

ITEM XX:

Consider whether an approximately 0.0066-acre sanitary easement and a 0.0188-acre utility easement within Board of Trustees owned conservation land is consistent with the Board of Trustees' Incompatible Use Policy.

LOCATION:

Volusia, Section – 42 & 43, Township – 17S, Range – 34E

Parcel ID Number: 7417-00-00-0021

APPLICANT:

New Smyrna Beach (Applicant)

DSL STAFF REMARKS:

The Applicant has requested a 0.0066-acre sanitary sewer easement and a 0.0188-acre upland utility easement to complete a lift station reconstruction and to re-route the force main at the Northwest corner of Barracuda & Quay Assisi. This work is in conjunction with the Florida Department of Transportation Barracuda Bridge replacement project. The subject parcel lies within the Mosquito Lagoon Marine Enhancement Center, leased to the Florida Fish and Wildlife Conservation Commission (FWC) from the Board of Trustees of the Internal Improvement Trust Fund under Lease Number 4568. This land is also subleased to the Marine Discovery Center (MDC) under Sublease Number 4568-01. The Board of Trustees acquired the parcel in 2008 by donation from Volusia County to be use for conservation, educational, recreational and research uses.

In a letter dated June 11, 2021, the Division of Historical Resources (DHR) stated that the proposed undertaking is unlikely to affect historic properties. FWC consented to the easement in a letter dated April 23, 2021, and MDC consented to the easement in an e-mail dated April 14, 2021.

Avoidance:

There are no other practical alternatives, this parcel is directly adjacent to the bridge.

Minimizing Impacts:

The easement will not hinder the intended use of the property. 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. The proposed easement does not foresee any impact to imperiled or other wildlife species in the area.

Compensation:

No easement fee for public agencies and per the BOT's incompatible use policy. Net positive benefit, in the form of replacement land or goods and services, will be provided at 1.5 times the appraised value of the easement.

DSL STAFF RECOMMENDATION:

Approve

ARC RECOMMENDATION:

APPROVE

APPROVE WITH MODIFICATIONS: _____



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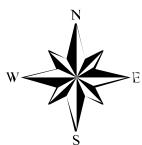
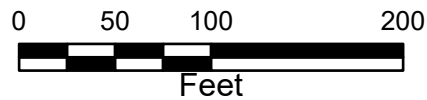
WITHDRAW

NOT APPROVE

OTHER: _____



-  Utility Easement
-  Sanitary Easements



Easement No. 33434

Volusia County, Florida

PARCEL I.D.: 740800000020
 OWNER: STATE OF FLORIDA TIIF

SKETCH OF DESCRIPTION

(NOT A BOUNDARY SURVEY)

PROPOSED UTILITY EASEMENT:

COMMENCE AT THE MEANDER CORNER BETWEEN SECTION 42 AND SECTION 43, TOWNSHIP 17 SOUTH, RANGE 34 EAST, VOLUSIA COUNTY, FLORIDA; THENCE RUN N33°41'21"W, FOR A DISTANCE OF 748.00 FEET; THENCE RUN N21°56'21"W, FOR A DISTANCE OF 1252.00 FEET; THENCE RUN N15°56'21"W, FOR A DISTANCE OF 600.00 FEET; THENCE RUN N21°56'21"W, FOR A DISTANCE OF 970.00 FEET; THENCE RUN N39°36'21"W, FOR A DISTANCE OF 150.00 FEET; THENCE RUN N51°58'39"E, FOR A DISTANCE OF 79.50 FEET; THENCE RUN N48°36'21"W, FOR A DISTANCE OF 517.70 FEET; THENCE RUN N51° 58'39"E, FOR A DISTANCE OF 422.97 FEET; THENCE RUN N39°28'21"W, FOR A DISTANCE OF 201.32 FEET; THENCE RUN N24°47'21"W, FOR A DISTANCE OF 216.42 FEET; THENCE RUN N26°31'10"W, FOR A DISTANCE OF 194.33 FEET; THENCE RUN N45°30'21"W, FOR A DISTANCE OF 478.80 FEET; THENCE RUN N40°33'21"W, FOR A DISTANCE OF 22.94 FEET; THENCE RUN N54°14'00"E, FOR A DISTANCE OF 2298.42 FEET; THENCE RUN N11°29'00"E, FOR A DISTANCE OF 202.01 FEET TO THE WESTERLY RIGHT OF WAY OF BARRACUDA BOULEVARD; THENCE RUN S38°01'20"E ALONG SAID WESTERLY RIGHT OF WAY, FOR A DISTANCE OF 714.44 FEET TO THE EASTERLY CORNER OF PARCEL I.D. 740800000020 AS RECORDED IN OFFICIAL RECORDS BOOK 6231, PAGE 4339, VOLUSIA COUNTY, FLORIDA; THENCE RUN S51°58'40"W, ALONG THE SOUTHEARLY LINE OF SAID PARCEL I.D. 740800000020 FOR A DISTANCE 52.68 FEET TO THE POINT OF BEGINNING; THENCE RUN CONTINUE S51°58'40"W, FOR A DISTANCE OF 10.00 FEET; THENCE RUN N38°01'20"W, FOR A DISTANCE OF 25.96 FEET; THENCE RUN N06°58'40"E, FOR A DISTANCE OF 47.18 FEET; THENCE RUN N38°01'20"W, FOR A DISTANCE 8.32 FEET; THENCE RUN N48°18'22"E, FOR A DISTANCE 10.02 FEET, THENCE RUN S38°01'20"E, FOR A DISTANCE OF 13.10 FEE, THENCE RUN S06°58'40"W, FOR A DISTANCE 47.18 FEET; THENCE RUN S38°01'20"E, FOR A DISTANCE OF 21.82 FEET TO THE POINT OF BEGINNING.

