



**Interoffice Memorandum**

January 18, 2024

TO: Mayor Jerry L. Demings  
–AND–  
County Commissioners

FROM: Andres Salcedo, P.E., Acting Director  
Planning, Environmental, and Development  
Services Department

*AS  
For*

CONTACT PERSON: **Renée H. Parker, LEP, Manager  
Environmental Protection Division  
407-836-1420**

SUBJECT: February 6, 2024 – Work Session  
Split Oak Forest and Wildlife Environmental Area and the  
Osceola Parkway Extension

On February 6, 2024, staff will provide a work session to the Board on Split Oak Forest and Wildlife Environmental Area and the Osceola Parkway Extension. The presentation will provide a brief update on Agency actions, specifically, Florida Communities Trust, Florida Fish and Wildlife Conservation Commission, and Osceola County. Staff will identify possible actions that may be anticipated by the Board, including items related to future meetings, staff engagement, and land conveyances.

This work session will supplement the information provided to the Board in memorandums dated May 2, 2022, July 20, 2022, and December 15, 2023.

This item is for informational purposes only.

AS/RHP:js  
Attachments



Interoffice Memorandum

December 15, 2023

TO: Mayor Jerry L. Demings  
Commissioner Nicole Wilson, District 1  
Commissioner Christine Moore, District 2  
Commissioner Mayra Uribe, District 3  
Commissioner Maribel Gomez Cordero, District 4  
Commissioner Emily Bonilla, District 5  
Commissioner Michael "Mike" Scott, District 6

FROM: Renée H. Parker, LEP, Manager *RHP*  
Environmental Protection Division

SUBJECT: Updated Synopsis on the Split Oak Forest and Wildlife  
Environmental Area and Osceola Parkway Extension

County Administrator Brooks requested that the Environmental Protection Division (EPD) coordinate with the County Attorney's Office to provide the Board of County Commissioners (Board) with an updated synopsis regarding recent activities involving the proposed Osceola Parkway Extension. EPD previously provided the Board with updates on this matter via memorandums dated May 2, 2022, and July 20, 2022.

As you recall, on November 28, 2023, the Board voted 6-1 to support a Motion that, given new information that has been provided relative to the Charter amendment vote of 2020, the Board no longer supports the pending application before the Florida Communities Trust (FCT).

On December 5, 2023, the Florida Fish and Wildlife Conservation (FWC) Commission held a regular meeting in Orlando, Florida. On the agenda was the Split Oak Forest Wildlife and Environmental Area (SOFWEA) Conservation Easement Releases. FWC staff made a presentation to the FWC Commission that provided background information on SOFWEA and the Osceola Parkway Extension project and requested direction from their Commission regarding the FWC's response to a roadway project that would impact SOFWEA. A copy of the FWC staff report and presentation are attached.

Following the staff presentation, Tawny Olore, Deputy County Manager, Osceola County, and Commissioner Brandon Arrington, District 3, Osceola County Board of County Commissioners, spoke to the Commission in favor of the project. Beth Jackson, Environmental Programs Administrator, notified the Commission of the recent Board vote to no longer support the application for a linear facility. Commissioner Nicole Wilson spoke in opposition to the project. Following a break for lunch, the Commission heard public comment on the matter. Approximately 71 speakers provided public comment and overwhelmingly the majority were in opposition to the request and release of FWC's conservation easements in Osceola County over SOFWEA.

Following public comment and a brief discussion, the FWC Commission voted (6-0) to direct FWC staff to continue discussion and negotiation with the Counties to determine further details related to the proposed release of the FWC conservation easements, including any mitigation for the release and the potential addition of lands for FWC management. The FWC Commission's explicit direction to staff was that the decision on the release of the Conservation Easements should be brought to a future FWC Commission meeting for final action.

