

ITEM XX:

Consider whether an approximately 0.011-acre utility easement within the St. Joseph Bay State Buffer Preserve is consistent with the Board of Trustees' Incompatible Use Policy.

LOCATION:

Gulf County, Section – 18, Township – 9S, Range – 11W

Parcel ID Number: 06276-014R

APPLICANT:

Gulf County

DSL STAFF REMARKS:

The Applicant has requested a 0.011-acre easement for the installation, operation, and maintenance of an in-line pump and pumphouse, in order to enhance the volume and pressure on the existing water system. The proposed improvement will lessen the possibility of pressure dropping below acceptable levels preventing ground water from entering the system. This project will assist in Applicant's goal of providing adequate water volume and pressure to the T. H. Stone Memorial St. Joseph Peninsula State Park.

The subject parcel lies within the St. Joseph Bay State Buffer Preserve, leased to the State of Florida Department of Environmental Protection, Office of Resilience and Coastal Protection (RCP) from the Board of Trustees of the Internal Improvement Trust Fund (BOT) under Lease Number 4119. The BOT acquired the parcel in 2000 with P-2000 funds to be use for a state buffer preserve.

In a letter, dated August 18, 2022, the Division of Historical Resources (DHR) has requested that ground-disturbing activities should be monitored by someone with Archaeological Resource Management training until the completion of the project. RCP consented to the easement in a letter dated September 1, 2022.

Avoidance:

Other locations were considered however computer water models identified this area as the optimum performance location and other proposed locations do not produce "as good" results and had a depletion of pressure.

Minimizing Impacts:

Within the requested easement area there are currently no public recreational use or public access points. 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.

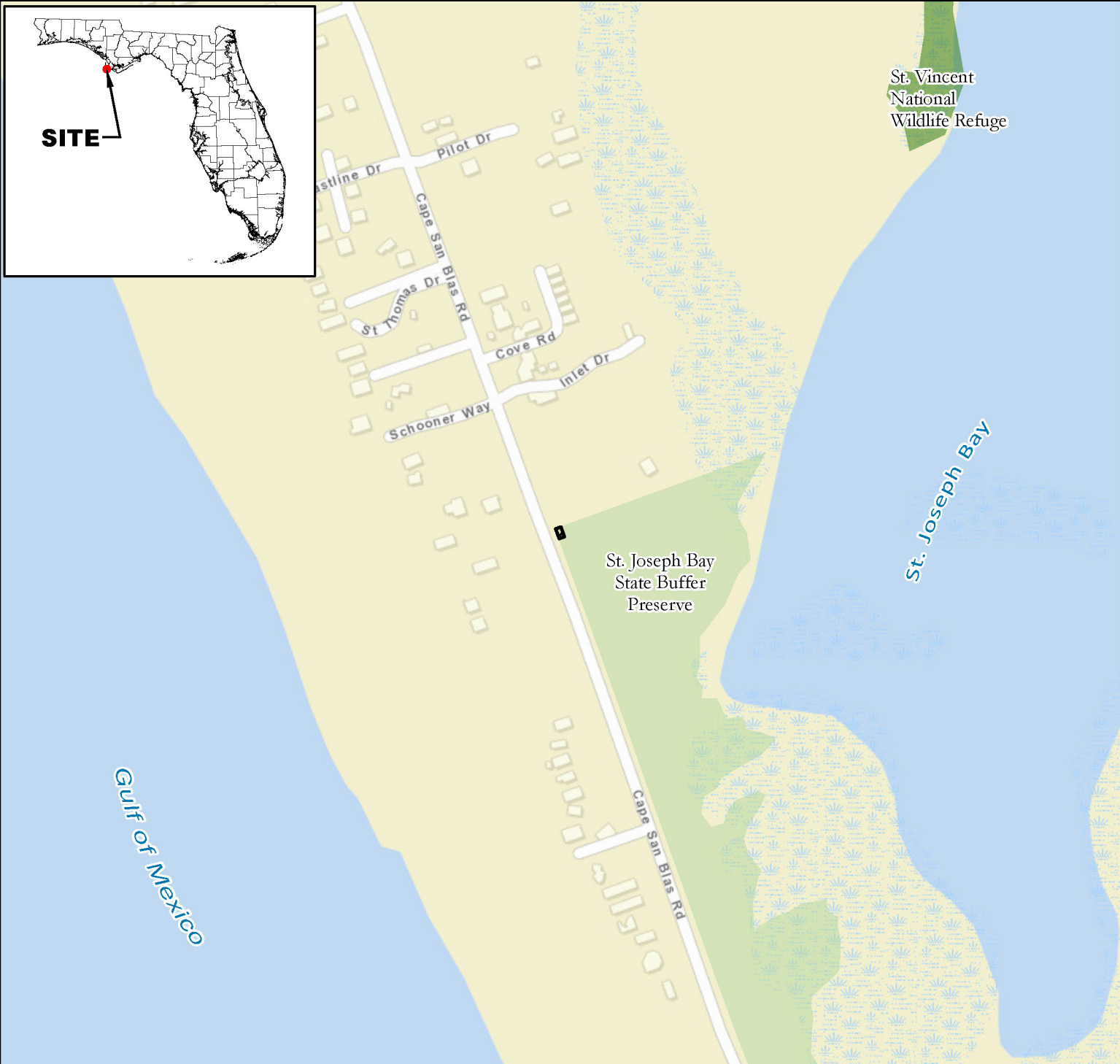
Compensation:

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.

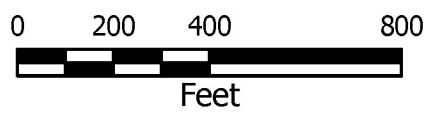
DSL STAFF RECOMMENDATION: APPROVE

ARC RECOMMENDATION:

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



-  Subject Parcel
-  Federal Managed Conservation Lands
-  State Managed Conservation Lands

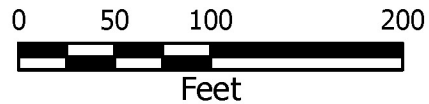


Easement No. 33458

Gulf County, Florida

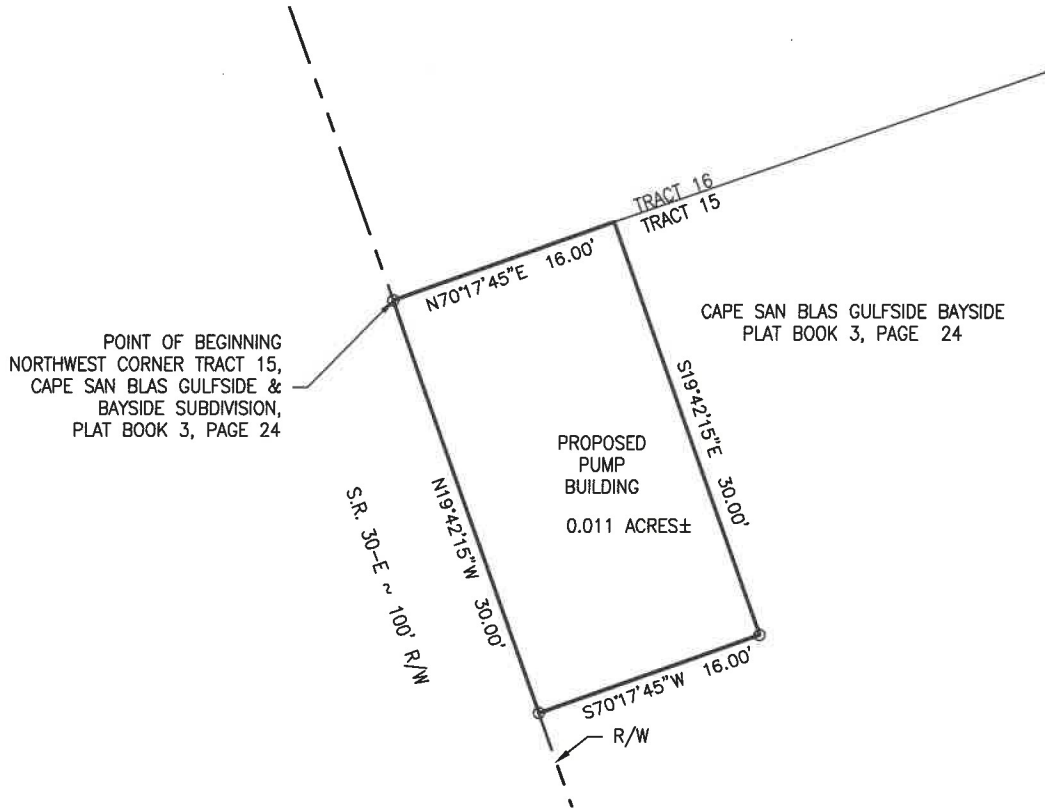


-  Subject Parcel
-  State Managed Conservation Lands



Easement No. 33458

Gulf County, Florida



LEGAL DESCRIPTION PUMP BUILDING

A PARCEL OF LAND BEING A PORTION OF TRACT 15, CAPE SAN BLAS GULFSIDE AND BAYSIDE, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 24 AND BEING IN SECTION 18, TOWNSHIP 9 SOUTH, RANGE 11 WEST, GULF COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A POINT MARKING THE NORTHWEST CORNER OF TRACT 15, CAPE SAN BLAS GULFSIDE AND BAYSIDE (POINT ALSO BEING ON THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD 30-E ~ 100' RIGHT OF WAY) AND PROCEED NORTH 70 DEGREES 17 MINUTES 45 SECONDS EAST, ALONG THE NORTH BOUNDARY LINE OF SAID TRACT 15, FOR A DISTANCE OF 16.00 FEET; THENCE LEAVING SAID NORTH BOUNDARY LINE PROCEED SOUTH 19 DEGREES 42 MINUTES 15 SECONDS EAST, FOR A DISTANCE OF 30.00 FEET; THENCE SOUTH 70 DEGREES 17 MINUTES 45 SECONDS WEST, FOR A DISTANCE OF 16.00 FEET TO THE AFORESAID EASTERLY RIGHT OF WAY LINE; THENCE NORTH 19 DEGREES 42 MINUTES 15 SECONDS WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, FOR A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 480.07 SQUARE FEET OR 0.011 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. BEARINGS SHOWN HEREON ARE REFERENCED TO FLORIDA STATE PLANE COORDINATES, NORTH ZONE, NAD 1983/2011, U.S. SURVEY FEET.
2. THIS SKETCH, MAP, AND REPORT IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SKETCH MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
3. SOURCE OF INFORMATION: PREVIOUS SURVEY BY DEWBERRY ENGINEERS, INC.
4. THE SURVEY DEPICTED HEREON WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR PROFESSIONAL SURVEYORS AND MAPPERS AS DEFINED IN CHAPTER 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.



