

**ITEM 2:**

Consider the April 14, 2023, regional hearing and meeting summary.

**DSL STAFF REMARKS:**

None

**DSL STAFF RECOMMENDATION:**

Approve the regional hearing and meeting summary.

**ARC RECOMMENDATION:**

**APPROVE**

**APPROVE WITH MODIFICATIONS:** \_\_\_\_\_

**DEFER**

**WITHDRAW**

**NOT APPROVE**

**OTHER:** \_\_\_\_\_

# Acquisition and Restoration Council Regional Public Hearing and Meeting Summary

**Date:** April 14, 2023

**Time:** 9 a.m.

**Location:** Department of Environmental Protection  
Marjory Stoneman Douglas Building  
Conference Room 137  
3900 Commonwealth Blvd  
Tallahassee, FL 32399

And via webinar

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## Members in Attendance:

Ms. Alissa Lotane, DHR  
Mr. Rick Dolan, FFS  
Ms. Lynetta Griner, Citizen Member  
Dr. Thomas Eason, FWC  
Dr. Bill Palmer, Citizen Member  
Ms. Elva Peppers, Citizen Member  
Ms. Mara Gambineri, ARC Chair, DEP

ARC Staff Director: Ms. Shauna Allen, DEP

## REGIONAL PUBLIC HEARING

Ms. Allen opened the hearing at 9:00 a.m. with an orientation for the meeting participants. Chair Gambineri welcomed those in attendance. Ms. Griner introduced Mr. Rick Dolan newly appointed Director of the Florida Forest Service. Chair Gambineri also introduced new Office of Environmental Services staff members, George Frisby and Matthew Norton. Ms. Allen provided a brief overview of the council's role in the selection process for Florida Forever proposals and the purpose of the regional hearing. Chair Gambineri called for presentations from the applicants.

Mr. Peter Kleinhenz, Tall Timbers Research Station and Land Conservancy (TT), presented the Avalon Phase II proposal in Jefferson County. The 1,384-acre less-than-fee proposal contributes to the existing and proposed conservation landscape with intact longleaf pine/wiregrass savannas, seven sites in the Florida Master Site File and 5.3 miles of scenic viewshed along public roads. Uplands are managed with frequent prescribed fire maintaining native groundcover and habitat for gopher tortoises. Bottomlands contain seepages and wetlands that provide habitat for known listed species and likely more to discover. The proposal provides benefits including

recharge and water quality protection, habitat for listed species and buffering conservation lands from encroaching development.

Mr. Tim Telfer, Volusia County, presented the Carter-Quail Ranch proposal in Volusia County. The property is 1,339 acres in size and east of the 8,000-acre Deep Creek Preserve, part of 20,000 acres managed by the county in the area. The property is proposed for full fee acquisition with the county as the designated manager. The site contains a couple of borrow pits that are anticipated to provide recreational opportunities for visitors. The property is important for conveyance as water moves to the south. The county's land acquisition program was recently renewed in 2020 and sets aside 15% for land management each year. The county has the experience, capability and personnel to be great stewards for the property. The county also has the financial resources to be an acquisition partner with the state.

Mr. Jeremiah Thompson, Saunders Ralston Dantzler Real Estate, presented the Creek Ranch proposal in Polk County. The 1,298-acre property has frontage on Deer Lake and Lake Hatchineha. The property is managed as a working cattle ranch and horse farm with infrastructure and mixture of pasture and woods providing habitat for abundant wildlife and listed species. The property is proposed for fee acquisition with the Florida Fish and Wildlife Conservation Commission (FWC) as the designated manager. Approximately 1,200 acres to the north has gone on the market with a potential for over 2,000 single family residential units. Development pressure is high in the immediate vicinity. This proposal will protect significant landscapes and provide outdoor public recreational opportunities.

Mr. Shane Wellendorf, TT, presented the Floyd's Mound proposal in Madison County. The 40-acre property was initially presented as a less-than-fee proposal. The tract is adjacent to existing conservation easement lands and includes a Native American platform mound recorded in the master site file. Community interest in learning about the history of sites like this is high. The property also protects undisturbed wetlands and species habitat.

