

ITEM 23:

Consider whether an approximately 0.68-acre private single-family access easement within Blackwater River State Forest (BRSF) is consistent with the Board of Trustees’ Linear Facilities Policy.

LOCATION:

Santa Rosa County, Section – 5, Township – 04N, Range – 27W
Applicant’s Parcel ID Number: 05-4N-27-0000-00200-0000

APPLICANT:

James D. McDaniel, Jr.

DSL STAFF REMARKS:

The Applicant has requested a 25-foot-wide single-family private ingress/egress access easement, totaling 0.68 acres, to landlocked property owned by the Applicant located North of Highway 4. The proposed easement is located within conservation land currently managed by the Florida Forest Service (FFS) under Uplands Lease No. 3686. Title to BRSF was transferred from the Florida Board of Forestry to the Board of Trustees of the Internal Improvement Trust Fund for the use and benefit of the state, pursuant to Fla. Stat. 253.03(6), laws of 1967.

FFS consented to the easement in a letter dated September 16, 2020 and, in a letter dated October 26, 2020, the Division of Historical Resources stated that the proposed undertaking is unlikely to affect historic properties.

Avoidance:

There are no other practical alternatives to access the Applicants landlocked parcel.

Minimizing Impacts:

Most of the proposed easement area follows an existing dirt road. The portion of the proposed easement area not currently an existing road will impact 0.038 acres, consisting of upland pines and hardwoods. 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:

The easement fee will be based on market value and per the BOT’s linear facilities policy. Additional compensation, in the form of replacement land or goods and services, will be provided to FFS at 1.5 times the appraised value of the easement.

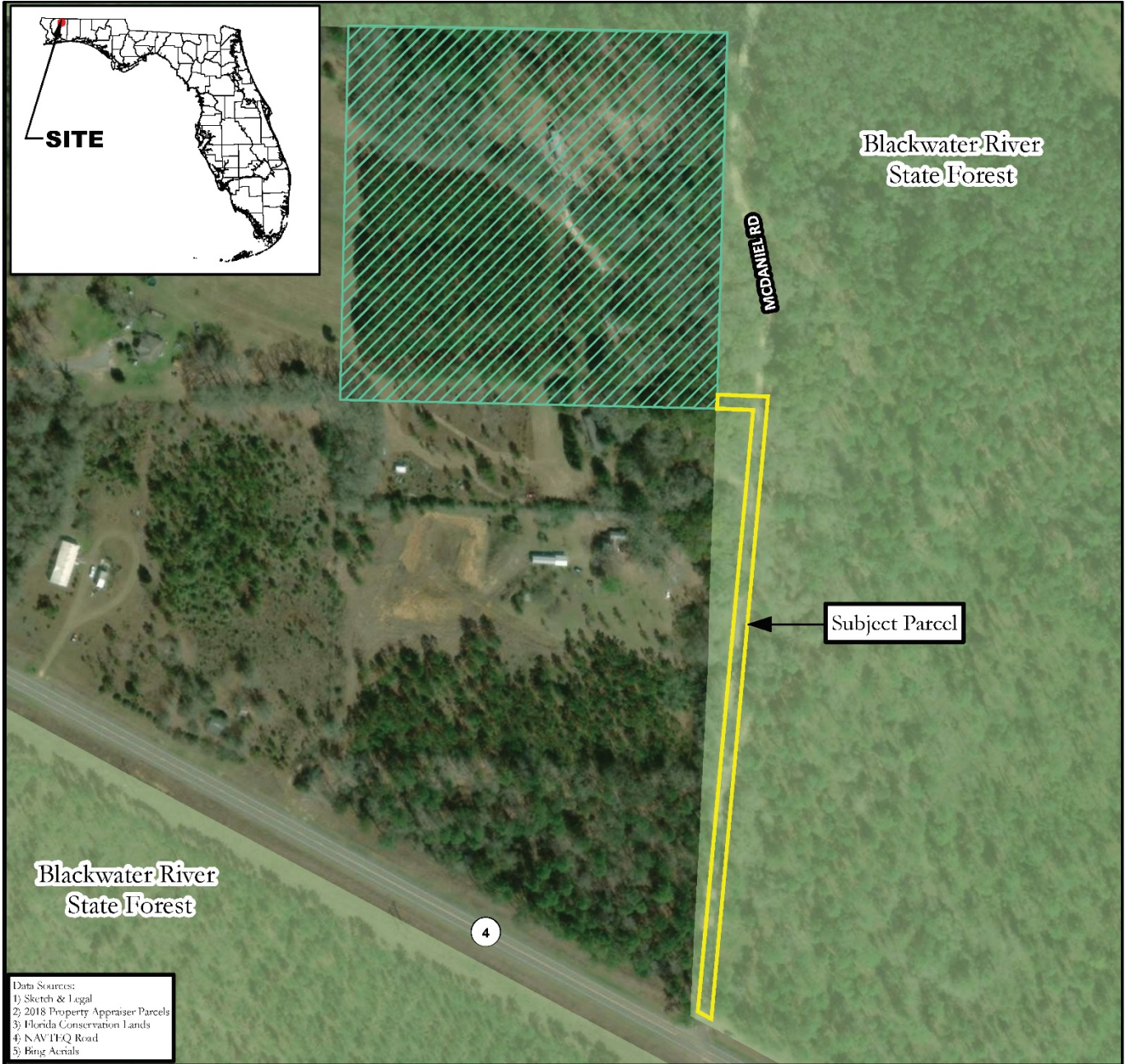
DSL STAFF RECOMMENDATION:

Approve the easement.

ARC RECOMMENDATION:

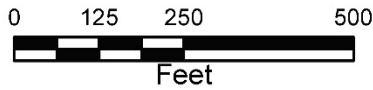
- () APPROVE
- () APPROVE WITH MODIFICATIONS: _____
- () DEFER
- () WITHDRAW
- () NOT APPROVE
- () OTHER: _____

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Data Sources:
1) Sketch & Legal
2) 2018 Property Appraiser Parcels
3) Florida Conservation Lands
4) NAVTIC Road
5) Bing Aerials

- Subject Parcel
- McDaniel's Ownership Property
- State Managed Conservation Lands

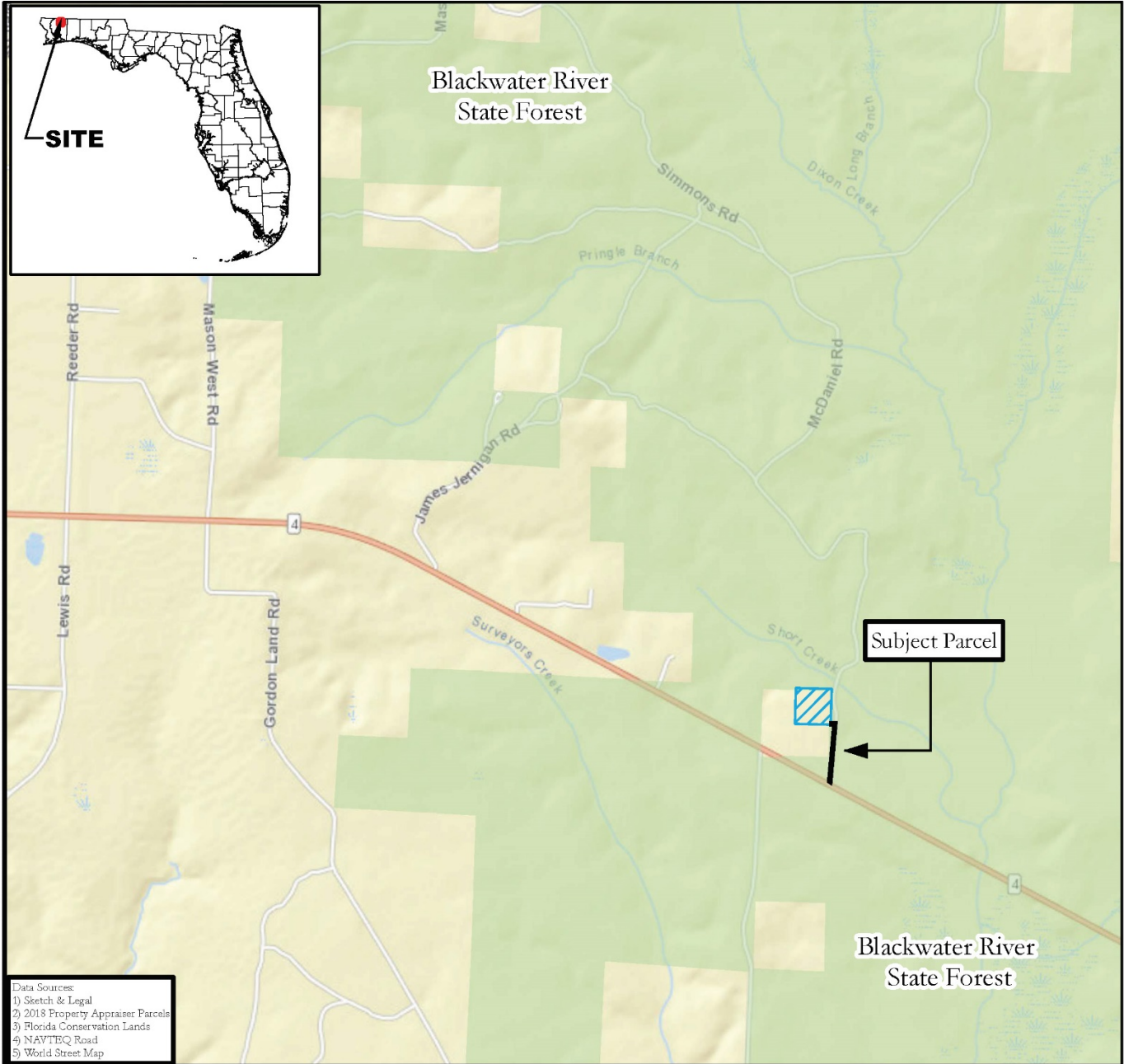


Easement No. 33385

Santa Rosa County, Florida

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Date Saved: 10/27/2020 2:39:44 PM
Map Created By: Kim Parson

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Data Sources:
1) Sketch & Legal
2) 2018 Property Appraiser Parcels
3) Florida Conservation Lands
4) NAVTEQ Road
5) World Street Map

Legend:

- Subject Parcel
- McDaniel's Ownership Property
- State Managed Conservation Lands



Easement No. 33385

Santa Rosa County, Florida

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Date Saved: 10/18/2020 12:53:30 PM
Map Created By: Kim Parson

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

September 16, 2020

Callie DeHaven, Director
Division of State Lands
Department of Environmental Protection
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Ms. DeHaven:

The Florida Forest Service (FFS) has no objection to granting the proposed easement (see attached) to James D. McDaniel on a portion of the Blackwater River State Forest (BRSF) in Santa Rosa County. However, the FFS will not be responsible for maintenance of the road other than required for FFS management. The proposed easement covers 0.68 acres and is for ingress and egress only.

As a benefit to the state, James D. McDaniel has agreed to supply BRSF with the following:

