

ITEM 21:

Consider whether an approximately 0.77-acre public right of way easement within the East Coast Buffer is consistent with the Board of Trustees’ Linear Facilities Policy.

LOCATION:

Miami-Dade County, Section – 24, Township – 52S, Range – 39E

Applicant’s Parcel ID Number: 30-2924-001-0010 & 30-2924-001-0160

APPLICANT:

Florida Department of Transportation (Applicant)

DSL STAFF REMARKS:

The Applicant has requested a 30-foot-wide public right-of-way, totaling 0.77 acres, to be utilized for the safety realignment of the intersection located at NW 154th Street and W Okeechobee Road. The proposed easement is located within conservation land known as the East Coast Buffer. The parcel is a highly degraded upland habitat dominated by the exotic species Brazilian pepper and elephant grass and full of debris. The parcel was acquired by the BOT in September 2000 with P-2000 funds conservation.

In a letter, dated November 6, 2019, the Division of Historical Resources stated that the proposed undertaking is unlikely to affect historic properties.

Avoidance:

Other locations were considered but would impact wetland areas. There are no other practical alternatives.

Minimizing Impacts:

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. There are no known imperiled or other wildlife species that occupy the requested area.

Compensation:

No easement fee for Public agencies and per the BOT’s linear facilities policy, additional compensation, 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

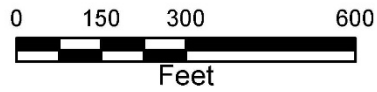
ARC RECOMMENDATION:

- () APPROVE
- () APPROVE WITH MODIFICATIONS: _____
- () DEFER
- () WITHDRAW
- () NOT APPROVE
- () OTHER: _____



Data Sources:
1) Sketch & Description
2) Florida Conservation Lands
3) NAVTEQ Roads
4) Bing Aerials

 Subject Parcel
 State Managed Conservation Lands



Easement No. 33222

Miami-Dade County, Florida

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Map Created By: GW Stehler

EXHIBIT "A"

PARCEL 103

PROJECT No. 423251-2-32-01

That part of land in **Lots 11, 12, 13 and 16**, of "**MIAMI CANAL VILLAS**", according to the plat thereof as recorded in Plat Book 27 at Page 78 of the Public Records of Miami-Dade County, Florida and lying in the Northeast $\frac{1}{4}$, of Section 24, Township 52 South, Range 39 East; being more particularly described as follows:

COMMENCE at the Northeast Corner of the Northwest $\frac{1}{4}$ of Section 24, Township 52 South, Range 39 East lying and being in Miami-Dade County, Florida; thence run S 89°41'59" W along the North line of said Section 24, as a basis of bearing, for a distance 343.15 feet to a point coincident with the extended North line of said Plat of "**MIAMI CANAL VILLAS**", thence run S 02°36'11" E for a distance of 25.02 feet to a point on the north property line of Lot 16 of said plat; thence run along a line parallel with the North line of said Section 24, S 89°41'59" W for a distance of 512.73 feet to the **POINT OF BEGINNING** of the hereinafter described parcel of land, thence run S 00°18'01" E for a distance of 22.50 feet; thence run S 89°41'59" W for a distance of 30.00 feet to a point of a curvature of a circular curve to the left, concave to the south; thence run southeasterly along said circular curve, having a radius of 370.00 feet and a central angle of 32°30'15", for an arc distance of 209.90 feet to a point of compound curvature with circular curve to the left, concave to the east; thence run southeasterly along said curve having a radius of 120.00 feet, a central angle of 69°23'04", for an arc distance of 145.32 feet to a point on existing Limited Access Right of Way line of State Road No. 25 (Okeechobee Road / US 27 Highway) as shown on the Florida Department of Transportation Right-of-Way Map Section No. 87090-2518; thence run N 50°59'49" W along the said Right of Way line for a distance of 176.35 feet; thence run N 19°21'11" E for a distance of 68.68 feet; thence run N 00°18'01" W for a distance of 30.00 feet to a point on the North line of said Plat of "**MIAMI CANAL VILLAS**"; thence run N 89°41'59" E along the said North line for a distance of 395.13 feet to the **POINT OF BEGINNING**.

Containing 33,575 square feet, more or less.

BSM
BY SK

Date: 8.27.2019

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 parcel was acquired on September 28, 2000 with P-2000 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. This parcel is within the area known as the East Coast Buffer. The most significant aspect of the East Coast Buffer is its role in restoring the Everglades.
3. Description of the current level of public recreational use or public access of the parcel. There is no impact to public recreational use. Currently the parcel is unmanaged and has not been developed for public use.
4. Description of the natural resources, land cover, vegetation, habitat or natural community, if any, that are currently present on the parcel. It is highly degraded upland habitat dominated by the exotic species brazilian pepper and elephant grass and full of debris.
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 and other wildlife species known to occupy the proposed easement area.
- 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 historical archaeological resources known at 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. Other locations were considered but would impact wetland areas.
- 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 alternative will have no impact to natural/historical/archaeological/recreational resources.
- 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 alternative will have no impact to the surrounding conservation lands.
- 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 net positive benefit will be negotiated by the Division of State Lands to offset the impact to conservation land.

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

Mr. Jay Sircy
Bureau of Public Land Administration, MS 130
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

November 6, 2019

RE: DHR Project File No.: 2019-6829
Project: 38939 Easement No. 33222 FDOT
Lots 11, 12, 13, and 16 Parcel of Miami Canal Villas
For Proposed Re-aligned NW 154th Street Connection, Miami-Dade County

Dear Mr. Sircy:

In accordance with this agency's responsibilities under Section 267.061, *Florida Statutes*, we reviewed the referenced easement request.

It is the opinion of this office that the proposed undertaking is unlikely to affect historic properties, provided that the applicant makes contingency plans in the case of fortuitous finds or unexpected discoveries during ground disturbing activities within the easement area:

- If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the easement area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The applicant shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850) 245-6333. Project activities shall not resume without verbal and/or written authorization. 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 872.05, *Florida Statutes*.

For any questions concerning our comments, please contact Robin Jackson, Historic Preservationist, by electronic mail at robin.jackson@doh.myflorida.com, or at 850.245.6496, or 800.847.7278.

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

Division of Historical Resources
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