Ms. Julie Morris presented the Quail Creek Ranch proposal in Hardee County. The 2,700-acre property contains the headwaters of Owen Creek and Osborne Branch serving as a linkage between the Myakka and Peace river watersheds. It is situated in a gap between conservation lands and builds on the recent acquisition of Horse Creek Ranch, expanding a corridor of conservation lands in this area. The property is one of the last large properties without mining with the potential to link the wildlife corridor in the area.

Ms. Morris also presented the Williamson Cattle Company proposal in Okeechobee County. The 11,000-acre property is a cow/calf operation that includes existing wetland reserve easements. The proposal will bring the remaining 7,419 acres into conservation. The property contributes to regional wildlife habitat, water resources and connectivity. It contains habitat for imperiled species and contains a diversity of habitats for wide ranging species. The property influences water quality and quantity in the Lake Okeechobee basin and has significant surface waters. It is also Priority 2 in the Florida Ecological Greenways Network and is significant for prairie dependent species.

Ms. Lotane commented that the Department of State is prepared to be the manager of Floyd's Mound with the support of agency partners. Dr. Eason acknowledged the presentations.

Ms. Allen shared comments received from Kent Wimmer, The Defenders of Wildlife, in support of adding all six proposals and from Kent Wimmer, Northwest Florida Sentinel Landscape, in support of the Avalon Phase II proposal. There were no further comments.

Chair Gambineri adjourned the hearing and called a recess to be followed by the council meeting.

## COUNCIL MEETING

**Item 1:** Call to order at 9:44 a.m.

Chair Gambineri called the meeting to order and asked Ms. Peppers to lead the pledge of allegiance. Ms. Allen conducted the roll call and established the quorum with seven members in attendance. Chair Gambineri recognized Mayor Nancy Sikes Kline, City of St. Augustine, in attendance. Ms. Allen noted an amendment to Item 5 to change Floyd's Mound to fee simple acquisition with the Division of Historical Resources as manager. Ms. Allen also reminded attendees of the meeting and public testimony instructions.

**Item 2:** Consider the February 10 meeting and March 13 and 14 regional hearing summaries.

**DSL Staff Recommendation:** Approve the meeting summaries.

**Discussion:** None.

**ARC Action:** The meeting summaries were presented for consensus. There being no objections, the meeting summaries were approved by unanimous consent.

## ARC STAFF REPORTS

**Item 3:** Items approved by the Division of State Lands via the online negative response process since the February 2023 ARC meeting.

**DSL Staff Remarks:** Ms. Allen stated two management plan amendments for Point Washington State Forest and Big Bend Wildlife Management Area; and two incompatible use requests for easements across the Tallahassee-Saint Marks Historic Railroad State Trail and Nature Coast State Trail were approved.

**Discussion:** None.

**ARC Action:** No action required.

**Item 4:** Consider a revision to the Interim Management Guidelines.

**DSL Staff Remarks:** Ms. Deborah Burr, Office of Environmental Services, stated the item was

presented in October 2022 and was deferred for staff to clarify the proposed language. Agency staff discussed the proposed change that will provide a streamlined approval process for state lands used for gopher tortoise recipient sites via the negative response process. The negative response process allows for the council and public to review minor management plan amendments as an alternative to presenting at a council meeting.

**Discussion:** Dr. Eason expressed appreciation for bringing the discussion forward and emphasized it streamlines the process and helps bring these activities into compliance with statutes. Ms. Peppers said she represents private citizens with gopher tortoise relocations and the management of these sites is critical. She also expressed concern about the state being in competition with private sites. Mr. Dolan asked staff to work more closely with the land managers on the interim management guidelines. Dr. Eason commented on the management of recipient sites and state lands as another option but not intended to compete with private lands. There were no further comments.

**ARC Action:** Dr. Eason made the motion to approve the proposed revision with Dr. Palmer seconding. ARC approved the item unanimously.

## FLORIDA FOREVER

**Item 5:** Consider project evaluation reports for the Avalon Phase II, Carter Quail Ranch, Creek Ranch, Floyd's Mound, Quail Creek Ranch, and Williamson Cattle Company 2023 Cycle 1 Florida Forever proposals.

**DSL Staff Recommendation:** Approve the project evaluation reports with the amendment for Floyd's Mound.

**Discussion:** None.

**ARC Action:** Ms. Lotane made the motion to approve the project evaluation reports with Ms. Griner seconding. ARC approved the item unanimously.