Previously, county staff had identified several possible actions for future consideration by the Board, as referenced following FCT's approval of the linear facility. They were generally as follows:

- Consideration of an amended FCT Grant Award Agreement. ***(FCT stated that this is no longer required based on the FCT Governing Board action taken on April 20, 2022)***
- Consideration of an amended Interagency Agreement over existing SOFWEA. ***(FCT stated that this is no longer required based on the FCT Governing Board action taken on April 20, 2022)***
- Consideration of a Donation Agreement to accept 968 acres of donated lands dedicated for preservation within Orange County.
- Determination of need for restoration and/or remediation of any portion of the Donated Lands, and amendment to the County's Future Land Use of those lands to "Preservation".
- Consideration of an Interagency Management Agreement with FWC to maintain the donated lands.
- Consideration of a Conservation Easement granted to FWC and FCT over the donated lands. The Conservation Easement would provide a legal instrument for the protection of the donated lands.

Following the FWC meeting on December 5, 2023, staff from Osceola County contacted Orange County EPD to inform us that in light of the recent Orange County Commission vote, Osceola County will propose to own and enter into an agreement with FWC to manage the entire proposed donated land (1,550 acres) located within both Orange and Osceola County. They will be requesting that FWC develop an Interagency Management Agreement with Osceola County related to the entire donated lands, which could eliminate the need for Orange County to consider a Donation Agreement, Interagency Management Agreement with FWC, and Conservation Easement related to the donated lands, as referenced above. In essence, this proposal by Osceola County, if approved by their Board, would remove Orange County from any decisions or direct involvement in any future action by FCT or FWC involving the proposed donated land and the remainder of the process.

EPD did not comment or respond to Osceola County staff, rather just received the call as information to share with you. If the Board is not receptive to the direction Osceola County is considering, EPD would continue to participate in meetings and discussions with FCT, FWC, and Osceola County on terms and conditions and to stay informed on matters that ultimately will come to this Board for decisions as previously identified.

To recap the status on this subject:

1. FCT has approved the linear facility. The matter will not be heard or taken back to FCT for their consideration unless the above remaining actions are not resolved.
2. The Osceola County application to FWC for the release of Conservation Easements and management of the donated lands is currently under review.
3. The FWC future decisions are related to the proposed donated lands.

4. If the Board chooses not to accept the donated lands or support another entity accepting the 968 acres, it is unclear if that would affect FCT's and FWC's decision on Osceola Parkway Extension. We will seek clarity from the agencies.

There is not a definitive timeframe for the development of agreements and easements related to the donated lands. The next FWC Commission meeting is on February 21 and 22, 2024 in Tallahassee. FWC has not posted their agenda, so we do not know if FWC intends to place this topic on the agenda. We will keep you posted. Additionally, the County Administrator has tentatively scheduled a work session for the February 6, 2024 BCC meeting for staff to update the Board and Board discussion.

Attachments:

1. December 5, 2023 FWC Staff Report and Presentation
2. July 20, 2022, Updated Board Memo OPE and SOFWEA
3. May 2, 2022, FCT Governing Board Meeting Synopsis

C. Byron W. Brooks, AICP, County Administrator  
Jon V. Weiss, P.E., Deputy County Administrator  
Jeffrey J. Newton, County Attorney  
Georgiana Holmes, Assistant County Attorney  
Andres Salcedo, P.E., Acting Director, PEDS  
Liz Johnson, Assistant Manager, EPD  
Beth Jackson, Environmental Programs Administrator, EPD

BJ/ERJ/GH/RHP: rhp

# Attachment 1

# MEMORANDUM



**To:** Florida Fish and Wildlife Conservation Commissioners  
**From:** Melissa Tucker, Director, Habitat and Species Conservation  
**Date:** December 2023  
**Subject:** Staff Report – Split Oak Forest Wildlife and Environmental Area

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**Purpose:** Provide background information and request direction from the Commission regarding the FWC's response to a roadway project that would impact the Split Oak Forest Wildlife and Environmental Area (WEA).

