

ITEM XX:

Consider whether a 1.55-acre public underground utility easement under Withlacoochee State Trail (Trail) is consistent with the Board of Trustees’ Linear Facilities Policy.

LOCATION:

Citrus County - Section 26, Township 18 South, Range 18 East

Parcel Identification Number: 1618991

APPLICANT:

Citrus County, Florida, a political subdivision of the State of Florida (Applicant)

DSL STAFF REMARKS:

The Applicant is requesting a 1.55-acre underground utility easement for installation of an underground two-inch water service connection and an underground two-inch wastewater line connection. The proposed easement is located within conservation land currently managed by the State of Florida, Department of Environmental Protection, Division of Recreation and Parks (DRP), under Uplands Lease Number 3876. The property was purchased in 1995 from Citrus County, Florida, under the Rails to Trails Program utilizing State Infrastructure Funds.

DRP consented to the easement in a letter dated November 12, 2019 and, in a letter, dated August 12, 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 connect to the underground water and wastewater lines. There are no known imperiled or other wildlife species that occupy the requested area.

Minimizing Impacts:

The lines will be installed via horizontal directional drill in order to minimize impacts. Access to the Trail will not be affected by this easement. The Trail will remain open to the public at all times. The Applicant will ensure that the site is clean from debris and be responsible for any damages to the Trail as the result of this easement.

Compensation:

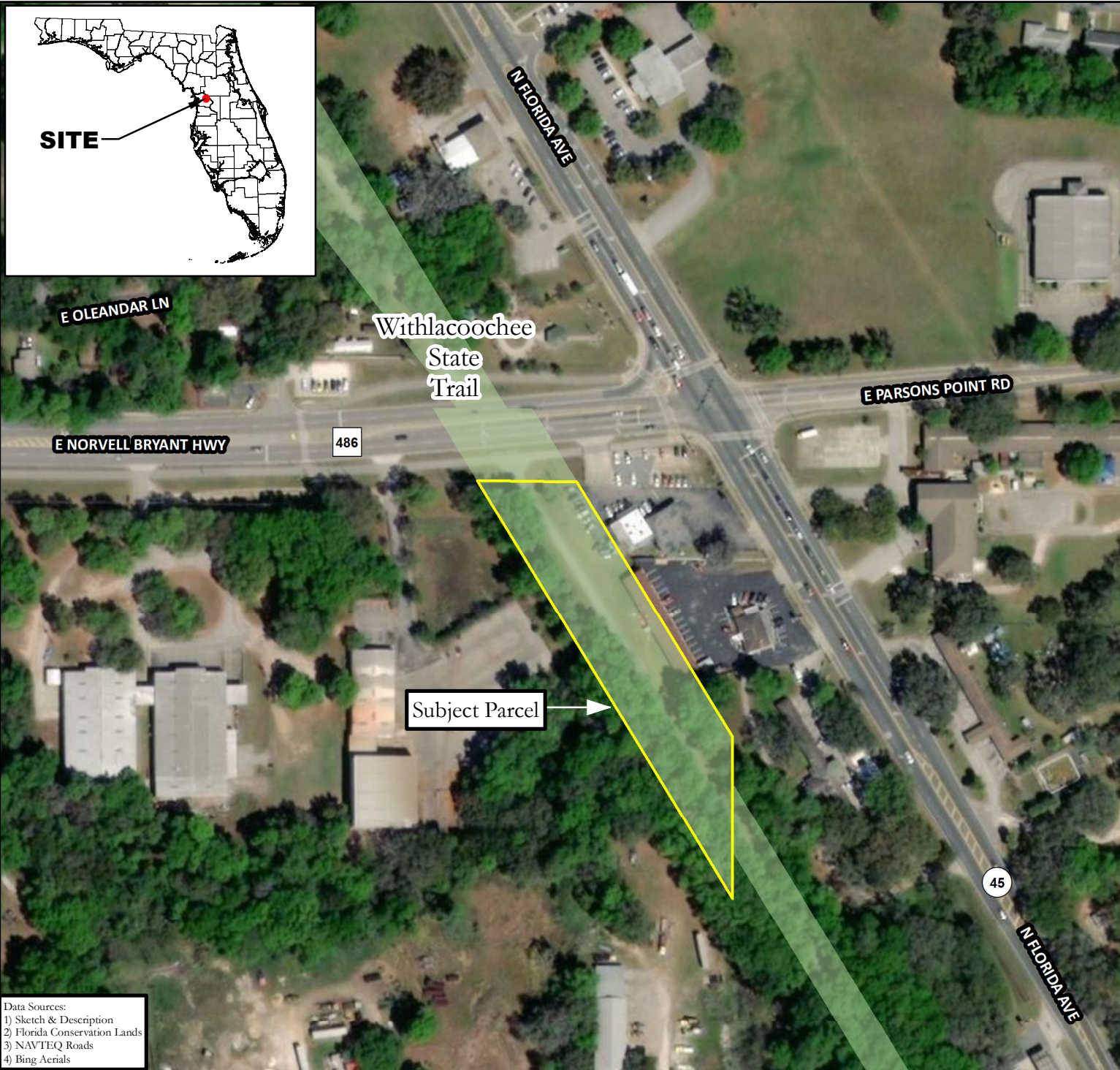
The easement fee will be based on market value and per the BOT’s linear facilities policy, additional compensation, in the form of replacement land or goods and services, will be provided to the land manager at 1.5 times the appraised value of the easement.