- 1) A check payable to "Friends of Florida State Forests" in an amount that will settle the additional compensation owed to the lead manager (FFS) of the state-owned lands, per F.S. 253.02(2)(b)4.

We also suggest the proposed grantee be made aware that the FFS utilizes prescribed fire to manage natural communities, and smoke may impact the area from time to time.

Please keep us informed of the progress of this request. Should you need further assistance please contact Alan Davis at (850) 681-5816 or Alan.Davis@FDACS.gov.

Sincerely,

Erin Albury, Director
Florida Forest Service

EA/ad

Attachment

cc: John Sabo, Assistant Director, FFS
Keith Rowell, Land Programs Administrator, FFS
Mike Hudson, Center Manager, FFS



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

October 26, 2020

RE: DHR Project File No.: 2020-6510
Project: 42764 Easement 33385 James Mc Daniels
Access Road for 3695 McDaniels Road, Jay
Blackwater River State Forest, Santa Rosa 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
R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399
850.245.6300 • 850.245.6436 (Fax) • FLHeritage.com



ARC Questionnaire – Blackwater River State Forest – McDaniel Easement

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.

Response: BRSF 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.

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.

Response: 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.

Response: There are no impacts to recreational uses or public access anticipated within the proposed easement area.

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

Response: The majority of the proposed easement area is an existing forest road. The portion of the proposed easement area not currently a forest road consists of upland pines and hardwoods and is approximately 1,675 square feet or .038 acres. According to Florida Natural Areas Inventory, the proposed easement area was historically upland pine natural community.

