

ITEM 19:

Consider whether an approximately 2.45-acre road right-of-way easement within Eden Gardens State Park is consistent with the Board of Trustees' Linear Facilities Policy.

LOCATION:

Walton County - Section 25, Township 2 South, Range 19 West

Project Parcel ID Number 35-2S-19-24000-016-0000

APPLICANT:

Walton County (County)

DSL STAFF REMARKS:

The County has requested an 80-foot right-of-way easement to relocate part of the existing East Point Washington Road that traverses Eden Gardens State Park (Park), currently managed by the Division of Recreation and Parks (DRP) under lease number 2515. This parcel was purchased with CARL funds.

DRP expressed support for the project in a letter to the Division of State Lands (DSL).

The Division of Historical Resources (DHR) required a cultural resource assessment survey (CRAS) be performed. The survey was performed in October 2019, and it was determined the proposed project would have no effect on cultural resources listed or eligible for listing in National Register of Historic Places (NRHP), or otherwise of historical, architectural, or archaeological significance. Based on the information provided DHR concurred with the results of this survey and stated that the proposed easement is unlikely to affect historic properties, in a letter dated January 30, 2020.

Avoidance:

Three alignment options have been presented to DRP and this alignment is the best alignment for the park and the public. There are no other practical alternatives. The proposed route is the most linear or shortest distance to connect existing public roads.

Minimizing Impacts:

Eliminating habitat fragmentation is critical to preserving the integrity of conservation lands. Re-alignment of East Point Washington Road will allow for the current stretch of roadway to be filled to adjacent grade and re-vegetated, thus eliminating habitat fragmentation within the entire western portion of the park. The new road corridor will require approximately 40 feet of natural area along the entire western edge of the subject parcel, however, the benefits of restoring the old roadway would result in a net positive gain for the collective natural resources of the Park.

Compensation:

No fee for public easements. The Applicant will provide DRP additional compensation in the amount of 1.5 times the market value to offset the cost of impacts to state conservation land. The applicant will satisfy the additional compensation prior to final execution of the easement by the Board of Trustees.

DSL STAFF RECOMMENDATION:

Approve

ARC RECOMMENDATION:

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

July 24, 2019

DRP ARC Questionnaire Responses
AID 40569-Easement 33306-Walton County BOCC

- 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 original 10.644 acres including the historic Wesley House and Gardens was donated to the Trustees by Lois G. Maxon on December 24, 1968. The 20.09-acre subject parcel was acquired as part of the Butler Tract, Conservation and Recreational Lands (CARL) project in 1999-2000 through the P2000 initiative.
- 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 parcel was acquired to preserve, develop, improve, operate, maintain, and otherwise manage the property for public outdoor recreational, park, conservation, and related purposes.

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

Currently, there is no official public access or use of the said parcel.

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

The proposed easement crosses portions of scrubby flatwoods, wet flatwoods, mesic flatwoods, floodplain swamp, and scrub.

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 located within the proposed easement. Curtis' Sandgrass (*Calamovilfa curtissii*) occurs on the subject parcel, but outside of the proposed easement.

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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 sites recorded in the Florida Master Site File (FMSF) for the subject parcel.

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 practicable alternatives to the proposed easement aside from maintaining the current East Pt. Washington road alignment.

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 easement would be approximately 130 feet shorter than the existing easement, as it would eliminate the curve in the road. Assuming the proposed easement would be roughly the same width as the current easement, it would result in the take of approximately 40 feet of natural area along the far western edge of the subject parcel, including approximately 0.2 acre of isolated wetlands. Total habitat loss within the new easement is approximated at 1.2 acres. This loss will be negated if the elevation and former natural communities are fully restored along the old roadway corridor.

The proposed easement would not increase the level of impact to the subject parcel or the overall park, or negatively impact public use of the park.

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 easement will not result in an increased impact to the collective natural resources of the park or to the collective natural resources of Pt. Washington State Forest (if elevations and natural communities are restored along the old roadway).

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

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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.