DSL STAFF RECOMMENDATION:

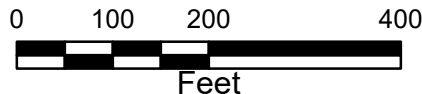
Approve

ARC RECOMMENDATION:

- APPROVE**
- APPROVE WITH MODIFICATIONS:** _____
- DEFER**
- WITHDRAW**
- NOT APPROVE**
- OTHER:** _____



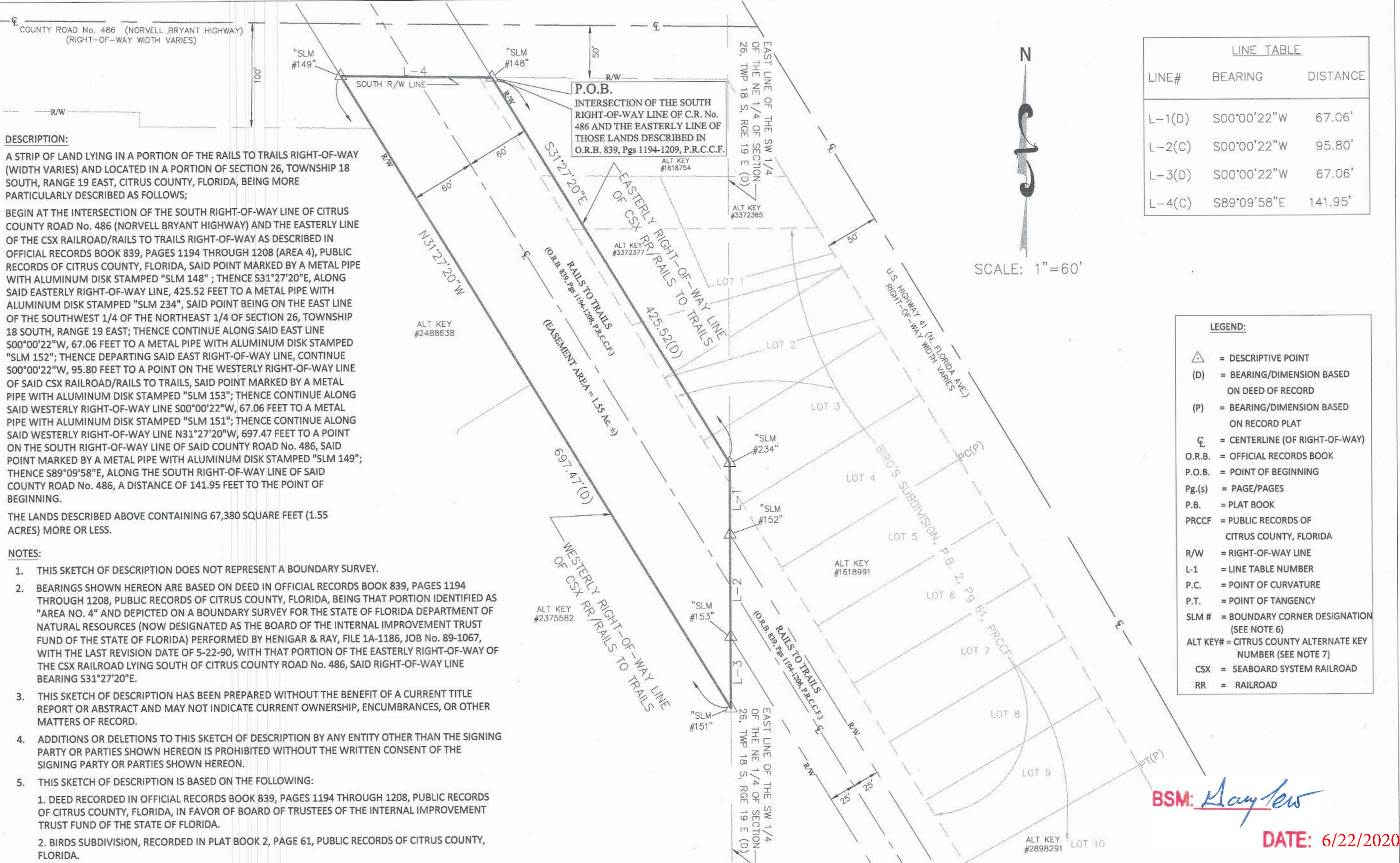
- Subject Parcel
- State Managed Conservation Lands



Easement No. 33354

Citrus County, Florida

EXHIBIT "A"



LINE TABLE		
LINE#	BEARING	DISTANCE
L-1(D)	S00°00'22"W	67.06'
L-2(C)	S00°00'22"W	95.80'
L-3(D)	S00°00'22"W	67.06'
L-4(C)	S89°09'58"E	141.95'



DESCRIPTION:

A STRIP OF LAND LYING IN A PORTION OF THE RAILS TO TRAILS RIGHT-OF-WAY (WIDTH VARIES) AND LOCATED IN A PORTION OF SECTION 26, TOWNSHIP 18 SOUTH, RANGE 19 EAST, CITRUS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGIN AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF CITRUS COUNTY ROAD No. 486 (NORVELL BRYANT HIGHWAY) AND THE EASTERLY LINE OF THE CSX RAILROAD/RAILS TO TRAILS RIGHT-OF-WAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 839, PAGES 1194 THROUGH 1208 (AREA 4), PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA, SAID POINT MARKED BY A METAL PIPE WITH ALUMINUM DISK STAMPED "SLM 148"; THENCE S31°27'20"E, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 425.52 FEET TO A METAL PIPE WITH ALUMINUM DISK STAMPED "SLM 234", SAID POINT BEING ON THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 18 SOUTH, RANGE 19 EAST; THENCE CONTINUE ALONG SAID EAST LINE S00°00'22"W, 67.06 FEET TO A METAL PIPE WITH ALUMINUM DISK STAMPED "SLM 152"; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE, CONTINUE S00°00'22"W, 95.80 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID CSX RAILROAD/RAILS TO TRAILS, SAID POINT MARKED BY A METAL PIPE WITH ALUMINUM DISK STAMPED "SLM 153"; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE S00°00'22"W, 67.06 FEET TO A METAL PIPE WITH ALUMINUM DISK STAMPED "SLM 151"; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE N31°27'20"W, 697.47 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD No. 486, SAID POINT MARKED BY A METAL PIPE WITH ALUMINUM DISK STAMPED "SLM 149"; THENCE S89°09'58"E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD No. 486, A DISTANCE OF 141.95 FEET TO THE POINT OF BEGINNING.

