

ITEM 10:

Consider whether an approximately two-acre parcel of state-owned land, managed by the Florida Department of Agriculture and Consumer Service Florida Forest Service as part of the Blackwater River State Forest, is no longer needed for conservation purposes in exchange for approximately 10 acres of private property.

LOCATION:

Santa Rosa and Okaloosa counties

APPLICANT:

Blackwater River Baptist Church/Carolyn Bermes (Church)

DSL STAFF REMARKS:

The Division of State Lands (DSL) received a land exchange request from the applicant, who owns a 10-acre parcel adjacent to the Blackwater River State Forest (BRSF). The applicant is requesting to exchange the privately-owned parcel for a two-acre, state-owned parcel that is disturbed and occupied by an active church. The state-owned parcel is improved with buildings constructed by the church that preclude recreational use and public access.

A portion of the two-acre parcel proposed for exchange was part of a larger parcel deeded to the Florida Board of Forestry by the United States of America (USA) in 1955, pursuant to the Bankhead-Jones Farm Tenant Act of 1937. The remaining portion of the two-acre parcel was conveyed from a private individual in 1966. The Bankhead-Jones portion contains a restriction that requires the property be used for public purposes and if at any time it ceases to be used for public purposes the property will revert to the USA.

In 1976, the Church entered into a 15-year sublease with the Florida Department of Agriculture and Consumer Services (DACs), for the purpose of construction and maintenance of church buildings and preservation of land and trees. The lease had a 25-year extension that expired in 2016. At that time, the Church applied for a new lease and DSL determined that the proposed lease was not consistent with the terms of DACs' parent lease for BRSF.

The state-owned property is managed by the Florida Forest Service and they are supportive of the exchange. The property will be managed as part of the BRSF under Board of Trustees Lease No. 3686.

Proposed Exchange

Pursuant to section 253.0341(6), Florida Statutes (F.S.), and Chapter 18-2.021, F.A.C., prior to any decision by the Board of Trustees to surplus conservation land, ARC shall make a recommendation that the land is no longer needed for conservation purposes and that the request is compatible with the resource values and management objectives for such lands.

The state-owned land is no longer needed for conservation purposes because:

- The parcel is currently disturbed and occupied by an active church and contains improvements which preclude recreational use and public access

Pursuant to Chapter 18-2.021, F.A.C., when ARC considers the surplus of conservation lands as part of a land exchange, ARC shall also evaluate the land being offered for exchange to

determine if it contains equal or greater conservation benefit than the state lands and whether the exchange would result in a net-positive conservation benefit, regardless of appraised value.

The proposed exchange will provide a net positive conservation benefit because:

1. it provides a net gain of eight acres of undisturbed conservation lands within the current BRSF, and
2. acquisition of the 10 acres will improve management efficiencies for BRSF. It is comprised mainly of bottomland forest surrounding a perennial stream. The remainder is unimproved upland pine and does not contain any improved or developed land.

If ARC recommends approval of this land exchange, a release of deed restriction from the United States Department of Agriculture for this 2-acre portion of the BRSF will be required prior to Board of Trustees approval.

In accordance with Chapter 267, F.S., the Department of State, Division of Historic Resources, has reviewed the proposed exchange. Based on their review, it is their opinion that the exchange will have no adverse effect on eligible historic properties on the National Register of Historic Places.