**Why:** A portion of the Split Oak Forest WEA would be impacted by a proposed roadway, and FWC staff would no longer be able to manage approximately 160 acres of the WEA.

**Top Points:**

- 1) Split Oak Forest WEA is 1,689 acres jointly owned by Orange and Osceola counties (the Counties) and managed by the FWC under an agreement with the Counties. It was acquired in part with funds from the discontinued FWC Gopher Tortoise Mitigation Park Program, and the FWC holds perpetual conservation easements over the area.
- 2) The Central Florida Expressway (CFX) Osceola Parkway Extension would impact Split Oak Forest WEA in Osceola County and necessitate releasing portions of the perpetual conservation easements.
- 3) In exchange for release of portions of the conservation easements, the parties are working on a mitigation package that will result in a net positive conservation benefit, including donation of lands adjacent to Split Oak WEA that will be added to the management area.

**Interested Parties:** Orange County, Osceola County, adjacent landowners and members of the public in the impacted counties, Central Florida Expressway Authority, Florida Communities Trust, Audubon Florida, and Friends of Split Oak Forest.

**Summary:** Split Oak Forest WEA is 1,689 acres jointly owned by Orange and Osceola counties. The Split Oak Forest WEA was acquired in 1994 with a grant award from the Florida Communities Trust (FCT) and funding from the FWC Gopher Tortoise Mitigation Park Program, to be utilized as a mitigation area to offset impacts to gopher tortoise habitat from development. The FWC holds conservation easements over the area and staff manage Split Oak Forest WEA through an interagency agreement.

The CFX has proposed construction of the Osceola Parkway Extension, part of a regional expressway, which would result in direct and indirect impacts to the southern portion of Split Oak Forest WEA. Staff have been working with CFX and the Counties to identify alternatives that would minimize and mitigate the anticipated impacts and ensure a net positive conservation benefit. Mitigation alternatives include donation of conservation lands and funds for restoration and management in exchange for releasing portions of conservation easements over a section of Split Oak WEA. A new interagency agreement between the Counties and the FWC will be needed for restoration and management of donated lands, and for continued management over the entirety of Split Oak Forest WEA.

**Staff Recommendation:** Provide direction to staff on further discussions with the Counties; delegate implementation of direction to Executive Director.

**Staff Contact and/or Presenter:** Melissa Tucker, Director, Habitat and Species Conservation

## Split Oak Forest Wildlife and Environmental Area Conservation Easement Release



Staff Report  
December 2023

**Florida Fish and Wildlife Conservation Commission**

This presentation provides background information on a proposed roadway project that would impact the Split Oak Forest Wildlife and Environmental Area.

Division: Habitat and Species Conservation

Author: Laura DiGruttolo, Jennifer Goff

Report Date: December 5, 2023

*Photos: Unless otherwise noted, images throughout the presentation are by FWC. Left: oak habitat, Middle: Florida sandhill crane and chick, Right: gopher tortoise*

## Split Oak Forest Wildlife and Environmental Area

- Nearly 1,700 acres owned jointly by Orange County and Osceola County
- Acquired to protect gopher tortoises and wetlands
- FWC holds perpetual conservation easements over the property
- FWC manages under an interagency agreement and management plan



Split Oak Forest Wildlife and Environmental Area is a 1,689-acre conservation area located in Orange and Osceola counties approximately one-mile south of metropolitan Orlando. It provides important habitat for gopher tortoises and a diverse assemblage of other imperiled and focal species and is also contiguous to a network of public and privately owned conservation lands and two area lakes.

Split Oak Forest WEA was acquired in 1992 by Orange and Osceola counties in partnership with the FWC with funding from the Florida Communities Trust. In 1994, the FWC entered into an interagency agreement with the Counties that designated the FWC as the managing agency of the WEA and established the site as a mitigation area for gopher tortoises and wetlands. Perpetual conservation easements were granted to the FWC over the Orange County portion of the WEA and approximately 367 acres in four conservation easements over the Osceola County portion.