THE LANDS DESCRIBED ABOVE CONTAINING 67,380 SQUARE FEET (1.55 ACRES) MORE OR LESS.

NOTES:

- THIS SKETCH OF DESCRIPTION DOES NOT REPRESENT A BOUNDARY SURVEY.
- BEARINGS SHOWN HEREON ARE BASED ON DEED IN OFFICIAL RECORDS BOOK 839, PAGES 1194 THROUGH 1208, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA, BEING THAT PORTION IDENTIFIED AS "AREA NO. 4" AND DEPICTED ON A BOUNDARY SURVEY FOR THE STATE OF FLORIDA DEPARTMENT OF NATURAL RESOURCES (NOW DESIGNATED AS THE BOARD OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA) PERFORMED BY HENIGAR & RAY, FILE 1A-1186, JOB No. 89-1067, WITH THE LAST REVISION DATE OF 5-22-90, WITH THAT PORTION OF THE EASTERLY RIGHT-OF-WAY OF THE CSX RAILROAD LYING SOUTH OF CITRUS COUNTY ROAD No. 486, SAID RIGHT-OF-WAY LINE BEARING S31°27'20"E.
- THIS SKETCH OF DESCRIPTION HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND MAY NOT INDICATE CURRENT OWNERSHIP, ENCUMBRANCES, OR OTHER MATTERS OF RECORD.
- ADDITIONS OR DELETIONS TO THIS SKETCH OF DESCRIPTION BY ANY ENTITY OTHER THAN THE SIGNING PARTY OR PARTIES SHOWN HEREON IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES SHOWN HEREON.
- THIS SKETCH OF DESCRIPTION IS BASED ON THE FOLLOWING:
 - DEED RECORDED IN OFFICIAL RECORDS BOOK 839, PAGES 1194 THROUGH 1208, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA, IN FAVOR OF BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA.
 - BIRDS SUBDIVISION, RECORDED IN PLAT BOOK 2, PAGE 61, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA.
 - RIGHT-OF-WAY ACQUISITION MAP OF C.R. 486 (a.k.a. NORVELL BRYANT HIGHWAY) FOR THE CITRUS COUNTY DEPARTMENT OF PUBLIC WORKS, PERFORMED BY MACTEC (formerly HLA/REPS) WITH LAST REVISION DATE OF 08/18/03 AND FIELD SURVEY WORK PERFORMED IN DECEMBER, 2019, BY THIS OFFICE.
- "SLM" BOUNDARY CORNER DESIGNATION BASED ON SURVEY MAP (SEE NOTE 2 ABOVE) AND AS FOUND IN FIELD.
- CITRUS COUNTY ALTERNATE KEY NUMBERS TAKEN FROM THE CITRUS COUNTY PROPERTY APPRAISER'S WEBSITE AND ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY.
- THE AREA DEPICTED WITHIN THIS SKETCH OF DESCRIPTION IS A PORTION OF THE RAILS TO TRAILS PROGRAM.