Avoiding and/or eliminating habitat fragmentation is critical to preserving the integrity of conservation lands. Re-alignment of East Pt. Washington Road will allow for the current stretch of roadway to be filled to adjacent grade and re-vegetated, thus eliminating habitat fragmentation within the entire western portion of the park. The new road corridor will require take of approximately 40 feet of natural area along the entire western edge of the subject parcel, however, the benefits of restoring the old roadway would result in a net positive gain for the collective natural resources of the park. Walton County's mitigation for this easement should include filling the old roadway corridor to adjacent grade with compatible soils free of exotic plant materials. Restoration of the former natural communities can be accomplished by Florida Park Service staff.



FLORIDA DEPARTMENT OF Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, FL 32399

Ron DeSantis
Governor

Jeanette Nufiez
Lt. Governor

Noah Valenstein
Secretary

March 19, 2019

Mr. Chance Powell, P.E.
Traffic Operations Engineer
Walton County Public Works
117 Montgomery Circle
DeFuniak Springs, Florida 32435

RE: Eden Gardens State Park – East Point Washington Road realignment

Dear Mr. Powell:

Good afternoon! This letter is to inform you of the Division of Recreation and Parks' (DRP) review of Walton County's (County) request to relocate East Point Washington Road through Eden Gardens State Park (Park). We have thoroughly reviewed all alternative routes you submitted on behalf of the County. After careful consideration and after approval by our division office, DRP supports Alignment 3, as detailed on Exhibit "A" attached. This route would allow for a paved road along the westernmost boundary of the Park and was the County's original request for realignment. In the original request, the County stated Alignment 3 would be the safest horizontal alignment and the shortest travel distance through the Park. Wetland impacts could be mitigated by installation of bridges and/or culverts.

Additionally, the proposed paved road would be considered a major north/south connector, unlike the existing narrow, dirt road traversing through the Park. Alignment 4 would totally bisect park conservation lands making it impossible to manage the park as a fluid conservation unit. Also, conducting any future control burns at the western end of the Park would be difficult.

DRP has no objection to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (GRANTOR) granting an easement over Alignment 3, provided that Walton County agrees to employ best management practices, including taking the following specific measures, to be included as special easement conditions:

1. By issuance of this easement, GRANTOR acknowledges that GRANTEE has fully satisfied GRANTEE'S "Additional Compensation" obligation to provide in-kind goods or services to the manager of Eden Gardens State Park (Park Manager) in the amount of \$_____, in accordance with the GRANTOR'S Linear Facilities Policy dated January 23, 1996.

Chance Powell
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2. GRANTEE shall contact the Florida Department of State, Division of Historical Resources (DHR), at (850) 245-6333 to determine if a certified archaeological monitor is required to be on-site during any ground-disturbing activities. Further, GRANTEE shall provide written confirmation to the Park Manager that the aforementioned determination from DHR has been obtained. Should such a monitor be required to be on site, GRANTEE shall provide one at GRANTEE'S sole cost and expense.
3. GRANTEE shall coordinate with Park Manager prior to installing culverts and/or bridges over wetland areas to ensure there is adequate sheet flow into the Mesic flatwoods.
4. GRANTEE shall pay any repair and/or replacement costs for any adverse impacts the proposed activities may have on the park resources, facilities, infrastructure or other improvements, should such impacts be determined by Park Manager to be a result of GRANTEE'S actions pertaining to this easement. GRANTEE acknowledges and agrees that any monetary value of any repair and/or replacement work shall not count towards GRANTEE'S satisfaction of Additional Compensation referenced in condition 1. above.
5. GRANTEE shall coordinate all scheduled maintenance activities with Park Manager or his/her designee and obtain their prior approval. At the discretion of Park Manager or his/her designee, such coordination may require an on-site meeting. In the event of any emergency repair, GRANTEE shall immediately inform Park Manager or his/her designee of such emergency and GRANTEE shall take immediate action to address such emergency.
6. GRANTEE shall restore existing roadway through the Park by removing existing clay road base, coordinating with Park Manager and Park Biologist on groundcover restoration measures.