**Item 6:** Vote on whether to add six 2023 Cycle 1 Florida Forever proposals to the 2024 Florida Forever Priority List.

**DSL Staff Recommendation:** Vote on the proposals to be added as projects to the 2024 Florida Forever priority list.

Consider, if approved by a roll call vote as a Florida Forever project, adding the Avalon Phase II less-than-fee project to the Avalon Florida Forever project boundary by a second roll call vote of ARC.

Consider, if approved by a roll call vote as a Florida Forever project, adding the Carter Quail Ranch fee project to the Volusia Conservation Corridor Florida Forever project boundary by a second roll call vote of ARC.

Consider, if approved by a roll call vote as a Florida Forever project, adding the Creek Ranch fee project to Lake Hatchineha Watershed Florida Forever project boundary by a second roll call vote of ARC.

Consider, if approved by a roll call vote as a Florida Forever project adding the Quail Creek Ranch less-than-fee project to the Myakka Ranchlands Florida Forever Project by a second roll call vote of ARC.

**Discussion:** None.

**ARC Action:** ARC voted by six members to add Avalon Phase II and Floyd's Mound proposals to the priority list with Dr. Palmer recusing himself from the vote. ARC voted by seven members to add Carter Quail Ranch, Creek Ranch, Quail Creek Ranch, and Williamson Cattle Company proposals to the priority list.

Dr. Palmer made the motion to approve the staff recommendation to add approved projects to existing project boundaries with Ms. Peppers seconding.

ARC voted unanimously by seven votes to amend the Avalon Florida Forever project boundary to add the Avalon Phase II project.

ARC voted unanimously by seven votes to amend the Volusia Conservation Corridor Florida Forever project boundary to add the Carter Quail Ranch project.

ARC voted unanimously by seven votes to amend the Lake Hatchineha Watershed Florida Forever project boundary to add the Creek Ranch project.

ARC voted unanimously by seven votes to amend the Myakka Ranchlands Florida Forever project boundary to add the Quail Creek Ranch project.

## MANAGEMENT PLANS

**Item 7:** Consider a 10-year update to the Watson Island State Forest Management Plan (Lease No. 3556).

**DSL Staff Recommendation:** Approve the management plan.

**Discussion:** Mr. Jeff Darr, Florida Forest Service (FF), presented the management plan for the 506-acre property located in St. Johns County. The Watson Island Tract, acquired in 1976, is bound by the St. Johns River and swamps to the east and accessible only by boat. The Warner Tract was acquired in 2005 and is managed using sustainable forest management principles. Public access and recreational opportunities include hiking, fishing, nature study and kayaking. There is no hunting on the property. Plans include additional hiking trails, signage, a new parking lot, development of a wildlife management strategy in cooperation with FWC and maintaining existing roads and firelines. There were no further comments.

**ARC Action:** Ms. Griner made the motion to approve the management plan update with Ms. Peppers seconding. ARC approved the item unanimously.

**Item 8:** Consider a 10-year update to the Juno Dunes Natural Area Management Plan (Lease No. 4161).

**DSL Staff Recommendation:** Approve the management plan.

**Discussion:** Ms. Allison Spall, Palm Beach County, presented the management plan for the 569-acre property located in the Town of Juno Beach in Palm Beach County. Acquisition began with the county's first acquisition 1992 and several subsequent purchases including funds provided by Florida Communities Trust and CARL Preservation 2000 matching funds. The latest acquisition by the county was in 2020. The primary purpose was to enhance and manage the ecological resources of the site while providing recreational opportunities consistent with the protection of the resources. The site contains a diversity of natural communities with scrub as the dominant type and provides habitat for 18 imperiled animal and 26 imperil plant species including the largest population of four-petal pawpaw in existence. Public use includes hiking and accessible nature trails, boardwalks, bike racks, information kiosks, boat dock and observation towers. There were no further comments.

**ARC Action:** Dr. Eason made the motion to approve the management plan update with Ms. Griner seconding. ARC approved the item unanimously.

## LAND ADMINISTRATION

**Item 9:** Determine that an approximately 5.4-acre parcel of state-owned conservation land within Anastasia State Park is no longer needed for state conservation purposes.