*Image: Map illustrating location of Split Oak Forest WEA*



## Split Oak Forest WEA Management and Public Use

- Prescribed fire is an important tool to manage for imperiled species
- Provides popular nature-based recreation for nearby residents
- Contains sections of the Great Florida Birding & Wildlife Trail and Florida National Scenic Trail



Split Oak Forest WEA is managed by FWC in cooperation with the Orange and Osceola Counties to restore and conserve habitat for the gopher tortoise and other imperiled, rare, and focal wildlife species, and to provide passive, wildlife-oriented public recreational opportunities. Management activities emphasize the maintenance and restoration of optimum habitat for imperiled and other wildlife species. Prescribed burning is an important management strategy for restoring, maintaining, and enhancing habitats. Vegetation and wildlife monitoring are conducted to monitor progress in meeting management goals. The WEA offers a variety of fish and wildlife based recreational opportunities, including more than nine miles of marked trails with scenic overlooks open for wildlife viewing, hiking, and horseback riding. The Florida National Scenic Trail winds through the property and the WEA is also included in the East Section of the Great Florida Birding and Wildlife Trail.

*Photos: Top: gopher tortoise, Bottom Left: viewing platform, Right: prescribed fire*

## CFX Osceola Parkway Extension

- Proposed Osceola Parkway Extension
  - Address expressway capacity and planned growth in the region
- Minimization Alternative:
  - 1.3 miles through Split Oak WEA
  - 60 acres of direct impacts
  - 100 acres of indirect impacts
- FWC has been heavily engaged with CFX and the Counties



The Central Florida Expressway Authority proposes the construction of the Osceola Parkway Extension, part of a regional expressway system, to begin near the intersection of State Road 417 and Boggy Creek Road in Orange County and terminating south of Cyril's Drive in Osceola County. More information can be found at <https://www.cfxway.com/agency-information/plans-studies/project-studies/osceola-parkway-extension/>

*Graphic: Map by CFX illustrating alignment of proposed Osceola Parkway Extension in relation to Split Oak Forest WEA*

## Conservation Easement Release

- A conservation easement release request package is necessary
- Request release of 160 acres affected by the alignment
- Propose mitigation for a net benefit
  - New conservation lands
  - Restoration/management funding
- Revise the interagency agreement and management plan



The Counties and CFX have proposed construction of the Osceola Parkway Extension, part of a regional expressway, which would result in direct and indirect impacts to the southern portion of Split Oak Forest WEA. Staff have been working with the Counties to identify alternatives that would minimize and mitigate the anticipated impacts and ensure a net positive conservation benefit. Alternatives include donation of conservation lands and funds for restoration and management in exchange for releasing portions of conservation easements over a section of Split Oak WEA. A new interagency agreement between the Counties and the FWC will be needed for restoration and management of donated lands, and for continued management over the entirety of Split Oak Forest WEA.

*Graphic: Map illustrating location of Split Oak Forest WEA, FWC conservation easements, alignment of the proposed Osceola Parkway Extension, and lands proposed to be released from conservation easements.*

## Summary of Stakeholder Comments

- Neighboring residential communities may be impacted from an expressway through the area
- Amendments to the Split Oak management plan should ensure the natural resource-based purposes are still met
- Some stakeholders expressed opposition based on loss of habitat, impacts to imperiled species, and conflicts with the purpose of the acquisition
- Osceola Parkway Extension would benefit future large-scale, multi-use planned development, and reduce traffic congestion and travel time in the region



Some stakeholders have expressed a variety of concerns related to the expressway and the impacts it will have on Split Oak WEA. The expressway is expected to reduce traffic congestion and travel time in the region and should serve expanding needs as nearby areas are developed.

## Next Steps

- Pending commission direction:
  - Continue discussions with CFX and Orange and Osceola Counties
  - Evaluate and negotiate an appropriate easement release mitigation package
- Finalize a new interagency agreement, revised management plan, and conservation easement documents



Staff will continue discussions with CFX and Orange and Osceola counties and will carefully evaluate a mitigation package for net conservation benefit for the release of the easement.