Sincerely,

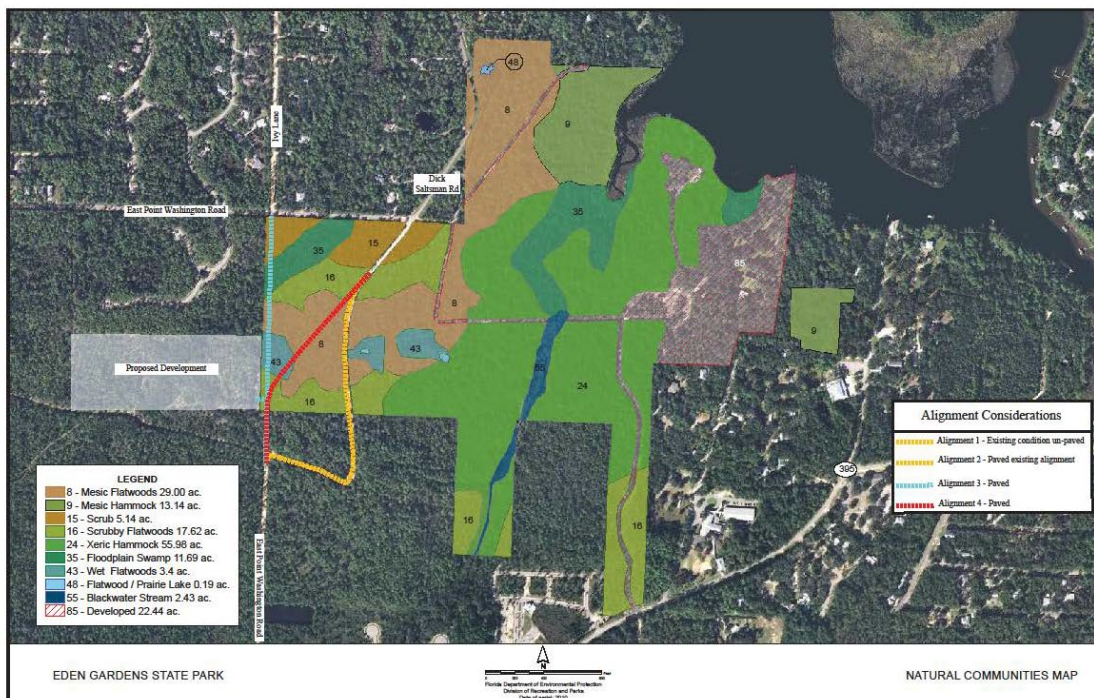


Diane C. Martin, Planning Manager
Office of Park Planning
DCM/m
Attachment – Exhibit "A"

cc: Eric Draper
Steve Cutshaw
Gemechu Debbo
Parks Small
Chuck Hatcher
Bryan Bradner
Warren Poplin
Ben Faure
Daniel Alsentzer
Wesley Myers
John McKenzie

Mr. Chance Powell
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 March 19, 2019

EXHIBIT "A"





FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

Prentice M. Thomas, Ph.D.
Prentice Thomas & Associates Inc.
425 E. Hollywood Blvd. Ste D
Mary Esther, Florida 32569

January 30, 2020

RE: DHR Project File No.: 2019-5399B / Received by DHR: December 16, 2019
Cultural Resources Assessment Survey of Proposed Roadway Easement at Eden Gardens State Park,
Walton County, Florida
Easement No. 33306 Relocation / 1A-32 Permit No. 1920.031

Dear Dr. Thomas:

Our office reviewed the referenced project in accordance with Chapters 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.

In October 2019, Prentice Thomas & Associates Inc. (PTA) conducted the above referenced cultural resource assessment survey (CRAS) on behalf of the Walton County Board of Commissioners for acquisition of a roadway easement, and in response to a Division of Historical Resources survey request (letter DHR No. 2019-5399, September 12, 2019).