LEGEND:

- △ = DESCRIPTIVE POINT
- (D) = BEARING/DIMENSION BASED ON DEED OF RECORD
- (P) = BEARING/DIMENSION BASED ON RECORD PLAT
- ℄ = CENTERLINE (OF RIGHT-OF-WAY)
- O.R.B. = OFFICIAL RECORDS BOOK
- P.O.B. = POINT OF BEGINNING
- Pg.(s) = PAGE/PAGES
- P.B. = PLAT BOOK
- PRCCF = PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA
- R/W = RIGHT-OF-WAY LINE
- L-1 = LINE TABLE NUMBER
- P.C. = POINT OF CURVATURE
- P.T. = POINT OF TANGENCY
- SLM # = BOUNDARY CORNER DESIGNATION (SEE NOTE 6)
- ALT KEY# = CITRUS COUNTY ALTERNATE KEY NUMBER (SEE NOTE 7)
- CSX = SEABOARD SYSTEM RAILROAD
- RR = RAILROAD

BSM: *Mark Thomas*
DATE: 6/22/2020

JOB No. 19-096	PROJ. No. 20-350	SKETCH OF DESCRIPTION - EASEMENT ACROSS RAILS TO TRAILS FOR: CITRUS COUNTY	
DRAWN BY: g.d.p.	DWG. No. 19-096 S00 rails2trails S00 hernando	<p>Citrus County Division of Engineering Survey Section</p> <p>3600 WEST SOVEREIGN PATH, SUITE 241 LECANTO, FLORIDA. 34461 (352) 527-5498 FAX (352) 527-5476</p>	
MAP DATE: 01.08.2020	SCALE: 1" = 60'		
SHEET No. 1 of 1	FIELD DATE: 12.17.2019	<p>THIS SKETCH OF DESCRIPTION, OR THE COPIES THEREOF, ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF THE FLORIDA LICENSED SURVEYOR AND SEAL SHOWN HEREON.</p> <p>MARK T. THOMAS, P.S.M. FLORIDA REGISTRATION No. 5151</p>	
FIELD BOOK: 133	PAGES: 10-13		
SEC. 26, TWP 18 S, RGE 19 E	REVISION: 06/17/2020-Revise description/notes/map per FDEP comments.	<p>REGISTERED PROFESSIONAL SURVEYOR No. 5151 STATE OF FLORIDA 06/17/2020</p>	



FLORIDA DEPARTMENT OF Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, FL 32399

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

November 19, 2019

Citrus County Water Resources
Utilities Division
Attn: Gary S. Loggins, Operations
Division Director
3600 W. Sovereign Path
Lecanto, Florida 34461

Re: Withlacoochee State Trail – Utility Easement

Dear Mr. Loggins:

The Division of Recreation and Parks (DRP), leaseholder of the Withlacoochee State Trail (Trail), has reviewed Citrus County's request for an easement and has determined that this use is not inconsistent with the goals of the Trail's approved management plan. Additionally, DRP has no objection to an easement for the sole purpose of installing an underground two-inch water service connection and an underground two-inch wastewater line connection in the area as indicated on the attached Exhibit A.

In an effort to minimize additional potential impacts to the Trail, Citrus County has agreed to install conduit sleeves for both water and wastewater piping in those areas where the lines traverse under the paved Trail. No trees will be removed during construction.

Should the Acquisition and Restoration Council (ARC) recommend approval of the proposed easement, followed by final approval by the Board of Trustees of the Internal Improvement Trust Fund, DRP requests that the following Special Conditions (attached Exhibit B) be included in the easement instrument. If you have any questions, please feel free to contact me at 850-245-2080.

