2020

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

RE: DHR Project File No.: 2020-0490

Project: Debbie Foster Easement No. 33338

Ingress / Egress Easement, Blackwater River State Forest, Santa Rosa 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





TEN QUESTIONS

Project Name:	Easement – Blackwater River State Forest (BRSF)		
Managing Agency:	Florida Forest Service (FFS)		
Submitted by:	Alan Davis	Date: 3/2/2020	
Applicant:	Debbie Foster		

- 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.
- 2. 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.
- 3. 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.
- 4. Description of the natural resources, land cover, vegetation, habitat or natural community, if any, that are currently present on the parcel.

 Response: The proposed easement area is an existing dirt driveway.
- 5. 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.
- 6. 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.
- 7. 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).

- 8. 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: 117172 COUNTY: Santa Rosa

FILE NUMBER: 57-41657 - DEBBIE FOSTER EASEMENT NO. 33338

APPLICANT: DEBORAH K FOSTER

COMPANY: OWNER

SITE: 4101 JAMES JERNIGAN RD., JAY FL. 32565; PARCEL ID: 31-5N-27-0000-00501-0000;

COM NW COR OF SW4 OF NW4 TH E243.42 FT TO POB TH S 0*14'W210 FT TH E 206.58

FT TH N 210FT TH W 206.58 FT TO POBAS DES IN OR 3033 PG 720

TYPE OF ACTIVITY: TITLE DETERMINATION, EASEMENT

PROJECT LOCATION: 31 05N 27W

AQUATIC PRESERVE:

WATER BODY:

DETERMINATION STATEMENT: OUR RECORDS INDICATE THAT THE DRIVEWAY ACCESS TO THE PERSONAL

HOMESTEAD RESIDENCE LANDS WERE CONVEYED INTO TIITF OWNERSHIP AND IS MANAGED BY FLORIDA BOARD OF FORESTRY SERVICES. AT THIS POINT THERE

ARE NOT ANY KNOWN INCUMBRANCES, REVERTERS OR RESTRICTIONS.

HOWEVER, THIS PROPOSED LOCATION IS SUBJECT TO LEASE NUMBER 3686.

TO JAY SIRCY MG 02/12/2020

PREPARER: GORDON_M
DATE APPROVED: 02/13/2020
APPROVED BY: ASHMAN_M
WORKSHEET STATUS: Approved