PTA encountered no cultural resources within the 2.455 acre linear tract located along the westernmost boundary of Eden Gardens State Park. PTA determined the proposed project will have no effect on cultural resources listed or eligible for listing in the NRHP, or otherwise of historical, architectural, or archaeological significance, and recommends no further work in the project area.

Based on the information provided, our office concurs with the results of this survey and finds the proposed project will have no effect on historic properties listed, or eligible for listing, in the NRHP, or otherwise of historical, architectural or archaeological value. Further, we find the submitted report complete and sufficient in accordance with Chapter 1A-46, *Florida Administrative Code*.

If I can be of any further help, or if you have any questions about this letter, please feel free to contact Robin Jackson at Robin.Jackson@dos.myflorida.com.

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
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



EXHIBIT "A"

DESCRIPTION (NEWLY CREATED):

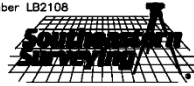
80' EASEMENT FOR INGRESS, EGRESS, AND UTILITY PURPOSES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

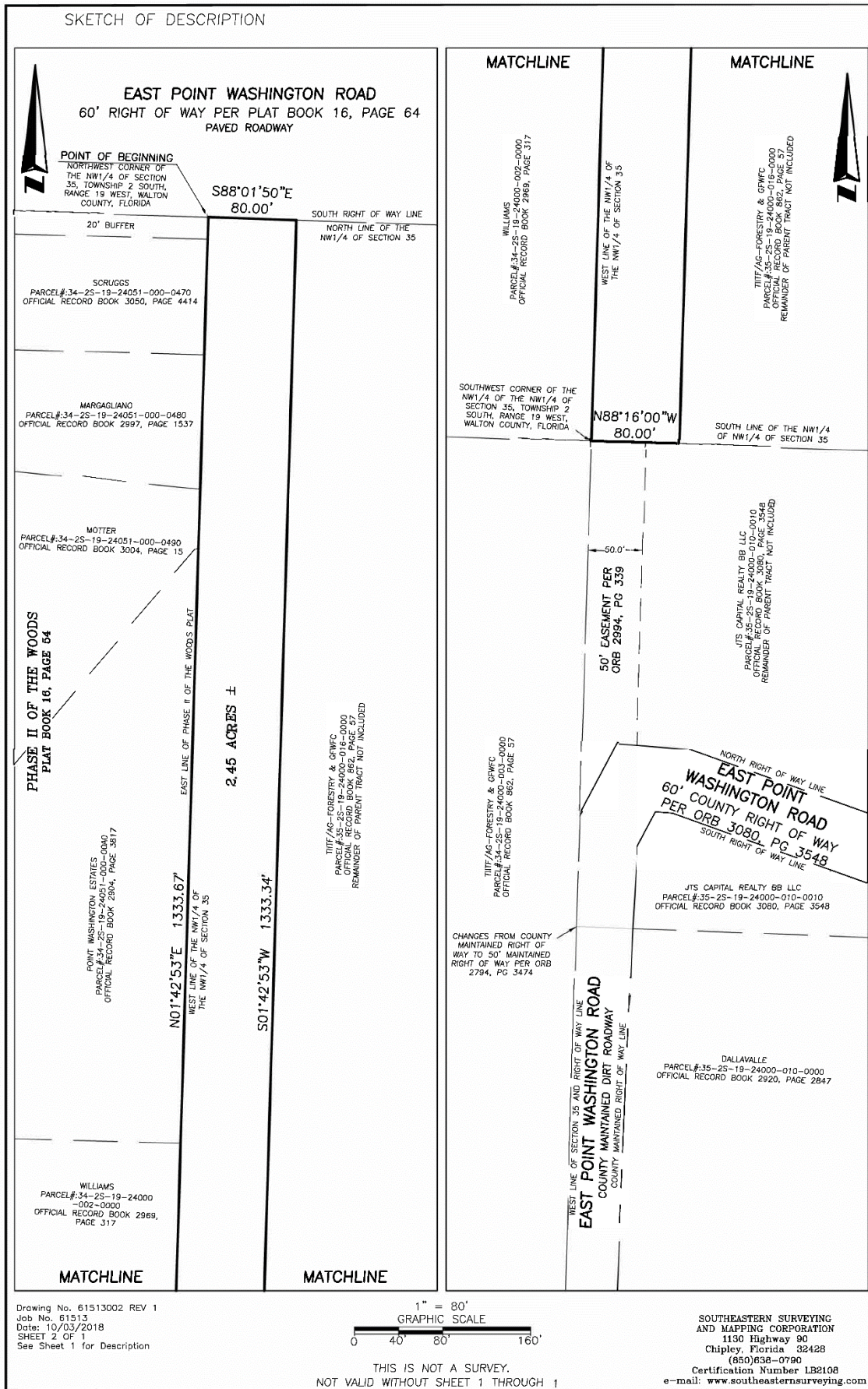
BEGIN AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 19 WEST, WALTON COUNTY, FLORIDA, SAID POINT ALSO BEING ON THE SOUTH RIGHT OF WAY LINE OF EAST POINT WASHINGTON ROAD (60' RIGHT OF WAY); THENCE SOUTH 88°01'50" EAST ALONG THE NORTH LINE OF SAID NORTHWEST 1/4, ALSO BEING THE SAID SOUTH RIGHT OF WAY LINE, 80.00 FEET; THENCE DEPARTING SAID NORTH LINE AND SOUTH RIGHT OF WAY LINE, SOUTH 01°42'53" WEST PARALLEL WITH THE WEST LINE OF THE NORTHWEST 1/4 OF SAID NORTHWEST 1/4, A DISTANCE OF 1,333.34 FEET TO THE SOUTH LINE OF SAID NORTHWEST 1/4 OF NORTHWEST 1/4; THENCE NORTH 88°16'00" WEST ALONG SAID SOUTH LINE, 80.00 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4 OF NORTHWEST 1/4; THENCE NORTH 01°42'53" EAST ALONG THE WEST LINE SAID NORTHWEST 1/4 OF NORTHWEST 1/4, A DISTANCE OF 1,333.67 FEET TO THE POINT OF BEGINNING, CONTAINING 2.45 ACRES, MORE OR LESS.