CONTAINING 817.78 SQUARE FEET OR 0.0188 ACRES.

BSM APPROVED

BY LT

DATE 6/10/21

SURVEYOR'S NOTES:

1. THERE MAY BE EASEMENTS AND RESTRICTIONS OF RECORDS AND/OR PRIVATE AGREEMENTS NOT FURNISHED TO THIS SURVEYOR THAT MAY AFFECT PROPERTY RIGHTS AND/OR LAND USE RIGHTS OF THE LANDS SHOWN HEREON
2. BEARINGS SHOWN HEREON ARE BASED ON THE WESTERLY RIGHT OF WAY LINE OF BARRACUDA BOULEVARD AS BEING S38°01'20"E.
3. NO UNDERGROUND INSTALLATIONS, FOUNDATION FOOTINGS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS NOTED.
4. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
5. THIS SKETCH WAS PERFORMED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR SURVEYS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.



LAWRENCE E. JENKINS
 PROFESSIONAL
 SURVEYOR AND MAPPER
 FLORIDA REGISTRATION #5364
 TETRA TECH - LB #26



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www.tetrattech.com

201 EAST PINE STREET, SUITE 1000
 ORLANDO, FL 32801
 PHONE: 407-839-3955 FAX: 407-839-3790

**PROPOSED
 UTILITY
 EASEMENT**

**UTILITIES COMMISSION
 VOLUSIA COUNTY, FLORIDA**

Project No.: 200-08460-20002

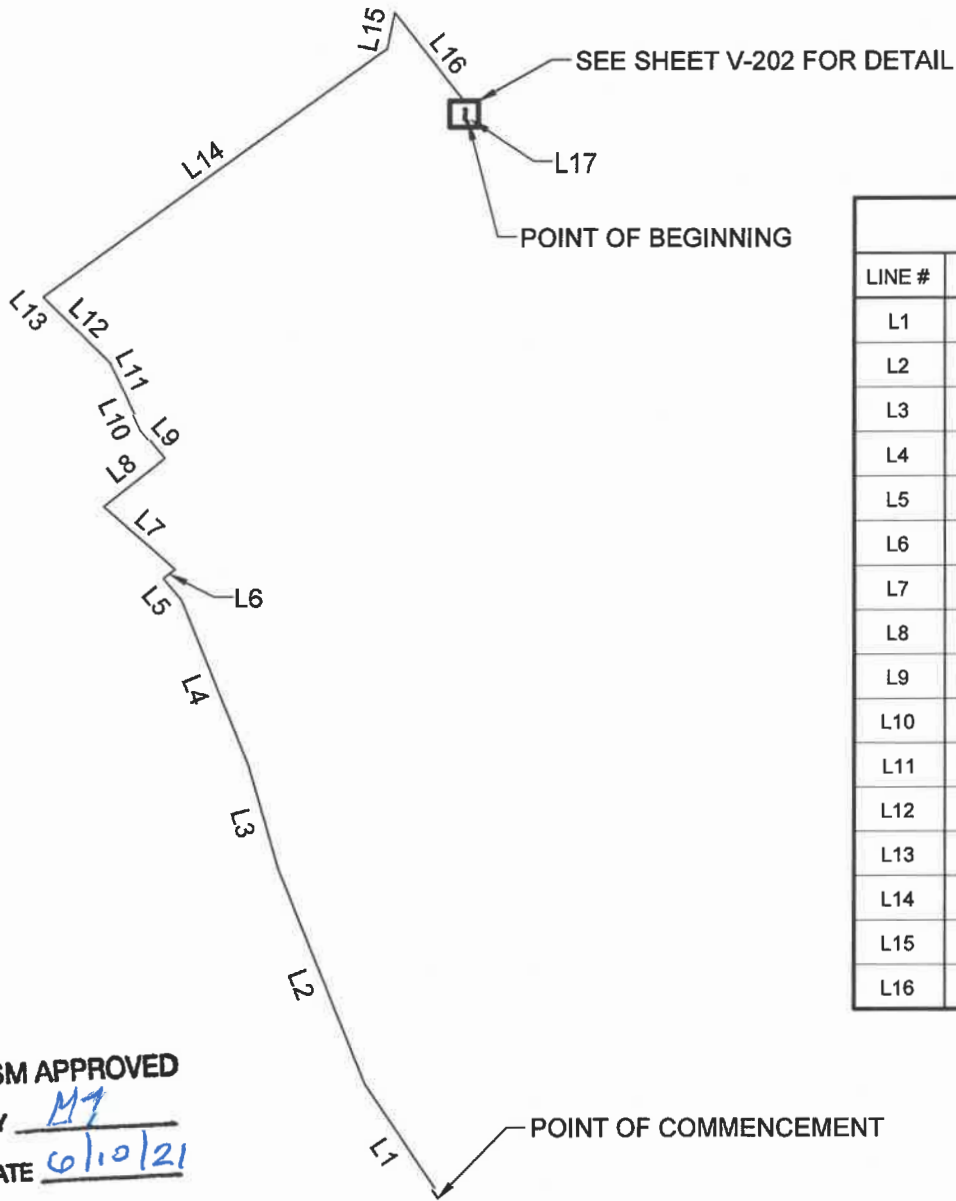
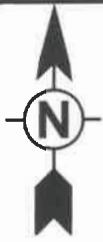
Date: 07-21-2020