BSM APPROVED

BY MJ
DATE 9/14/2022

David Bartlett
2022.09.13
06:20:39
-05'00'

DAVID JON BARTLETT, P.S.M. DATE SIGNED
PROFESSIONAL SURVEYOR & MAPPER No. LS4018

Dewberry
DEWBERRY ENGINEERS INC.
203 ABERDEEN PARKWAY
PANAMA CITY, FLORIDA 32405
PHONE: 850.522.0644 FAX: 850.522.1011
WWW.DEWBERRY.COM
CERTIFICATE OF AUTHORIZATION NO. LB 8011

SKETCH OF DESCRIPTION		DRAWING DATE:	PROJECT NO.
PUMP BUILDING DESCRIPTION		09/13/2022	50108684
CAPE SAN BLAS GULFSIDE BAYSIDE		BY:	
SECTION 19, T-9-S, R-11-W		DJB	
GULF COUNTY, FLORIDA		APPROVED BY:	
FB/PG: N.A.	FLD DATE: N.A.	JHG	Page 5 of 12
SCALE: 1"=10'			



FLORIDA DEPARTMENT OF Environmental Protection

St. Joseph Bay State Buffer Preserve
3915 State Road 30A
Port St Joe, FL 32456

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

September 1, 2022


To whom it may concern,

This is to inform you that the St. Joseph Bay State Buffer Preserve has received the revision to the proposed easement for the in-line pump house that came from the Gulf County Board of County Commissioners.

I have no objections to this new easement revision.

Sincerely,

Dylan
Shoemaker

 Digitally signed by Dylan
Shoemaker
Date: 2022.09.01 14:25:46 -04'00'

Dylan Shoemaker
Preserve Manager
St. Joseph Bay State Buffer Preserve



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

Department of Environmental Protection
Bureau of Public Lands Administration
3800 Commonwealth Blvd.
Tallahassee, FL 32399

August 18, 2022

Re: DHR Project File No.: 2022-5645
Project: Easement #33458 - Cape San Blas Pump Building

To Whom It May Concern:

Our office reviewed the referenced projects 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, or otherwise of historical, architectural or archaeological value.

Based on the information provided, it is the opinion of this agency that ground-disturbing activities for the above project should be monitored by someone who has completed our Archaeological Resource Management (ARM) training program. Once the project is complete, the monitor should submit the appropriate monitoring forms to this agency. 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, *Florida Statutes*.