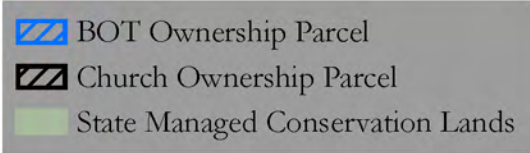
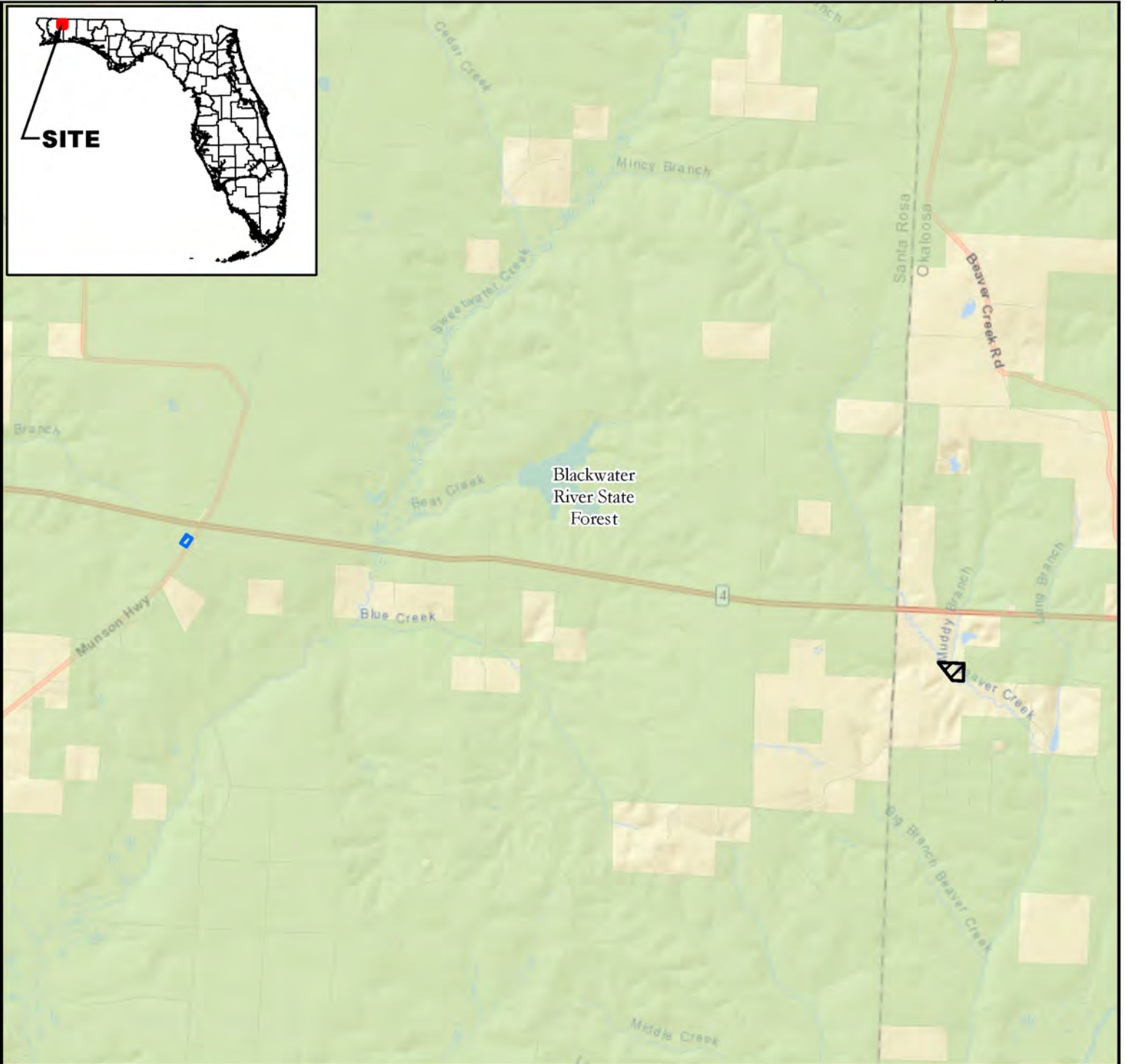
This request is subject to BOT approval.

DSL STAFF RECOMMENDATION:

Approve exchange request.