Designed By: BLS

Drawing No.

V-200

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LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N33° 41' 21"W	748.00'
L2	N21° 56' 21"W	1252.00'
L3	N15° 56' 21"W	600.00'
L4	N21° 56' 21"W	970.00'
L5	N39° 36' 21"W	150.00'
L6	N51° 58' 39"E	79.50'
L7	N48° 36' 21"W	517.70'
L8	N51° 58' 39"E	422.97'
L9	N39° 28' 21"W	201.32'
L10	N24° 47' 21"W	216.42'
L11	N26° 31' 10"W	194.33'
L12	N45° 30' 21"W	478.80'
L13	N40° 33' 21"W	22.94'
L14	N54° 14' 00"E	2298.42'
L15	N11° 29' 00"E	202.01'
L16	S38° 01' 20"E	714.44'

BSM APPROVED
 BY MJ
 DATE 6/10/21

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201 EAST PINE STREET, SUITE 1000
 ORLANDO, FL 32801
 PHONE: 407-839-3955 FAX: 407-839-3790

**PROPOSED
 UTILITY
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**UTILITIES COMMISSION
 VOLUSIA COUNTY, FLORIDA**

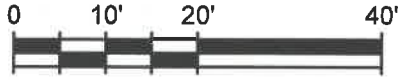
Project No.: 200-08460-20002

Date: 07-21-2020

Designed By: BLS

Drawing No.

V-201



LEGEND
 ORB OFFICIAL RECORDS BOOK
 PG PAGE

WESTERLY
 RIGHT OF WAY

PROPOSED SANITARY
 SEWER EASEMENT

EXISTING SANITARY
 SEWER EASEMENT
 ORB. 3633, PG. 452

OWNER: STATE OF FLORIDA TIITF
 PARCEL I.D.: 740800000020
 ORB. 6231, PG. 4339

PROPOSED UTILITY EASEMENT
 817.78 SQUARE FEET

EXISTING SANITARY
 SEWER EASEMENT
 ORB. 3633, PG. 452

**BARRACUDA
 BOULEVARD**

QUAY ASSISI

EASTERLY CORNER OF
 PARCEL I.D. 740800000020

BSM APPROVED

BY MT

DATE 6/10/21

SOUTHERLY LINE
 OF PARCEL I.D.
 740800000020

POINT OF BEGINNING

S51° 58' 40"W
 10.00'

Friday, September 4, 2020 11:09:12 AM DRAWING: O:\Projects\Orlando\VER\08460\200-08460-19001\CAD\Survey\Draw\EASEMENT\TV-XP-EASEMENT-LIFT STATION.DWG



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201 EAST PINE STREET, SUITE 1000
 ORLANDO, FL 32801
 PHONE: 407-839-3955 FAX: 407-839-3790

**PROPOSED
 UTILITY
 EASEMENT**

**UTILITIES COMMISSION
 VOLUSIA COUNTY, FLORIDA**

Project No.: 200-08460-20002

Date: 07-21-2020

Designed By: BLS

Drawing No.

V-202

PARCEL I.D.: 74080000020
 OWNER: STATE OF FLORIDA TIITF

SKETCH OF DESCRIPTION

(NOT A BOUNDARY SURVEY)

PROPOSED SANITARY EASEMENT "A":