Sincerely,

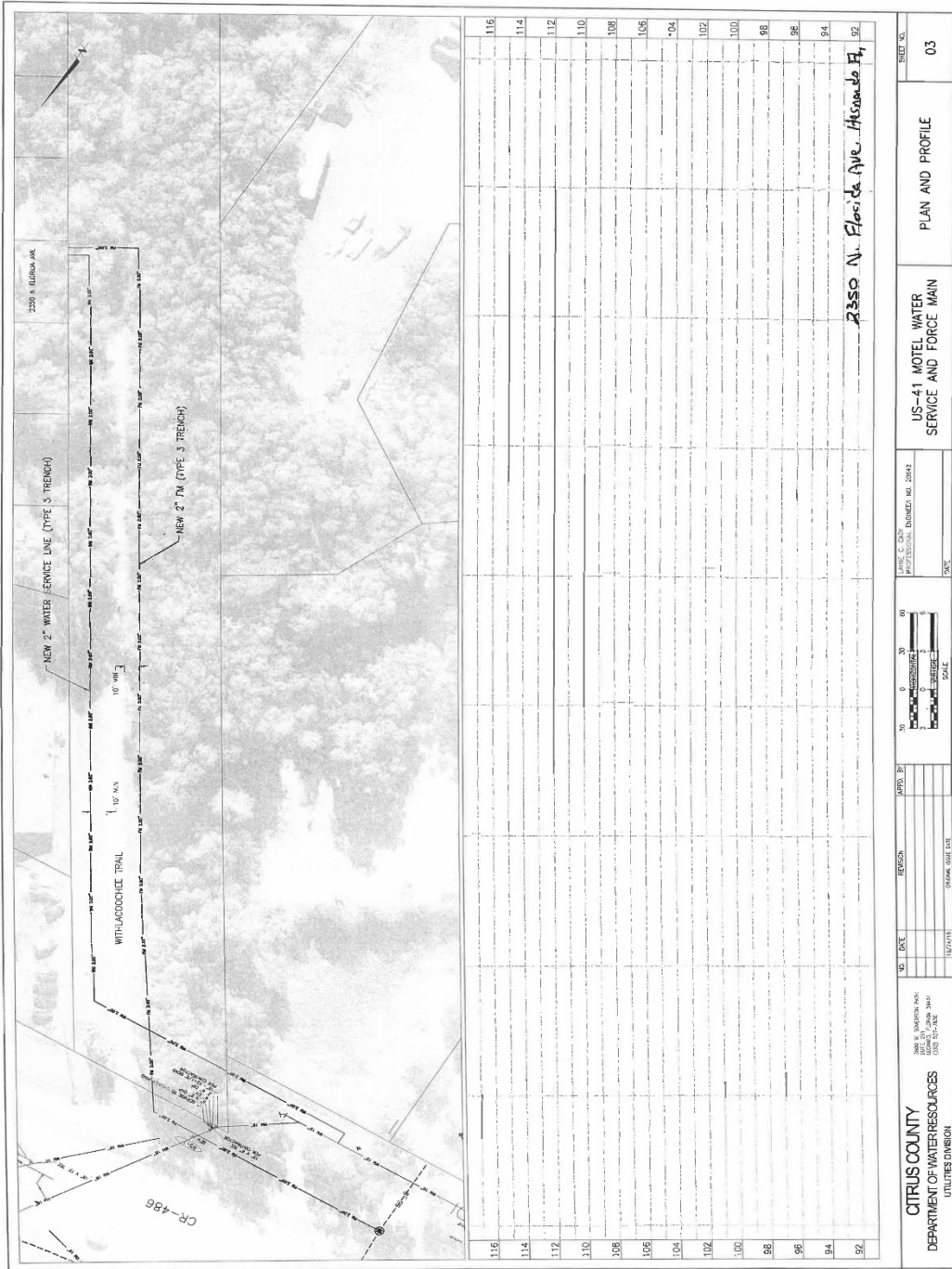
A handwritten signature in blue ink that reads "Diane Martin".

Diane Martin, Planning Manager
Office of Park Planning

DM/dp
attachments

cc: Steven Cutshaw, Chief
Clif Maxwell, Bureau of Parks, District 2, Chief
Chris Raby, Park Manager

EXHIBIT "A"



NO.	DATE	PERSON	APPRO. BY	SCALE	PROJECT NO.	SHEET NO.
116				AS SHOWN	US-41 HOTEL WATER SERVICE AND FORCE MAIN	03
114						
112						
110						
108						
106						
104						
102						
100						
98						
96						
94						
92						

EXHIBIT 'B'