If you have any questions, please contact Jennifer Tobias, Historic Sites Specialist, by email at Jennifer.Tobias@dos.myflorida.com.

Sincerely,

Handwritten signature of Kelly L. Chase in blue ink, with the word "For" written below it.

Alissa S. Lotane
Director, Division of Historical Resources and State Historic Preservation Officer

ARC Questionnaire

Update: August 24, 2022

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.
 - Troy Deal Tract was acquired in the year 1999. These parcels added 234.90 acres to boundary of the Buffer Preserve. Under lease number 4119, Amendment 1 and was added in the year 2000.
 - These parcels were purchased with the Preservation-2000 program funds.
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.
 - 62-815.001, Preservation-2000 program, Purpose:
 - This rule chapter is promulgated to set forth the procedures that shall be followed in the Preservation 2000 Program of the Florida Communities Trust. This rule chapter recognizes the legislative intent expressed in Section 259.101, The Preservation 2000 Act, and Chapter 380, Part III, The Florida Communities Trust Act, F.S. Specifically, the purpose of the Preservation 2000 Program described in this rule chapter is to assist local governments to implement the conservation, recreation and open space, and coastal management elements of the local comprehensive plans through a program of grant awards to local governments for land acquisition for the purposes of natural resource conservation and outdoor recreation.
 - More details at this website: 62-815.001 : Purpose - Florida Administrative Rules, Law, Code, Register - FAC, FAR, eRulemaking (flrules.org)
 - Restrictions or conditions of use that apply to the parcel: None.
3. Description of the current level of public recreational use or public access of the parcel.
 - Within this specific parcel area for the pump house, there are currently no public recreational use or public access points.
4. Description of the natural resources, land cover, vegetation, habitat, or natural community, if any, that are currently present on the parcel.
 - Deal Tract 13A, Resource Management Zone Description: (biological community types, plant species dominants, approx. % woody vs. herbaceous growth, avg. understory fuel height):
 - Consists of scrub 52%, mesic flatwoods 38%, and saltmarsh 10%. Fuel loading is high. The height of the undergrowth is between 3-8 feet. This undergrowth would be the main carrier of fire and would be classified under a Fuel Model 7 and Fuel Model 3 in the salt marsh. This zone varies in the amount of soil moisture throughout the zone and year.
 - This unit has both very wet and dry sections. A large open saw grass salt marsh along the eastern part of this zone is the transition from uplands to open water and

sand flats of St. Joseph Bay. This part of the zone remains saturated to completely inundated throughout the year. Much drier mesic flatwoods and scrub make up the remaining area of the zone. The groundcover varies greatly throughout, areas of open sand and patchy groundcover is present within the scrub with continuous dense fuels in the flatwoods sites. Scrub areas consist mostly of sand live oak (*Quercus geminata*), Chapman's oak (*Quercus chapmanii*), myrtle oak (*Quercus myrtifolia*), false rosemary (*Conradina canescens*), Florida rosemary (*Ceratiola ericoides*), Saw palmetto (*Serenoa repens*), and scattered herbaceous species throughout. Canopy is sparse with some sand pine (*Pinus clausa*) and slash pine (*Pinus elliottii*). Mesic flatwoods create the transition between the scrub and saltmarsh. Ground cover contains occurrences of Bluestem (*Andropogon* spp.), Wiregrass (*Aristida* spp.), and Sedges (*Rhynchospora* spp.). Midstory growth averages about 2-10 feet in the flatwoods community and consists mostly of Saw palmetto (*Serenoa repens*), Gallbarry (*Ilex glabra*), Fetterbush (*Lyonia lucida*), Wax myrtle (*Myrica cerifera*). The large salt marsh has a herbaceous layer of Sedges (*Rhynchospora* spp.), black needle rush (*Juncus roemerianus*), and Saw grass (*Cladium jamaicense*), and an open canopy.