**DSL Staff Recommendation:** Approve the item.

**Discussion:** Ms. Karen Reecy, Bureau of Public Land Administration (BPLA), presented the proposal to surplus the 5.4-acre parcel that is not contiguous to the park in St. Johns County. The parcel did not lend itself to resource, recreational or operation value to the park and was recommended for surplus in the 2016 management plan. The parcel was noticed to all state agencies and no responses were received. The department received a proposal from the City of St. Augustine to lease the parcel to relocate an obsolete fire station currently located at the main entrance of the park and to accommodate the Florida Department of Transportation (DOT) proposed traffic improvement project near the entrance of the park.

Chair Gambineri stated Mayor Nancy Sikes Kline and Fire Chief Carlos Aviles from the City of St. Augustine were present to speak as part of the presentation to the council. Ms. Griner asked to clarify that the council was being asked to declare the parcel as surplus and not what would happen after it becomes surplus, and what is the process once it becomes surplus. Chair Gambineri confirmed the decision was whether to surplus and if so, the property would go through the lease process with BPLA.

Mayor Kline noted the other city staff in attendance (City Manager John Regan, Public Works Director Reuben Franklin and Assistant City Manager David Birchim) and stated the project is a very high priority for the city. Mayor Kline indicated the city has been involved since the notice first went out that the parcel would be declared surplus. The city is committed to the highest level of preservation and conservation of the land along with the proposed use as a fire station. Chief Aviles noted the history of the project and need to move the existing obsolete station that was built in the 1950's. DOT plans for a roundabout to improve traffic circulation and safety at the dangerous intersection which necessitates relocation of the fire station. The search for other sites resulted in identification of the subject site that was central to the response area, provides a more resilient public safety facility on the island, and expanded line of site for ingress and egress of vehicles. The department is committed to minimizing impacts to resources on the site.

Ms. Jane West, 1000 Friends of Florida, spoke in opposition to the proposal to surplus the parcel for the very popular park on Anastasia Island. The stretch of maritime hammock serves as a flood mitigation buffer for the older homes in the community behind it. The parcel, while not contiguous, is known locally as the bird sanctuary and serves as an extension of the rookery at the nearby Alligator Farm. Ms. West asked for deferral to consider the ecological and flood mitigation and hurricane wind shear value to the neighborhood.

Ms. Allen shared written comments from Ms. Kristin Thomas (virtual attendee). Ms. Thomas noted opposition to the proposal for the fire station citing the high-quality maritime hammock which is afforded special protection under the St. Johns County Comprehensive Plan. Ms. Thomas also commented the parcel serves as a visual and noise buffer for the residents living west of the amphitheater and provides habitat for over 55 species.

Ms. Jerri Bates, resident, spoke in opposition to the fire station citing the buffer for hurricane protection and noise pollution. She noted the location across from the amphitheater does not seem safer with the traffic situation there.

Ms. Laurin Thomas, resident, spoke in opposition to the surplus of the non-contiguous parcel that has high conservation importance with over 36-native maritime hammock species, and two historic dunes serving as an important buffer. Ms. Thomas has concerns for the fire station and suggested putting a traffic light at the amphitheater and a roundabout at the dangerous curve and reorienting the fire station on its current site.

Ms. Jill Roark, resident, spoke in opposition to the surplus of the parcel and that it is still needed for conservation purposes. The maritime hammock and scrub still have conservation value to continue to provide habitat, provide ecosystem balance, provide a large area for natural floodplain drainage and wind buffer. Ms. Roark stated the proposed fire station would increase traffic congestion in the area with the current schedule for the amphitheater and the volume of calls coming from the park. Ms. Roark asked the group to vote no because the land is still needed for conservation purposes and the proposal will not alleviate the problems.

Ms. Janet Thomas, resident, spoke in opposition to the surplus of the parcel and the impact the



proposal will have on the wind and noise for the residents. Ms. Thomas thanked the fire fighters and first responders for responding when they call. She understands the need to renovate the current fire station.

M. Holly Doucette, resident, spoke in opposition to the surplus of the parcel as indicated in the management plan. The plot was shown as a maritime hammock which had been fragmented by roads and park development. She noted as a resident in the neighborhood, she would be affected by noise from the amphitheater and fire department should the parcel be developed. Ms. Allen stated that a letter from Ms. Doucette was provided individually to each Council member.