COMMENCE AT THE MEANDER CORNER BETWEEN SECTION 42 AND SECTION 43, TOWNSHIP 17 SOUTH, RANGE 34 EAST, VOLUSIA COUNTY, FLORIDA; THENCE RUN N33°41'21"W, FOR A DISTANCE OF 748.00 FEET; THENCE RUN N21°56'21"W, FOR A DISTANCE OF 1252.00 FEET; THENCE RUN N15°56'21"W, FOR A DISTANCE OF 600.00 FEET; THENCE RUN N21°56'21"W, FOR A DISTANCE OF 970.00 FEET; THENCE RUN N39°36'21"W, FOR A DISTANCE OF 150.00 FEET; THENCE RUN N51°58'39"E, FOR A DISTANCE OF 79.50 FEET; THENCE RUN N48°36'21"W, FOR A DISTANCE OF 517.70 FEET; THENCE RUN N51°58'39"E, FOR A DISTANCE OF 422.97 FEET; THENCE RUN N39°28'21"W, FOR A DISTANCE OF 201.32 FEET; THENCE RUN N24°47'21"W, FOR A DISTANCE OF 216.42 FEET; THENCE RUN N26°31'10"W, FOR A DISTANCE OF 194.33 FEET; THENCE RUN N45°30'21"W, FOR A DISTANCE OF 478.80 FEET; THENCE RUN N40°33'21"W, FOR A DISTANCE OF 22.94 FEET; THENCE RUN N54°14'00"E, FOR A DISTANCE OF 2298.42 FEET; THENCE RUN N11°29'00"E, FOR A DISTANCE OF 202.01 FEET TO THE WESTERLY RIGHT OF WAY OF BARRACUDA BOULEVARD; THENCE RUN S38°01'20"E ALONG SAID WESTERLY RIGHT OF WAY, FOR A DISTANCE OF 604.12 FEET TO THE NORTHERLY MOST CORNER OF EXISTING SANITARY SEWER EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 3633, PAGE 452, VOLUSIA COUNTY, FLORIDA, (ALSO KNOWN AS POINT "A"); THENCE DEPARTING SAID RIGHT OF WAY LINE RUN S48°37'40"W, FOR A DISTANCE OF 25.01 TO THE POINT OF BEGINNING ("A"); THENCE CONTINUE S48°37'40"W, FOR A DISTANCE OF 10.79; THENCE RUN S41°41'38"E, FOR A DISTANCE OF 5.00 FEET; THENCE RUN N48°37'40"E, FOR A DISTANCE OF 10.84 FEET; THENCE RUN N41°41'38"W, FOR A DISTANCE OF 5.00 FEET TO SAID POINT OF BEGINNING "A".

PROPOSED SANITARY EASEMENT "B":

COMMENCE FROM AMORMENTIONED POINT "A" AS DESCRIBED ABOVE, ALSO NORTHERLY MOST CORNER OF EXISTING SANITARY SEWER EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 3633, PAGE 452, VOLUSIA COUNTY, FLORIDA, THENCE RUN S38°01'20"E ALONG SAID WESTERLY RIGHT OF WAY, FOR A DISTANCE OF 40.80 FEET TO THE POINT OF BEGINNING "B"; DEPARTING FROM SAID RIGHT OF WAY LINE RUN S48°18'22"W, FOR A DISTANCE OF 33.18 FEET; THENCE RUN N41°41'38"W, FOR A DISTANCE OF 14.02 FEET; THENCE RUN N71°12'30"E, FOR A DISTANCE OF 36.02 FEET TO SAID POINT OF BEGINNING "B"

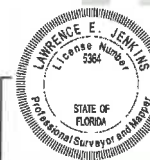
CONTAINING 286.69 SQUARE FEET OR 0.0066 ACRES.

SURVEYOR'S NOTES:

1. THERE MAY BE EASEMENTS AND RESTRICTIONS OF RECORDS AND/OR PRIVATE AGREEMENTS NOT FURNISHED TO THIS SURVEYOR THAT MAY AFFECT PROPERTY RIGHTS AND/OR LAND USE RIGHTS OF THE LANDS SHOWN HEREON
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BSM APPROVED

BY MJ
 DATE 6/10/21



Notary Public for Lawrence E. Jenkins
 State of Florida, Commission Expires 06/30/2024
 Date: 2021.05.01 11:22:45-0700