- A. GRANTEE shall, coordinate all construction activities (7) seven days in advance with the manager of the Withlacoochee State Trail (Trail Manager) or designee (acting in their capacity as Trail Manager) 352-726-0315.
- B. By issuance of this easement, GRANTOR acknowledges that GRANTEE has fully satisfied GRANTEE's "Net Positive Benefit" obligation to provide in-kind goods for the Withlacoochee State Trail (Trail) in the amount of \$_____, in accordance with the GRANTOR's Policy for Incompatible Use of Natural Resource Lands (August 9, 1988).
- C. GRANTEE will contact the Florida Division of Historical Resources (DHR) to determine if a certified archaeological monitor is required to be on-site for all ground-disturbing activities. Further, GRANTEE shall provide written confirmation to the Trail Manager that the aforementioned determination from DHR has been obtained. Should an on-site monitor be required, GRANTEE shall provide one at GRANTEE's sole cost and expense. DHR may be contacted directly at (850) 245-6333.
- D. GRANTEE acknowledges that the Trail Manager has the authority to temporarily halt GRANTEE's activities if Trail Manager observes conditions that are unsafe for Trail users or could potentially damage natural resources or recreational facilities.
- E. GRANTEE shall work with the Trail Manager to ensure, to the greatest extent possible, that Trail users are able to safely bypass the construction and maintenance area via an alternate open passage. The open passage shall safely accommodate all types of allowable trail-user groups on the Trail, including (but not limited to) pedestrians, bicyclists, and equestrian riders. GRANTEE shall make every reasonable effort to minimize those time periods when the Trail must be closed to public use.
- F. GRANTEE shall not remove or destroy any trees, shrubs, or other vegetation where the project will take place, unless agreed upon in advance by the Trail Manager.
- G. GRANTEE, shall post and maintain signs on each side of the project site, notifying public visitors and users of the construction and installation work. Signs shall include contact information for GRANTEE's project manager, duration of the project, and warnings of any potential safety hazards. Signs shall be posted prior to the commencement of construction and shall remain posted, visible, and legible throughout the entirety of said activities.
- H. GRANTEE shall not use the Trail or Trail corridor as a parking or staging area for equipment, supplies, fuel, or vehicles during construction.
- I. GRANTEE shall ensure that all stationary and mechanized equipment to be used on the Trail has been thoroughly cleaned to help prevent exotic or invasive species from entering the Trail. The Trail Manager reserves the right to inspect and deny Trail access to equipment that has not been sufficiently cleaned.
- J. GRANTEE, at their sole cost and expense, shall restore or replace any and all natural vegetation (including groundcover vegetation) damaged or destroyed during construction to substantially the same condition as existed on the date of construction commencement, unless prohibited within the pipeline's alignment by regulatory requirements. GRANTEE's restoration or replacement of any damaged and destroyed vegetation (i.e., shrubs, trees, grasses) shall not be counted towards GRANTEE's fulfillment of their obligation to provide Additional Compensation (Net Positive Benefit). GRANTEE shall coordinate all restoration or replacement activities with the Trail Manager.
- K. GRANTEE shall install conduit sleeves in those areas where the water and wastewater piping will cross under the paved trail.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

Ms. Angel Granger
Bureau of Public Land Administration, MS 130
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

August 12, 2020

RE: DHR Project File No.: 2020-4703 / Citrus County BOCC
Project: AID 42136-Easement 33354-Request Citrus County
Installation of Underground and Wastewater Collection Utilities for Existing Development
West of Intersection of CR 486 and US 41, Withlacoochee State Trail, Citrus County

Dear Ms. Granger:

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

The Withlacoochee State Trail is recorded as 8CI00335 and has been evaluated as not eligible for the *National Register of Historic Places*. In addition, the proposed project will have no permanent impact to use of the trail. 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@doh.myflorida.com, or at 850.245.6496, or 800.847.7278.

Sincerely,

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

Division of Historical Resources
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6300 • 850.245.6436 (Fax) • FLHeritage.com