BSM
BY SK
Date: 7.23.2019

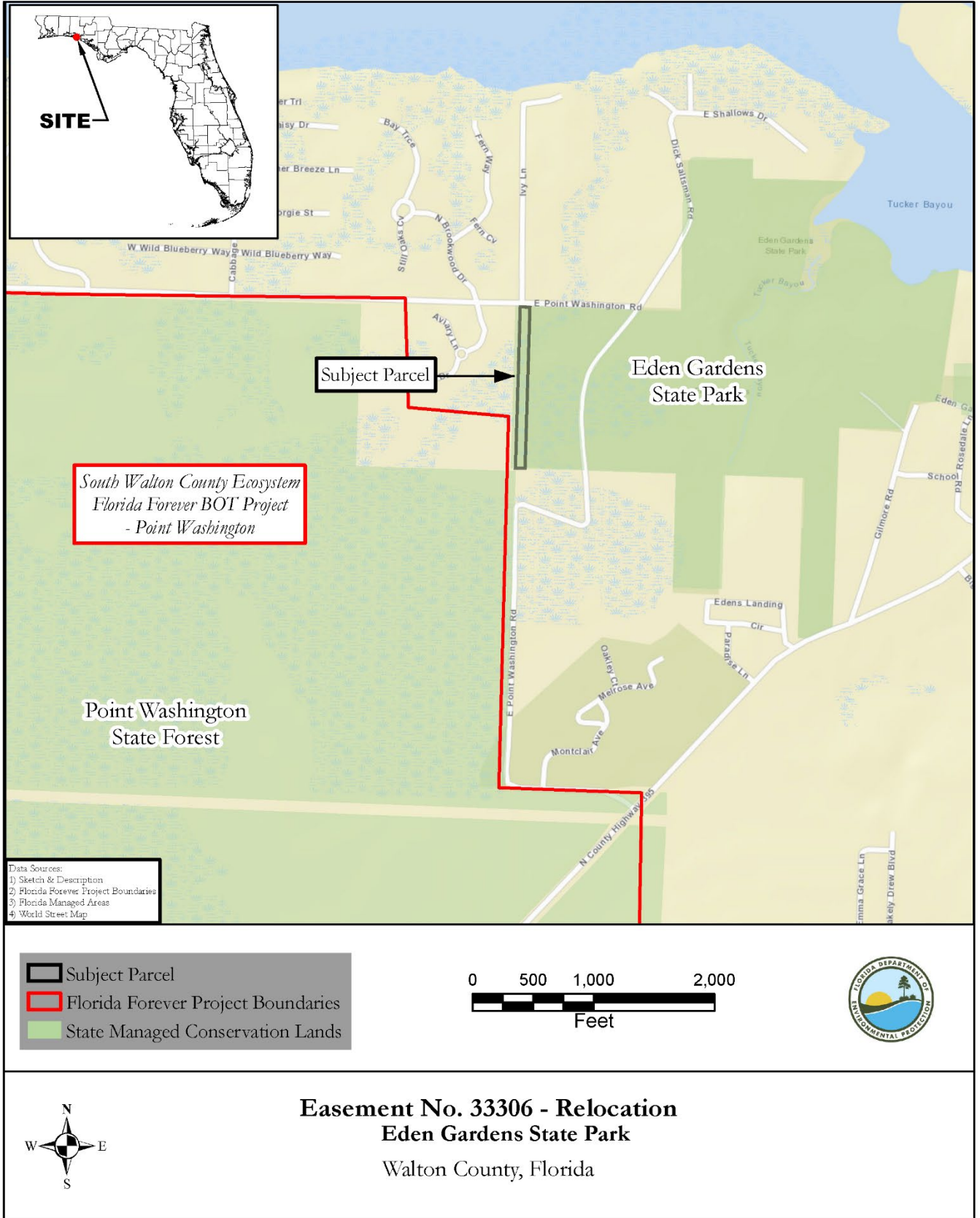
SURVEYOR'S REPORT:

1. BEARINGS SHOWN HEREON ARE GRID AND ARE BASED ON NATIONAL GEODETIC SURVEY (NGS) POINT PID# AJ7408. THE RELATIVE BEARING IS N01°42'53"E ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 19 WEST, WALTON COUNTY, FLORIDA.
2. I HEREBY CERTIFY THAT THE "SKETCH OF DESCRIPTION" OF THE ABOVE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS RECENTLY DRAWN UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE FOR LAND SURVEYING CHAPTER 5J-17 REQUIREMENTS OF FLORIDA ADMINISTRATION CODE.

SKETCH OF DESCRIPTION FOR GENESIS GROUP	Date: 10/03/2018 AE		Certification Number LB2108 61513002 REV 1
	Job Number: 61513	Scale: 1" = 80'	 SOUTHEASTERN SURVEYING AND MAPPING CORPORATION 1180 Highway 90 Chipley, Florida 32428 (850) 638-0790 email: info@southeasternsurveying.com
Chapter 5J-17, Florida Administrative Code requires that a legal description drawing bear the notation that THIS IS NOT A SURVEY. REVISED 11/14/2018			
SHEET 1 OF 1 SEE SHEET 2 FOR SKETCH		THOMAS K. MEAD P.S.M. REGISTERED LAND SURVEYOR Number 6624	