LAWRENCE E. JENKINS
 PROFESSIONAL
 SURVEYOR AND MAPPER
 FLORIDA REGISTRATION #5364
 TETRA TECH - LB #26



TETRA TECH

www.tetrattech.com

201 EAST PINE STREET, SUITE 1000
 ORLANDO, FL 32801
 PHONE: 407-839-3955 FAX: 407-839-3790

**PROPOSED
 SANITARY SEWER
 EASEMENT**

**UTILITIES COMMISSION
 VOLUSIA COUNTY, FLORIDA**

Project No.: 200-08460-20002

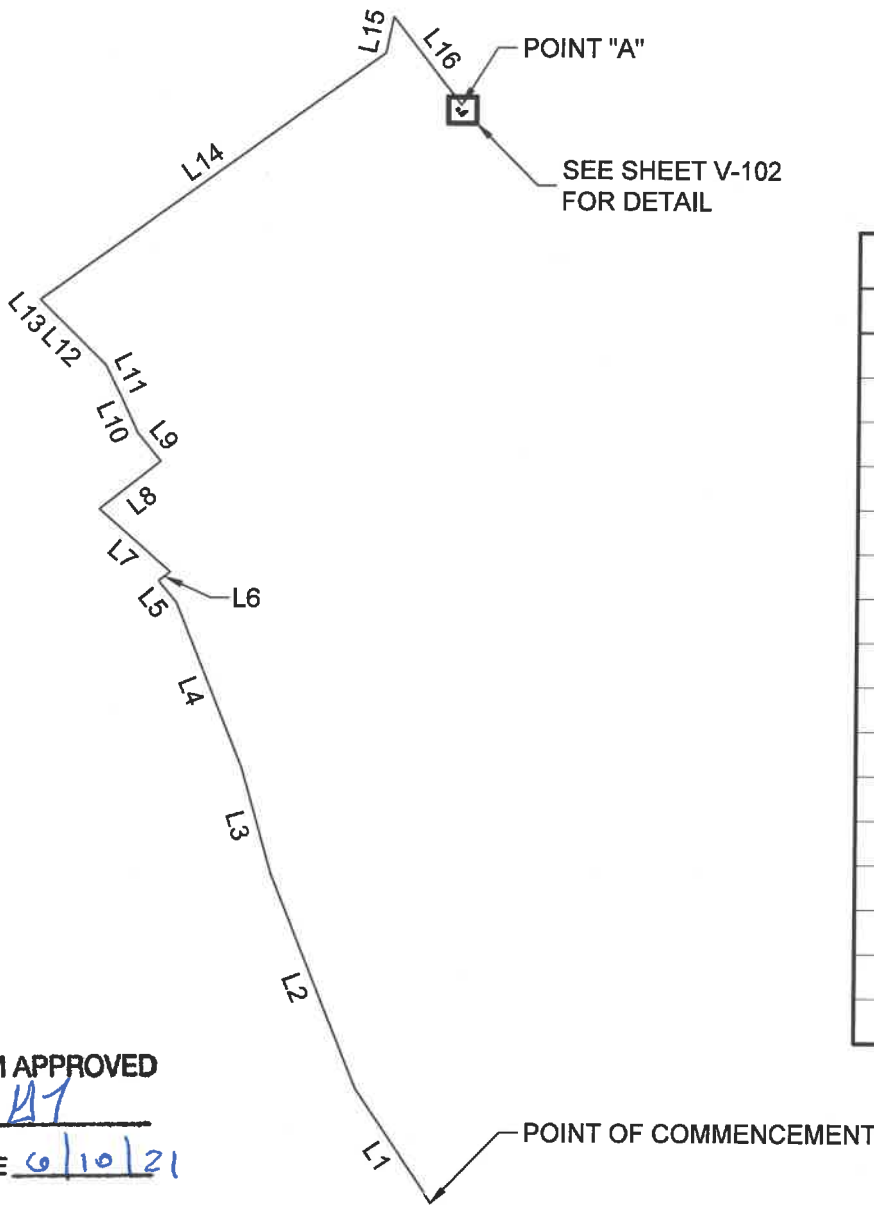
Date: 07-21-2020

Designed By: BLS

Drawing No.

V-100

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LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N33° 41' 21"W	748.00'
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L13	N40° 33' 21"W	22.94'
L14	N54° 14' 00"E	2298.42'
L15	N11° 29' 00"E	202.01'
L16	S38° 01' 20"E	604.12'

BSM APPROVED
 BY AT
 DATE 6/10/21

Friday, September 4, 2020 11:08:52 AM DRAWING: C:\Projects\Orlando\IER\08460\200-08460-19001\CAD\Survey\DWG\EASEMENT\V-XP-EASEMENT-LIFT STATION.DWG



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 ORLANDO, FL 32801
 PHONE: 407-839-3955 FAX: 407-839-3790

**PROPOSED
 SANITARY SEWER
 EASEMENT**

**UTILITIES COMMISSION
 VOLUSIA COUNTY, FLORIDA**

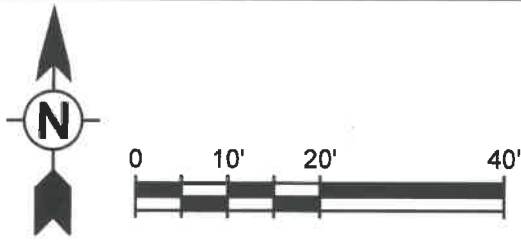
Project No.: 200-08460-20002

Date: 07-21-2020

Designed By: BLS

Drawing No.

V-101



WESTERLY
RIGHT OF WAY

OWNER: STATE OF FLORIDA TIIF
PARCEL I.D.: 740800000020
ORB. 6231, PG. 4339

POINT "A"
NORTHERLY MOST
CORNER OF EXISTING
SANITARY EASEMENT

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S48° 37' 40"W	10.79'
L2	S41° 41' 38"E	5.00'
L3	N48° 37' 40"E	10.84'
L4	N42° 15' 40"W	5.00'
L5	N41° 41' 38"W	14.02'

LEGEND
ORB OFFICIAL RECORDS BOOK
PG PAGE

POINT OF BEGINNING "A"

PROPOSED SANITARY
SEWER EASEMENT "A"
54.08 SQUARE FEET

EXISTING SANITARY
SEWER EASEMENT
ORB. 3633, PG. 452

PROPOSED SANITARY
SEWER EASEMENT "B"
232.61 SQUARE FEET

PROPOSED UTILITY
EASEMENT

EXISTING SANITARY
SEWER EASEMENT
ORB. 3633, PG. 452

POINT OF BEGINNING "B"

WESTERLY
RIGHT OF WAY

**BARRACUDA
BOULEVARD**

QUAY ASSISI

BSM APPROVED
BY M1
DATE 6/10/21

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ORLANDO, FL 32801
PHONE: 407-839-3955 FAX: 407-839-3790

**PROPOSED
SANITARY SEWER
EASEMENT**

**UTILITIES COMMISSION
VOLUSIA COUNTY, FLORIDA**

Project No.: 200-08460-20002

Date: 07-21-2020

Designed By: BLS

Drawing No.