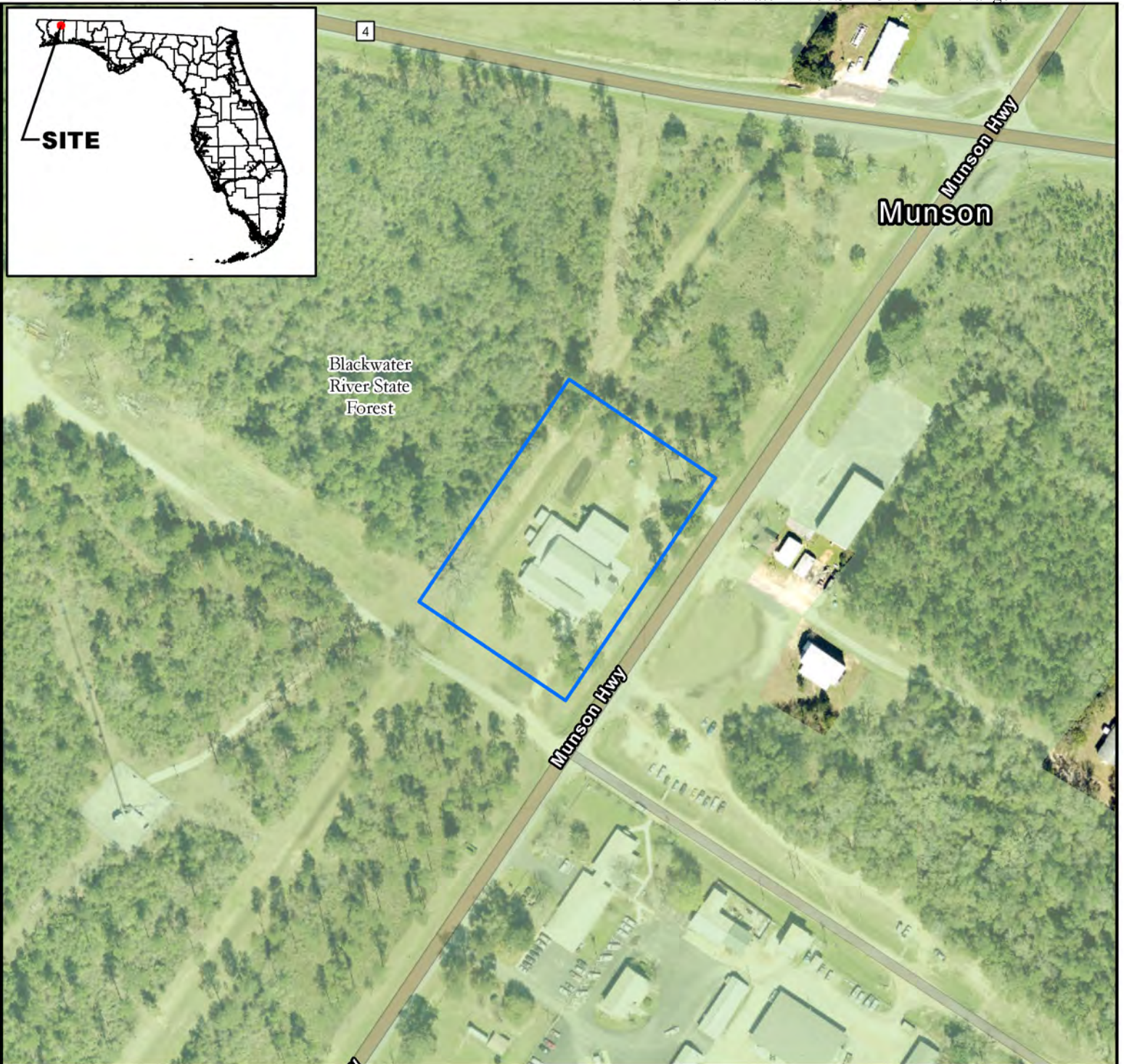
ARC RECOMMENDATION:



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

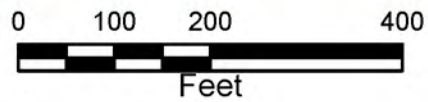


Blackwater River State Forest - Exchange

Okaloosa & Santa Rosa County, Florida

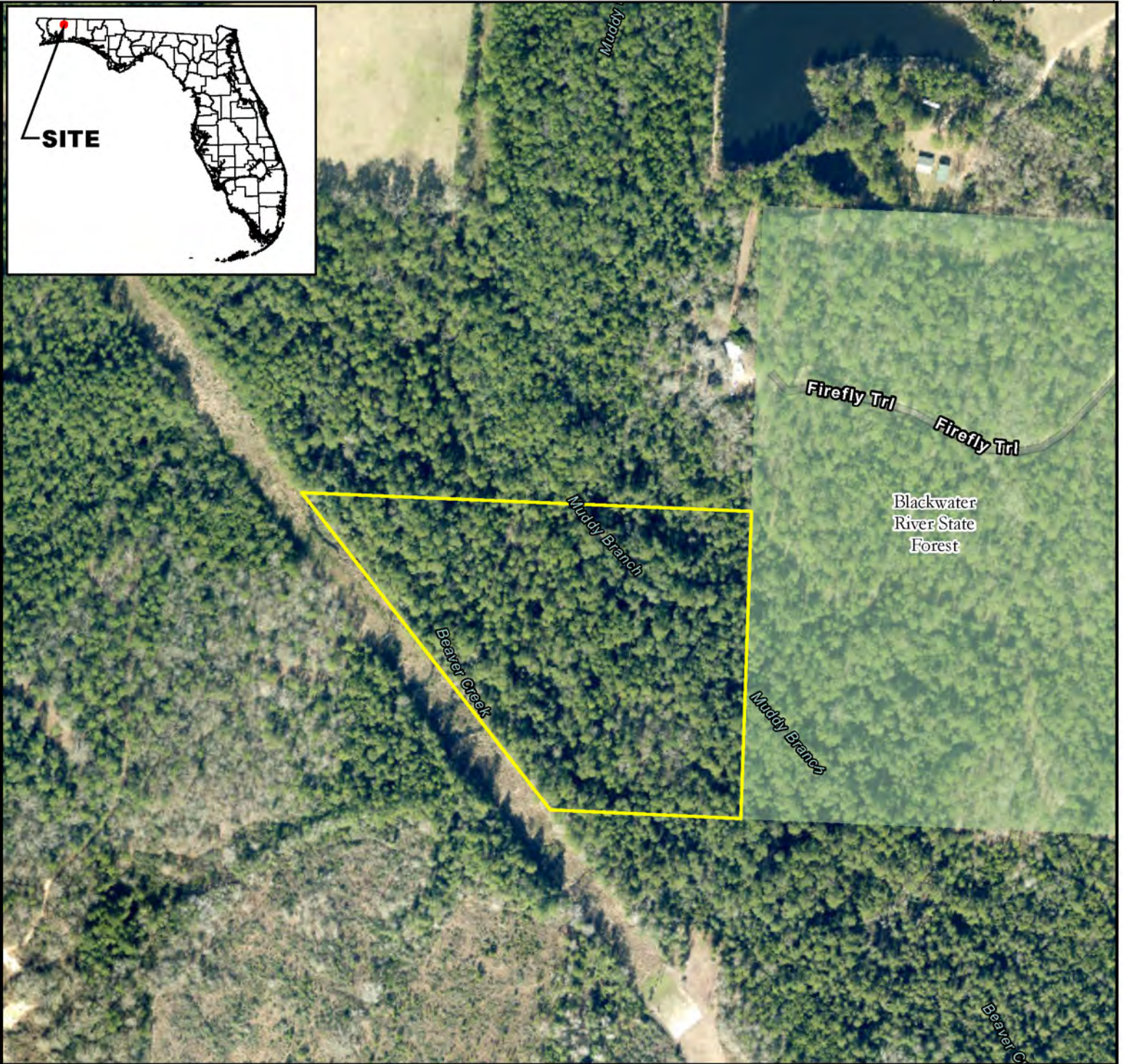




 BOT Ownership Parcel
 State Managed Conservation Lands

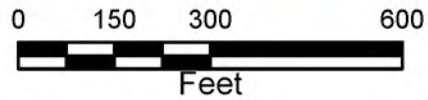


Blackwater River State Forest - Exchange

Santa Rosa County, Florida



 Church Ownership Parcel
 State Managed Conservation Lands



Blackwater River State Forest - Exchange

Okaloosa County, Florida



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

Diane L. McKenzie, Government Operations Consultant III
Florida Department of Environmental Protection
Division of State Lands
Bureau of Real Estate Services
3800 Commonwealth Blvd., MS#115
Tallahassee, FL 32399-3000

October 26, 2021

RE: DHR Project File No.: 2021-6392, Received by DHR: September 22, 2021
Project: *Blackwater Baptist Church Exchange*
County: Santa Rosa

Dear Ms. McKenzie:

Our office reviewed the referenced project in accordance with Chapters 267.061 and 373.414, 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.