5. Description and list of the imperiled and other wildlife species, if any, that occur on or use the parcel.
 - Within this specific parcel area for the pump house, no imperiled species have been found.
 - Other wildlife species that are around and/or use this area range from various plants and animals.
6. Description and list of historical or archaeological resources, if any, that occur or have the potential of occurring on the site.
 - Within this specific parcel area for the pump house, there are no cultural sites.
 - There is one cultural site that has the potential of occurring on this site because it is very close to this specific area. This site is in the Master Site Files.
 - This site is called GU229, Wildfire Site. This is a shell midden (Large Gastropod) and is from the Fort Walton (A.D. 1350); Lamar (Indeterminate historic Indian, ca. A.D. 1700).
 - This site was reviewed by Bureau of Archaeological Research | Division of Historical Resources | Florida Department of State.
 - On August 18, 2022: DHR responded with the following letter titled: DHR Project File No.: 2022-5645; Project: Easement #33458 - Cape San Blas Pump Building.
 - This letter states that an Archaeological Resource Management (ARM) shall monitor all ground-disturbing activities until the project is complete. Upon project completion, the ARM monitor shall submit appropriate forms to DHR.
 - The St. Joseph Bay State Buffer Preserve has four ARM monitors on staff and one of them will be assigned to this project area.

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.

8-1-2022 from Don Butler:

The first part of my narrative somewhat sets the table explaining why Gulf County chose this alternative (plan) to solve the pressure problem versus the other two considered alternatives, (plans). Please do not confuse my reference to alternative plans to alternative sites.

- Gulf County studied three (3) alternatives (plans) to determine the plan of action to help with the low water pressure issue north of the Stump Hole area and south of the LUCI 3 facility (Reservoir located at 7182 Cape San Blas Road). The first alternative (plan) was to do nothing which was unacceptable given what we knew and what we knew was projected in growth for the area. The low water pressure did not allow us to fill the reservoir which was needed to be pressurized by the hydro pneumatic tank that in turn sent water to the northern end of the developed extremities of the developed area including the T. H. Stone State Park.
- The second alternative (plan) was to sister up a larger main next to the existing main between the wells and the LUCI 3 (7182 CSB Road) reservoir which would have eliminated the excessive friction loss but was totally unaffordable for the short and long term.
- To the alternative (plan) we have designed and going through permitting:
- The WaterGem hydraulic modeling software was used to determine the optimum location of the in-line booster pump. Locations in close proximity to the wells, which are located on the mainland as well as locations farther north but still south of the Stump Hole were plugged into the model to determine performance. Two, locations north of the chosen site were considered but the modeling software indicated a depletion of pressure in the area before the in-line pump. The WaterGem model software indicated that the in-line pump would need to be located within a three-quarter mile area and all of that area is under control of the Buffer Preserve. The actual site chosen is located at the northern end of the parcel of land that it is located on, immediately adjacent to an existing improved property and across Cape San Blas Road from other developed properties and not out in the middle of a parcel. The building site is actually located 10 feet from the adjacent private property.

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.

- Natural: The specific parcel area for the pump house is located in a X flood zone and at the top of a sand dune. The habitat is mostly Florida scrub and Gallberry as midstory. The impact will be the removal of this vegetation and altering of the sand dune for the pumphouse placement. This has all been evaluated and approved by Preserve Management and senior management.

- Historical: Within this specific parcel area for the pump house, there will be no impacts.
 - Archaeological: Within this specific parcel area for the pump house, there will be no impacts.
 - Recreational resources: Within this specific parcel area for the pump house, there will be no impacts.
 - Current public use: Within this specific parcel area for the pump house, there will be no impacts.
 - Purpose for the site: Within this specific parcel area for the pump house, there will be no impacts.
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.
- Within this area for the Troy Deal Tract, there is one minimum potential impact.
 - In July 2022 a presence / absence survey at the Troy Deal Tract near the public parking area was conducted. The results showed that there was presence of the St. Andrew Beach Mouse, *Peromyscus polionotus peninsularis*, within this location area. The pumphouse location is located 0.68miles from the public parking area.
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.

8-1-2022 from Don Butler:

By allowing this pumphouse (approximately 12 x 18) to be located on an easement located on Buffer Preserve property will assist in Gulf County's goal of providing adequate water volume and pressure to the T. H. Stone State Park, hopefully in time for the planned expansion completion of the RV section of the park. The water system at time of purchase by the county was experiencing persistent low water pressure and not only can the area(s) north of the in-line pump expect ample pressure and volume, regulation of the pressure upstream and downstream through Smart-Valve technology will enhance pressures and volumes for public recreation as well as those private concerns. The Rish State Park is located in the area of persistent low pressure and volume and will experience a positive outcome.

As of August 5, 2022: Side note: The planned expansion of the RV section within T. H. Stone State Park will now be smaller than previously figured for the foreseeable future.

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.