V-102

ARC Questionnaire

1. 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.

The Mosquito Lagoon Marine Enhancement Center (MLMEC) was acquired by the Board of Trustees through a donation from the School Board of Volusia County, in May 2008.

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.

In May 2008, the School Board of Volusia County deeded the 33.86-acre property, then known as the "New Smyrna Beach High School", to the Board of Trustees. The purpose of the donation was for the area to be used for educational, research, and recreational uses. One deed restriction was outline in the agreement which requires the property to be return to the State of Florida if no longer utilized for educational purposes.

3. Description of the current level of public recreational use or public access of the parcel.

The MLMEC as a whole is managed under a low intensity, multiple-use concept that includes providing opportunities for fish- and wildlife-based public outdoor recreation and education. The recreational activities offered on the MLMEC include hiking, fishing, paddle sports, archery, wildlife viewing, exercising and nature play. The educational activities offered on the MLMEC include walking trails and paddle tours, special events, public lectures, school field trips, day camps, workshops, professional development, citizen science and other community programming.

Authorized recreational and educational uses are managed consistent with the purposes for acquiring the MLMEC, including promoting habitat conditions critical to meeting the life history requirements of the gopher tortoise, smalltooth sawfish, Atlantic salt marsh snake, West Indian manatee, and ensuring the conservation and ecological integrity of the area while managing for low intensity, multiple-uses, thus providing fish and wildlife based public outdoor recreational opportunities for Florida's citizens and visitors. The specific parcel in relation to this project is currently a disturbed area, but current future plans for the area include, but not limited to, native landscaping and parking.

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

The natural communities for the MLMEC were mapped using the Florida Cooperative Land Cover Map (CLC). The CLC is a cooperative effort between the FWC and the Florida Natural Areas Inventory (FNAI) to develop ecologically-based statewide land cover from existing sources and expert review of aerial photography. The CLC

describes six natural and anthropogenic community types existing on the MLMEC. The FWC biologists have also documented a variety of native plant species and one invasive exotic plant species, Brazilian pepper (*Schinus terebinthifolia*), as occurring on the MLMEC.

The predominant native landscapes occurring on the proposed parcel of the MLMEC is ruderal/developed.

5. Description and list of the imperiled and other wildlife species, if any, that occur on or use the parcel.

Below is a table indicating observations or potential species to occur on the subject parcel. Additionally, several bird, invertebrates, fish, reptile, mammal, and amphibian species have the potential to occur in the area. However, the proposed project does not foresee having impact any of the area's species' habitat.

Imperiled Species Documented or Possibly Occurring at the MLMEC

Common Name	Scientific Name	Status
Atlantic saltmarsh snake	<i>Nerodia clarkii taeniata</i>	FT
Least tern	<i>Sternula antillarum</i>	ST
Little blue heron	<i>Egretta caerulea</i>	ST
Piping Plover	<i>Charadrius melodus</i>	FT
Reddish egret	<i>Egretta rufescens</i>	ST
Smalltooth sawfish	<i>Pristis pectinate</i>	FE
Tricolored heron	<i>Egretta tricolor</i>	ST
West Indian manatee	<i>Trichechus manatus</i>	FT

Abbreviation	Status
FE	Federal Endangered
FT	Federal Threatened
ST	State Threatened

6. Description and list of historical or archaeological resources, if any, that occur or have the potential of occurring on the site.

The DHR Master Site File indicates that there are no recorded archaeological sites within the boundaries of the MLMEC. Upon acquisition of the property, the DHR determined that no historical sites were located on the property.

7. Formal alternative siting analysis that includes a description and assessment of other potential alternative sites and why they are not feasible or practicable alternatives.

There are no alternatives.

The existing force main attached to the Barracuda Bridge must be eliminated so that the Florida Department of Transportation can replace the bridge.

The lift station is existing and has been for the past 50 years. The lift station is a "can" lift station which are extremely hard to maintain and create a work & safety hazard for all lift station operators in addition to being beyond its useful life. The proposed reconstruction of the lift station will bring it to current industry standards.

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.

The proposed activity does not foresee any impacts on the resources or current uses of the property.

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.

The proposed activity does not foresee any impacts on the conservation land or any surrounding conservation land

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.

The lift station and force main are existing. The proposed work is to reroute the force main and to bring the lift station to current industry standards. The impacts to the parcel are minimum. Further, the UC will work with the Marine Discovery Center to select landscape that lends itself to the current landscape and native to Florida.

It will be the responsibility of the managing agency on whose property a non-conservation or non-public recreation use is proposed to have staff at ARC meetings who will be able to answer questions about the effect of that proposed use on the lands that they manage and about their justification for agreeing to allow it. BPLA staff will continue to present the items, but managing agency staff should be ready to answer any questions related to the resources and recreation on the site and the effects of proposed uses.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

Jay Sircy
Bureau of Public Land Administration, M.S. 130
DEP-Division of State Lands
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

June 11, 2021

RE: DHR Project File No.: 2021-3391, Received by DHR: June 11, 2021
Project: 43758 - Easement - 33434 - New Smyrna Beach
Volusia County

Dear Mr. Sircy:

Our office reviewed the referenced project in accordance with Chapter 267, Florida Statutes, and implementing state regulations, for possible effects on historic properties listed, or eligible for listing, in the National Register of Historic Places (NRHP) or otherwise of historical, architectural or archaeological value.