Mr. Phillip Spoerle, resident and supervisor at the St. Augustine Amphitheater, spoke in opposition to the surplus of the parcel and the impact to the natural resources on the parcel. Mr. Spoerle noted the congestion and safety issues with concerts and impacts to the maritime hammock. Mr. Spoerle noted there are other city and privately owned lands that do not have the same issues as the location across from the amphitheater.

Chair Gambineri asked Mr. Daniel Alsentzer, Division of Recreation and Parks, to speak on the unit management plan and the surplus designation for the parcel. Mr. Alsentzer stated the management plan process involves a thorough survey of all park lands and evaluation of the natural and cultural resources within the park for which it was acquired. That was done in 2015-2016 and the plan was approved in June 2016 with the identification of the 5.4-acre tract as surplus to the management and conservation needs for the state park. It was done on the basis of the criteria to determine if a parcel is surplus from an operational standpoint, disjunct across a heavily trafficked roadway, within the urban interface, unauthorized activity and safe viable access for public recreation and interpretation.

Dr. Eason commented his respect for the firefighters and said he wanted more time to weigh the dynamics and consider the resource values and other perspectives he has learned. Surplus of five acres of an underrepresented community is a significant decision. Dr. Palmer agreed with Dr. Eason and his concern about the determination that the property does not have conservation value and would like more time to consider.

Ms. Lotane asked when the decision was made to surplus the lands and was there any public comment process done between then and now besides what was done with the City. Chair Gambineri stated the 2016 UMP went through the traditional public comment and ARC review.

Mr. Franklin noted public outreach was done in 2021 with a thorough vetting of properties in the area. The City Commission authorized the staff to reach out to DEP in May 2021 and there was an article in the local paper describing the intent of this proposal. There was also a meeting in the previous week with the neighborhood to discuss the proposal and a flyer to inform people of what was being proposed. The city has engaged with DOT for many years regarding the intersection improvements including a traffic light and the roundabout was the most feasible solution. Alternatives considered for the sustainable design include a buffer to minimize impacts to the neighborhood. Ms. Peppers asked how much area the site plan would take up on the

parcel. Mr. Franklin stated it is a quarter to half of the site with a buffer on the north and along the back. He also stated DOT needs some of the property from the current fire station for the roundabout, but the remainder would be put into conservation.

Mr. Dolan expressed concern about reducing conservation lands with no net positive benefit to the state. Dr. Eason commented he understood the need and trying to weigh whether the parcel needs to be surplused or not. His main concern is the criterion given could be applied to other parcels where there is a public need. He noted if they are voting on the motion today his vote would be no because he is not ready to agree the parcel is surplus.

Chair Gambineri asked if he would offer a motion to defer to which Dr. Eason agreed. There were no further comments.

**ARC Action:** Ms. Griner made the motion to approve the change in designation with Ms. Lotane seconding. After public comment and further discussion, Dr. Eason offered an amendment to defer the vote with Mr. Dolan seconding. ARC approved the motion to defer unanimously.

**Item 10:** Determine whether an approximately 0.49-acre private electric utility easement to Solar FL 2018, LLC within the Marjorie Harris Carr Cross Florida Greenways State Recreation and Conservation Area is consistent with the Board of Trustees' Linear Facilities Policy.

**DSL Staff Recommendation:** Approve the easement.

**Discussion:** Mr. Brad Richardson, BPLA, presented the proposed easement in Polk County. The utility line will connect a proposed solar farm with the existing Duke Energy substation in Dunnellon. The proposed easement eastern segment was reviewed by the council as a negative response item in July 2021. The western segment was realigned due to contractual arrangements with Duke Energy resulting in the proposed request to cross the greenway. The proposed alignment minimizes impacts to the trail and vegetation along the trail. Compensation will include \$32,000 easement fee and replacement lands that fill a longstanding trail gap between Ocala and Dunnellon.

Dr. Eason and Ms. Peppers commented on their appreciation of the offset. There were no further comments.

**ARC Action:** Dr. Eason made the motion to approve the easement with Ms. Peppers seconding. ARC approved the item unanimously.