It is the opinion of this office that the proposed project will have no adverse effect on eligible historic properties. If you have any questions, please contact Michael DuBose, Historic Sites Specialist, by email at Michael.DuBose@dos.myflorida.com or telephone at 850.245.6342.

Sincerely,

A handwritten signature in blue ink, appearing to read "Timothy A. Parsons".

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

FLORIDA FOREST SERVICE
(850) 681-5800



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

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

November 1, 2022

Ms. Callie DeHaven, Director
Division of State Lands, Mail Station 100
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Subject: Proposed Blackwater Baptist Church Land Exchange – Blackwater River State Forest (BRSF)

Dear Ms. DeHaven:

The Florida Forest Service (FFS) and Blackwater Baptist Church (applicant) are proposing a land exchange involving BRSF in Okaloosa and Santa Rosa Counties as identified on the attached maps. Our agency desires to obtain the 10-acre parcel in exchange for the 2-acre parcel. The 2-acre parcel is managed by the FFS under Lease Agreement 3686. This land exchange will be mutually beneficial to both parties, allow the FFS to better serve the public and improve management efficiencies for BRSF.

Should there be a need for further assistance, please contact Alan Davis, Land Planning Coordinator, at Alan.Davis@FDACS.gov or 850-681-5816.

Sincerely,

A handwritten signature in black ink, appearing to read "Callie", written over a white background.

Erin Albury, Director
Florida Forest Service

EA/ad

Attachment

ARC Questionnaire – Blackwater River State Forest (BRSF)
Blackwater Baptist Church Exchange

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 parcel under consideration was acquired as a land-use project by the U.S. Government in the mid-1930s. Shortly after the U.S. Government acquired the property, it was turned over to the Soil Conservation Service (SCS) for management. In 1954, title to the property was transferred from the SCS to the U.S. Forest Service (USFS) which, in 1955, deeded the property to the State of Florida, Board of Forestry, now the Florida Forest Service (FFS).

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.

The property was acquired by the Federal Government to revegetate, resettle, and protect the area following extensive deforestation by land and timber companies in the early 1900s, as well as, to preserve undeveloped land around Naval satellite airfields to enhance military training by preventing encroachment on military reservations.

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

The parcel is currently disturbed and occupied by an active church and other improvements which precludes recreational use and public access.

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 found on or near the parcel include upland pine.

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

There are no known imperiled species on this site.

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

There are no known archaeological resources on this site.

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 feasible or practicable alternatives than the recommended exchange (see the application).

8) Assessment of the impacts the proposed alternative use will have on the natural/historical/archaeological/recreational resources, if any, as well as on the current public use and purpose for the site or parcel.

The proposed exchange is not anticipated to have any of these impacts within the proposed exchange area.

9) Assessment of the potential impacts on the larger area of conservation lands the parcel is located within (park, wildlife management area, forest trail, etc.) and on any surrounding conservation lands, if any.

The proposed exchange will not negatively impact the surrounding BRSF nor the multiple-use management activities occurring on the state forest.

10) Assessment of how the proposed package of consideration and net positive benefit for the requested alternative use of the parcel, such as the generally standard requirement for replacement land (depending on the parcel's size), will offset the impacts and benefit the larger area of conservation lands (park, forest, wildlife management area, trail system, etc.) the parcel is within and particularly how it will offset the impacts or benefit the natural/historical/archaeological resources, habitat and public recreational uses of the public conservation area the parcel is located within.

The FFS will look to the Division of State Lands in determining the compensation for this project. BRSF is managed by the FFS under Lease Number 3686.

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.