The proposed easement is within a previously disturbed area that is unlikely to include archaeological resources. The proposed easement is located within the Brando Canal Resource Group (VO10244). However, this resource is not considered eligible for listing in the NRHP. Therefore, it is the opinion of this office that the proposed easement will have no effect to historic properties. If you have any questions, please contact me by email at Jason.Aldridge@dos.myflorida.com or by telephone at 850-245-6344.

Sincerely,

A handwritten signature in blue ink that reads "Jason Aldridge" with "For" written below it.

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

April 23, 2021



Florida Fish and Wildlife Conservation Commission

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Managing fish and wildlife resources for their long-term well-being and the benefit of people.

Fish and Wildlife Research Institute

100 Eighth Avenue SE
St. Petersburg, Florida
33701-5020

Voice: (727) 896-8626
Fax: (727) 823-0166
Hearing/speech-impaired:
(800) 955-8771 (T)
(800) 955-8770 (V)
MyFWC.com/Research

Mr. Brad Richardson
Department of Environmental Protection
Division of State Lands
Bureau of Public Land Administration
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000

Re: Lift station easement to be amended and new force main easement request from the Utilities Commission, City of New Smyrna Beach, to the Florida Fish and Wildlife Conservation Commission (Volusia County Parcel ID # 740800000020)

Dear Mr. Richardson:

The Utilities Commission, City of New Smyrna Beach, has requested a 817.78 square feet upland utility easement and a 286.69 square feet sanitary sewer easement, totaling approximately 1,104.47 square feet, in order to complete lift station reconstruction and to re-route the force main at the Northwest corner of Barracuda & Quay Assisi. This project This work is all in conjunction with the Florida Department of Transportation Barracuda Bridge replacement project. The subject parcel lies within the Mosquito Lagoon Marine Enhancement Center, leased to the Florida Fish and Wildlife Conservation Commission (FWC) from the Board of Trustees of the Internal Improvement Trust Fund (Trustees) under Lease #4568. This land is also subleased to the Marine Discovery Center under Sublease #4568-01.

The FWC has reviewed the easement request and supports it under the following conditions, subject to Florida Department of Environmental Protection, Division of State Lands (DSL), Acquisition and Restoration Council (ARC) and Trustees review and approval pursuant to the State of Florida's Incompatible Use Policy (IUP):

1. The access easement is no larger than 1,105 square feet as outlined on page 3 of this letter.
2. The easement shall only be for the benefit of the Utilities Commission, City of New Smyrna Beach in support of the Barracuda Bridge replacement project.
3. The Utilities Commission, City of New Smyrna Beach shall be responsible for repairing the structures on the easement of any damage at their sole cost. The FWC will not be responsible for improving and/or maintaining the easement area.
4. The Utilities Commission, City of New Smyrna Beach shall obtain any and all permits for construction of planned drainage line and structures.
5. Clearing and/or removal of native vegetation within or along the access easement area shall only include removal of vegetation that is essential to develop the necessary structures outlined in the easement application.

6. The Utilities Commission, City of New Smyrna Beach shall not plant any vegetation along or within the easement area. If revegetation becomes necessary within the easement area, plant species shall be approved in advance by the FWC and shall not include any plants considered invasive by the State of Florida.
7. The FWC receives net positive benefit acceptable to FWC pursuant to the IUP.

Please contact Dylan Haase at (850) 487-9102 or Dylan.Haase@MyFWC.com should there be any questions regarding this matter.