## **Staff Recommendation**

Provide direction to staff on further discussions with the counties.  
Delegate execution to the Executive Director.




Staff welcome direction from the Commissioners, and request that the Executive Director be delegated authority to finalize and execute the mitigation package.



## Interoffice Memorandum

July 20, 2022

TO: Mayor Jerry L. Demings  
-AND-  
County Commissioners

FROM: David D. Jones, P.E., CEP, Manager  
Environmental Protection Division 

SUBJECT: Orange and Osceola Counties request for a linear facilities determination for the Osceola Parkway extension through Split Oak Forest and Wildlife Environmental Area

The County Administrator requested that the Orange County Attorney's Office and the Environmental Protection Division provide the Board with an update regarding the Osceola Parkway Extension (OPE) through the Split Oak Forest and Wildlife Environmental Area (SOFWEA). This memo supplements the update provided on May 2, 2022.

Provided below as background is a timeline of historic, current and future actions relevant to the extension of the OPE that is proposed to impact a portion of SOFWEA within Osceola County:

### **Historic and Current Actions:**

- December 17, 2019: BCC approved Resolution 2019-M-50 regarding Support of Central Florida Expressway Authority (CFX) Preferred Alternative for the OPE Project PD&E Study Re-Evaluation and petitioning Florida Communities Trust (FCT) for a modification of the Grant Award Agreement, Interagency Agreement, and Management Plan.
- May 8, 2020: Osceola and Orange County applied to FCT for a linear facilities determination pursuant to Rule 62-818.015, Florida Administrative Code.
- July 30, 2020: Osceola and Orange County received a Request for Additional Information (RAI) from FCT.
- August 26, 2020: Osceola County files a Complaint challenging the ballot measure that proposed a SOFWEA amendment to Orange County's Charter.
- October 23, 2020: Osceola and Orange County submitted a response to the FCT RAI.
- November 3, 2020: The Split Oak Forest Wildlife and Environmental Area Charter Amendment passed.
- November 24, 2021: Osceola County filed a Second Amended Complaint challenging the Orange County SOFWEA Charter Amendment.
- February 9, 2022: Following written argument by the parties and a hearing, the Court issued an Order Denying Orange County's Motion to Dismiss.
- March 1, 2022: Orange County filed an Answer and Affirmative Defenses.
- March 11, 2022: Osceola County filed a Motion to Strike several of Orange County's affirmative defenses.
- April 20, 2022: The FCT Governing Board considered the request for a linear facilities determination for the proposed extension of the Osceola Parkway that would directly and

indirectly impact 160 acres of the SOFWEA. The entire acreage to be impacted is located in Osceola County. FCT Governing Board unanimously (with one member absent) approved Osceola and Orange County's request and identified items that must be resolved prior to final transfer of any interest in the property. The staff report and analysis provided to the FCT Governing Board for their consideration and approval and a video recording of the meeting is available at the following weblink: <https://floridadep.gov/lands/land-and-recreation-grants/content/florida-communities-trust-governing-board>.

- May 2, 2022: EPD's memo to the Mayor and Commissioners summarizing the FCT Governing Board April 20, 2022 action. The memo is provided as an attachment.
- May 12, 2022: CFX Governing Board passed Resolution #2022-427 regarding Split Oak and Osceola Parkway Extension. The approved Resolution is provided as an attachment.
- June 7, 2022: Following a hearing, the Court issued an Order Denying Osceola's County's Motion to Strike Orange County's affirmative defenses. The case has moved into the discovery phase of litigation.