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

Response: There are no known imperiled or other wildlife species that occupy the proposed easement area.

6. Description and list of historical or archaeological resources, if any, that occurs or has the potential of occurring on the site.

Response: There are no known historical archaeological resources known to occupy the proposed easement area.

7. Formal alternative site analysis that includes a description and assessment of other potential alternative sites and why they are not feasible or practicable alternatives.

Response: There are no feasible or practicable alternatives than the recommended easement route (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.

Response: The proposed easement is not anticipated to have any of these impacts within the proposed easement 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.

Response: The proposed easement will not negatively impact the surrounding BRSF nor the multiple-use management activities occurring on the forest.

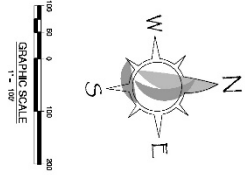
10. Assessment of how the proposed package of consideration and net positive benefit for the requested alternative use of the parcel, such as the generally standard requirement for replacement land (depending on the parcel's size), will offset the impacts and benefit the larger area of conservation lands (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.

Response: The Florida Forest Service (FFS) will look to the Division of State Lands in determining the compensation for this project, including the net positive benefit, however, recommends the proposed grantee provide additional compensation to the lead manager FFS of the state-owned lands, per Chapter 253.02 (2)(b)4. Florida Statute. BRSF is managed by the FFS under Lease Number 3686.



- Survey Notes:**
1. BEFORE ENGINEERING AND SURVEYING, LLC (SEAS) HAS NOT BEEN PROVIDED A TITLE OPINION OR ABSTRACT OF THE PROPERTY SHOWN HEREON, NOR HAS SEAS REVIEWED A SEARCH OF THE PUBLIC RECORDS OF SANTA ROSA COUNTY, FLORIDA.
 2. RECORDS AND STATE PLAT COMPANIES SYSTEM FROM NORTH ZONE, NORTH AMERICA DATA 1983 (NAD 83) COORDINATE SYSTEM OF SANTA ROSA COUNTY, FLORIDA HAVING A BEARING OF N87°07'48" W.
 3. THERE MAY BE ADDITIONAL RESTRICTIONS AND EASEMENTS NOT SHOWN ON THIS DRAWING THAT MAY BE FOUND IN THE PUBLIC RECORDS OF SANTA ROSA COUNTY, FLORIDA.
 4. UNDERGROUND ENCROACHMENTS, IF ANY, WERE NOT LOCATED.
 5. SURVEY DATA OBTAINED FROM WHICH IS OUTSIDE OF THE DESCRIBED PROPERTY DOES NOT AFFECT OWNERSHIP AND BOUNDARIES OF THE DESCRIBED PROPERTY.
 6. GENERAL REPRESENTATION OF UTILITIES, SERVICES AND SURVEY MONUMENTS MAY BE ENLARGED IN SCALE FOR CLARITY.
 7. BEARINGS AND DISTANCES REPORTED ON THE SECTIONAL BREAK DOWN REPRESENTY CALCULATED MEASUREMENTS (UNLESS OTHERWISE NOTED) AS FIELD MEASUREMENTS.

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TYPE OF SURVEY: REVISIONARY	FINAL DESCRIPTION: SEE LEFT
DATE OF SURVEY: 09/17/2019	
SURVEY FOR: JAMES M. DANIEL	
FIELD BOOK: 19-152	DATE DRAWING: 09/19/2019
SHEET: 2 OF 2	DRAWN BY: KES
PROJECT NAME: <u>Survey 19-152 (McDaniel parcel McDaniel Road SF)</u>	PLAT BOOK: SANTA ROSA COUNTY, FLORIDA
SEAS PROJECT No: 19-152-0010	SECTION: 5 TOWNSHIP: 4N RANGE: 27W
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SEAS
 Seaside Engineering And Surveying, LLC
 4626 Hwy 189 N
 Bunn, FL 32831
 Ph: (850) 850-0863
 Fax: (850) 398-6612

THIS SURVEY CONSISTS OF MULTIPLE SHEETS AND IS NOT VALID WITHOUT ALL SHEETS