Sincerely,

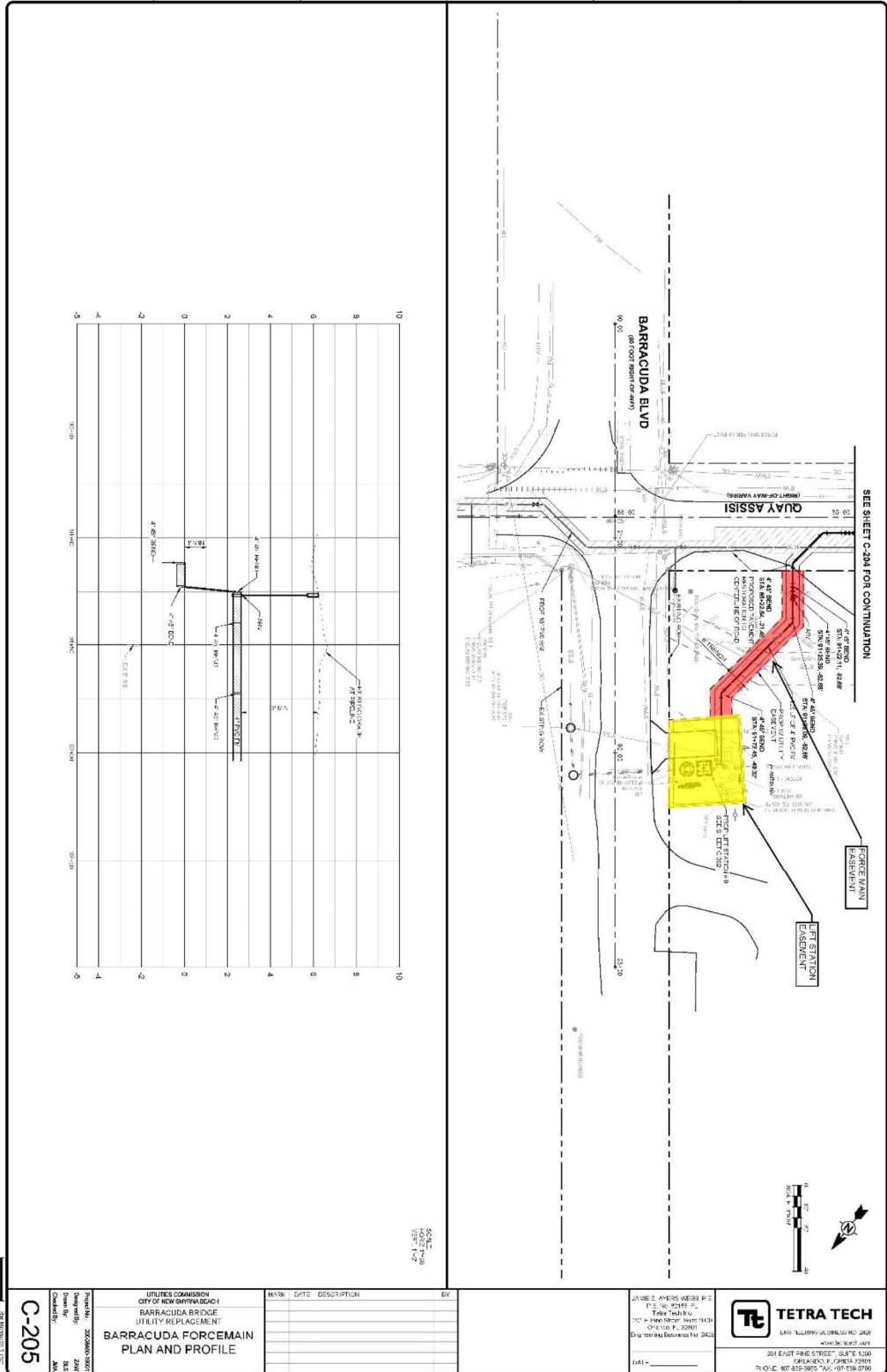


Digitally signed by Gil
DN: cn=Gil, o=FWRI, ou=FWC,
email=Gil.McRae@MyFWC.co
m, c=US
Date: 2021.04.23 15:04:56
-04'00'

Gil McRae, Director
Fish and Wildlife Research Institute

GM/HN/DH

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NO.	DATE	DESCRIPTION	BY

C-205
 UTURES COMMISSION
 CITY OF NEW SMYRNA BEACH
 BARRACUDA BRIDGE
 UTILITY REPLACEMENT
**BARRACUDA FOREMAIN
 PLAN AND PROFILE**

JAMES Z. AYERS, M.E.B. P.E.
 P.E. NO. 25312
 Title: P.E.
 11/20/06
 2011 EAST PARK STREET, SUITE 1300
 NEW SMYRNA BEACH, FL 32909
 TEL: 386.291.1100
 FAX: 386.291.1101
 WWW.TETRA-TECH.COM

TETRA TECH
 LHM 11/20/06 JACOBSON 11/20/06
 2011 EAST PARK STREET, SUITE 1300
 NEW SMYRNA BEACH, FL 32909
 TEL: 386.291.1100
 FAX: 386.291.1101
 WWW.TETRA-TECH.COM

From: [Dana Hale](#)
To: chad@marinediscoverycenter.org
Cc: "[Guy Flick](#)"; "[Haase, Dylan](#)"; "[Norris, Henry](#)"
Subject: RE: utility easement for lift station 9 and new force main (re: barracuda bridge project)
Date: Thursday, April 15, 2021 6:56:00 AM
Attachments: [image001.png](#)

Good Morning Chad – The UC is good with keeping the driveway to the lift station grass and eliminating the concrete. Thanks. d

Dana Hale, P.E.
386-424-3037

From: chad@marinediscoverycenter.org <chad@marinediscoverycenter.org>
Sent: Wednesday, April 14, 2021 3:32 PM
To: Dana Hale <dhale@ucnsb.org>
Cc: 'Guy Flick' <guy@marinediscoverycenter.org>; 'Haase, Dylan' <Dylan.Haase@MyFWC.com>; 'Norris, Henry' <Henry.Norris@MyFWC.com>
Subject: RE: utility easement for lift station 9 and new force main (re: barracuda bridge project)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you, Dana. Question: Do we need a driveway to the lift station? The current lift station is surrounded by grass and is more attractive than a driveway.

Dylan – We're fine with this easement request. How do we proceed?

Chad

Chad Truxall
Executive Director



MARINE DISCOVERY CENTER
520 Barracuda Blvd

New Smyrna Beach, FL 32169

Main Office: 386-428-4828

Mobile: 386-679-3622

MarineDiscoveryCenter.org



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