### **FCT Approval Considerations:**

- Upon approval of the linear facility request, the following were identified as items that should be resolved prior to any formal transfer of interest in land:
  1. Counties need to advise if they will accept title to the proposed 1,550 acres of donated land.
  2. Counties must provide a survey, environmental site assessment, and title work for the additional 1,550 acres.
  3. Counties should describe how the proposed addition of the 1,550 acres to the site will be managed and by whom.
  4. Counties need to provide draft easements for the 60- and 100-acre parcels proposed for impacts.
  5. Osceola County should provide documentation to FCT that it has satisfied its outstanding mortgage.
  6. Counties must obtain release of easements held by Florida Fish and Wildlife Conservation Commission (FWCC) and South Florida Water Management District (SFWMD) that are not consistent with the expansion of OPE.
- Initial steps have been taken by Osceola County to perform a survey and Phase I Environmental Site Assessment of the 1,550 acres.
- A Work Session updating the Board on the OPE project and SOFWEA, and status of these FCT considerations is planned for early 2023.

### **Possible Future Board Considerations:**

- Consideration of a Resolution expressing Orange County's interest in accepting title of +/- 968 acres of proposed donated lands within Orange County.
- Consideration of a Conservation Easement over the proposed +/-968 acre. The Grantee(s) of this Easement has yet to be determined.
- Amending Future Land Use over the proposed +/-968 acres to Preservation.
- Determination of need for restoration, land management and remediation of contaminated areas and associated costs.
- Revision of the FCT Grant Award Agreement.
- Revision of the FWCC Interagency Agreement, and update of the Management Plan.
- Design, construction and permitting of the proposed portion of the OPE that is proposed to impact the Osceola County portion of SOFWEA will be performed by CFX. Orange



County does not have any jurisdictional or regulatory permitting authority over lands in Osceola County and the portion of the OPE project proposed to impact SOFWEA.

At this time there is not a definitive timeframe for when the above listed items may come to the Orange County Board of County Commissioners for formal consideration and consistent with any Charter provision. We will update the Board as we get more information.

Attachments

- C. Byron Brooks, Orange County Administrator
- Chris Testerman, Deputy County Administrator
- Jeff Newton, Orange County Attorney
- Jon Weiss, Director, PEDS
- Liz Johnson, Assistant Manager
- Georgiana Holmes, Attorney IV
- Beth Jackson, Environmental Program Supervisor


BJ/ERJ/GH/



**Interoffice Memorandum**

May 2, 2022

TO: Mayor Jerry L. Demings  
-AND-  
County Commissioners

FROM: David D. Jones, P.E., CEP, Manager   
Environmental Protection Division

SUBJECT: Synopsis of Florida Communities Trust April 20, 2022 Board Meeting regarding Orange and Osceola Counties Request for a Linear Facilities Determination for the Osceola Parkway Extension through Split Oak Forest Wildlife and Environmental Area

County Administrator Brooks requested that the Orange County Attorney's Office and the Environmental Protection Division provide the Board with a synopsis of the Florida Communities Trust (FCT) Governing Board meeting that occurred on April 20, 2022.

The FCT Governing Board considered the request for a linear facilities determination for the proposed extension of the Osceola Parkway that would directly and indirectly impact 160 acres of the Split Oak Forest Wildlife and Environmental Area (SOFWEA). The request was submitted to FCT on May 8, 2020. The entire acreage to be impacted is located in Osceola County.

The Florida Department of Environmental Protection (FDEP), along with staff from FDEP's Office of General Counsel presented the request to the FCT Board members, along with a recommendation of items that need to be resolved prior to the formal transfer of any interest in the 160 acres. The staff report and analysis provided to the FCT Governing Board for their consideration and approval and a video recording of the meeting is available at the following weblink: <https://floridadep.gov/lands/land-and-recreation-grants/content/florida-communities-trust-governing-board>.

Upon conclusion of the FDEP staff overview of the item, the FCT Governing Board made a motion to approve the request and opened the item up for public comment.

There were approximately 60 individuals who commented in-person or virtually on the item and the overwhelming majority of the comments were in opposition to the request. Upon the completion of the public comment period, the FCT Governing Board members unanimously approved the request by a 4-0 vote, with one member absent.