**Item 11:** Consider whether an approximately 9.3-acre private overhead electrical transmission line easement, ranging from 5-foot to 75-foot wide, within the Marjorie Harris Carr Cross Florida Greenway State Recreation and Conservation Area is consistent with the Board of Trustees' Linear Facilities Policy.

**DSL Staff Recommendation:** Approve the easement.

**Discussion:** Mr. Jay Sircy, BPLA, presented the proposed easement and noted virtual attendance

of Clay Electric representatives Chris Bryan, Duane Searle, Michael Lee and Karl Bullock. The easement is to construct and maintain a 115-kV overhead electrical transmission line from the Ft. McCoy substation to the Salt Springs substation in Marion County. The transmission line will replace an existing line constructed prior to state ownership of the property. Angel pod is located near the east end of the easement area and will be monitored during construction. An easement fee will be paid and replacement lands to offset the impacts will be required.

Dr. Eason urged seeking replacement lands and not just a monetary contribution. There were no further comments.

**ARC Action:** Ms. Lotane made the motion to approve the easement with Ms. Peppers seconding. ARC approved the item unanimously.

**Item 12:** Consider whether an approximately 31.29-acre private overhead electrical transmission line easement, and a 0.03-acre temporary construction easement within the Hilochee Wildlife Management Area and Tenoroc Public Use Area is consistent with the Board of Trustees' Linear Facilities Policy.

**DSL Staff Recommendation:** Approve the easement.

**Discussion:** Mr. Sircy, BPLA, presented the proposed easement and noted attendance of Mike Holdsworth, Lee Walton and Gail Simpson with Duke Energy. The easement is needed to construct, operate and maintain a new 230-kV overhead electrical transmission line from the Osprey substation in Auburndale to the Kathleen substation in Lakeland, Polk County. The temporary construction easement will be for five years. The easement area is incorporated in the existing right-of-way to the maximum extent possible. Gopher tortoises will be relocated prior to construction activities. An easement fee will be paid and replacement lands to offset the impacts will be required.

Dr. Eason is working with his staff to find replacement lands. There were no further comments.

**ARC Action:** Ms. Peppers made the motion to approve the easement with Ms. Griner seconding. ARC approved the item unanimously.

## PRESENTATIONS

**Item 13:** Florida Communities Trust Program Update

**Discussion:** Mr. Bill Bibby, Florida Communities Trust (FCT) Project Planner, provided an overview of the program within the Land and Recreation Grants Section of the Division of State Lands. Originally authorized in 1990 under the P-2000 program it was incorporated into Florida Forever. The program was housed in the Department of Community Affairs and relocated to DEP in 2011. The program was created to establish a non-regulatory agency to assist local governments with bringing comprehensive plans into compliance.

The program administers two grants programs, Parks and Open Space and Stan Mayfield Working Waterfronts. The grants focus on conservation, open space, parks and greenways and working waterfronts. The staff includes three project planners, a program attorney and DSL Real Estate Services. The team assists local governments with securing funding and managing sites. The board includes four public members appointed by the Governor and the DEP Secretary or designee as Chair. The board has the authority to award grants for parks and open space and recommend Stan Mayfield projects to the Board of Trustees for approval.

FCT has awarded over \$871 million to local governments and eligible non-profits, with partners contributing a match of over \$752 million. FCT projects are in all but 10 Florida counties and includes over 96 thousand acres. Current acquisitions include 13 projects over 471 acres and an investment of \$43 million dollars. FCT oversight involves review and approval of the site management plan, dedication to public use and declaration of restrictive covenants and annual stewardship report. FCT helps improve conservation and leverage state dollars to protect significant conservation and recreation lands and provide waterfront access and tourism. There were no further comments.

**ARC Action:** No action required.

### **CLOSING COMMENTS**

**ARC Announcements:** Chair Gambineri announced the Florida Forever 2023 Cycle 2 deadline is April 30, the next FCT meeting will be held on May 24 at 10 a.m. in Tallahassee and the next ARC meeting will be held on June 9, 2023 at 9 a.m. in Tallahassee. Dr. Eason shared comments including his appreciation for a great meeting, FWC officers are responding with search and rescue efforts in Fort Lauderdale and invited everyone to the Landscape Conservation Summit this summer in Fort Myers. There were no further comments.

There being no objections, the meeting was adjourned by unanimous consent at 11:22 a.m.