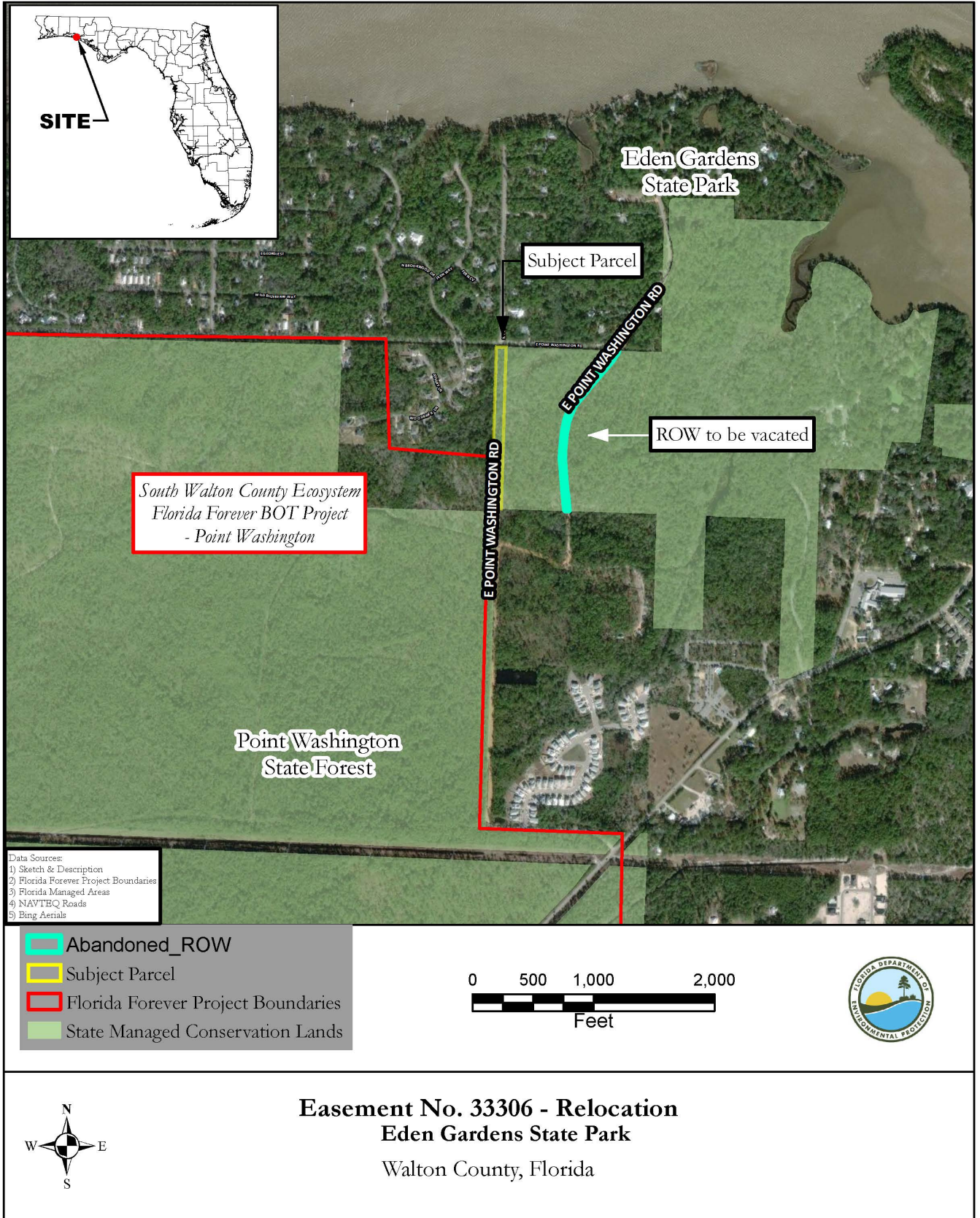


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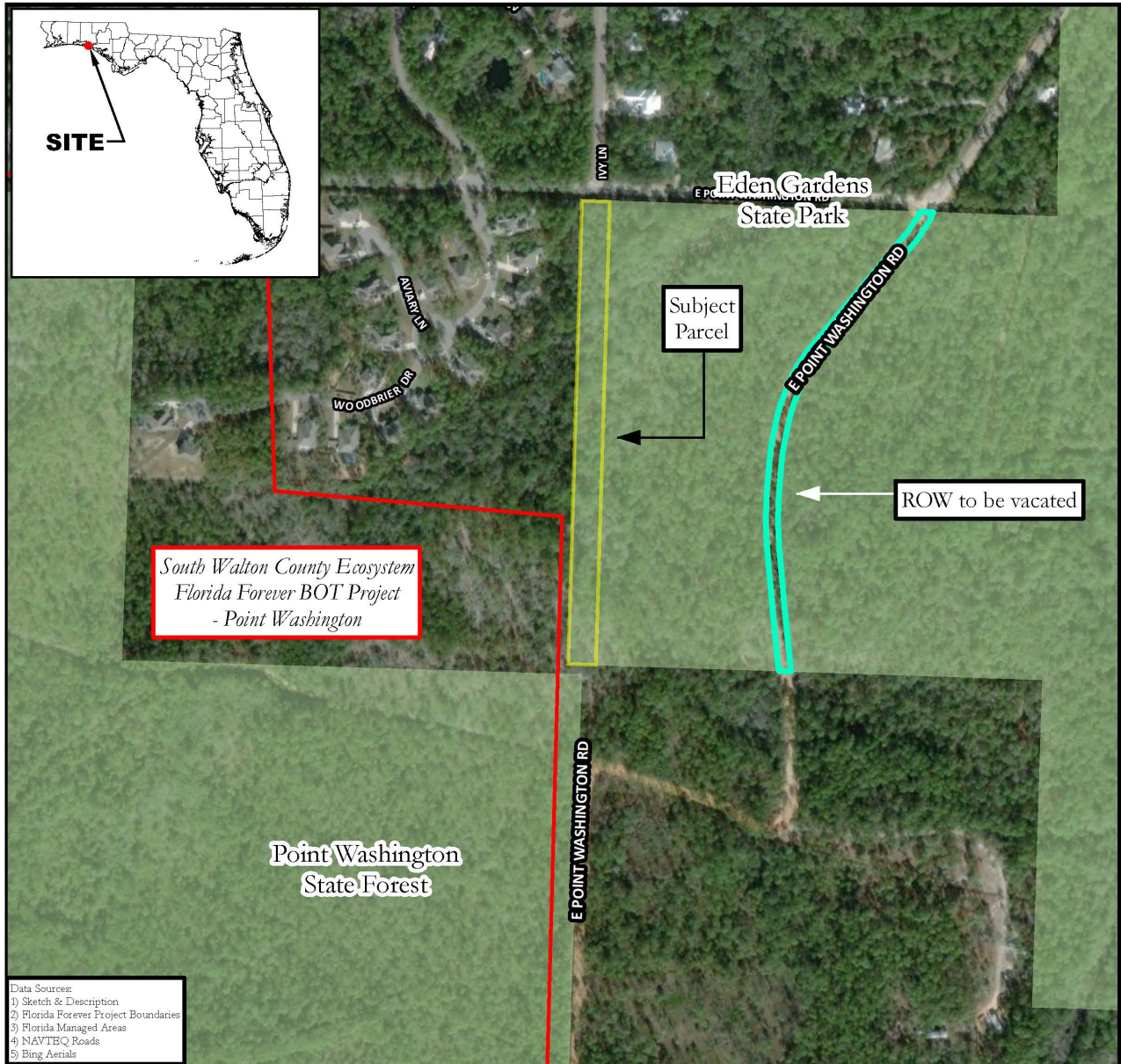
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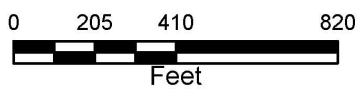
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Data Sources:
 1) Sketch & Description
 2) Florida Forever Project Boundaries
 3) Florida Managed Areas
 4) NAVTEQ Roads
 5) Bing Aerials

	Abandoned_ROW
	Subject Parcel
	Florida Forever Project Boundaries
	State Managed Conservation Lands



Easement No. 33306 - Relocation
Eden Gardens State Park
 Walton County, Florida

File Location: \\PLDEF1\tech_cad\Counties_GIS\Walton\Easement_No_33306\GIS\Easement_No_33306.mxd
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