Future actions to be considered by the Board of County Commissioners regarding this matter may include the acceptance of +/- 934 acres of proposed donated lands, conveyance of a Conservation Easement over the proposed +/-934 acres, revision of the FCT Grant Award Agreement, Florida Wildlife and Conservation Commission Management Agreement, and update of the Management Plan. At this time, there is not a definitive timeframe for when these items may come to the Orange County Board of County Commissioners. We will update the Board as we get more information.

C. Byron Brooks, Orange County Administrator  
Chris Testerman, Deputy County Administrator  
Jeff Newton, Orange County Attorney  
Jon Weiss, Director, PEDS  
Liz Johnson, Assistant Manager  
Georgiana Holmes, Attorney IV  
Beth Jackson, Environmental Program Supervisor

BJ/ERJ/GH/dj

## **CENTRAL FLORIDA EXPRESSWAY AUTHORITY RESOLUTION OF SUPPORT**

The Central Florida Expressway Authority (“CFX”), an agency of the State of Florida, created by Part III of Chapter 348, Florida Statutes, hereby adopts this Resolution of Support on May 12, 2022 to increase the protection of conservation lands within the Central Florida region.

WHEREAS, the 1,689 acre area known as the Split Oak Forest Wildlife and Environmental Area (“Split Oak”) was created via a Grant Award Agreement dated March 29, 1994 among Osceola County, Orange County, and the Florida Communities Trust (“FCT”); and

WHEREAS, the Grant Award Agreement provides that Split Oak is managed for “the conservation, protection and enhancement of natural and historical resources and passive, natural resource-based public outdoor recreation which is compatible with the conservation, protection and enhancement of Split Oak”; and

WHEREAS, the Florida Fish and Wildlife management plan for Split Oak includes goals of maintaining, designing, and developing miles of designated trails and undesignated trails within Split Oak and linking such trails with adjacent public areas, including trails for the Florida National Scenic Trail; and

WHEREAS, after careful and extensive consideration of routes for CFX’s Osceola Parkway Extension (“Expressway”), the Split Oak Minimization Alternative was chosen as the preferred route, which includes 1.3 miles of the proposed Expressway crossing through Osceola County’s southern corner of Split Oak; and

WHEREAS, the overall plan for the Expressway easement includes a donation of approximately 968 additional acres of conservation land in Orange County and 582 additional acres of conservation land in Osceola County, totaling approximately 1,550 acres of additional conservation land generally to the east of Split Oak; and

WHEREAS, this additional 1,550 acres of donated land provides more connectivity to existing preservation lands and helps provide a buffer for Split Oak and other contiguous conservation land; and

WHEREAS, on April 20, 2022, the FCT approved Orange and Osceola Counties request to modify the Split Oak Management Plan for a linear facility to allow for CFX’s proposed Expressway; and

WHEREAS, CFX agrees to set up and fund an escrow account to finance the restoration and 30 years of maintenance for the 1,550 acres of donated land to help ensure the success of the restoration of the donated land; and

Resolution #2022-427  
Resolution of Support

WHEREAS, CFX supports granting a conservation and preservation easement across Split Oak and the 1,550 acres of donated land; and

WHEREAS, CFX supports granting an easement to the Florida National Scenic Trail within Split Oak and the 1,550 acres of donated land to support the mission of developing, maintaining, protecting, and promoting a network of hiking trails throughout the state; and

WHEREAS, CFX supports restricting the ability to widen the easement for the Expressway after the initial construction of the Expressway; and

WHEREAS, CFX supports the creation of wildlife crossings and is committed to working with Florida Wildlife Corridors to provide for large wildlife crossings under the Expressway in Split Oak; and

WHEREAS, CFX recognizes the importance for the periodic prescribed burns for conservation and preservation and supports alerting the traveling public of such activities.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BOARD OF THE CENTRAL FLORIDA EXPRESSWAY AUTHORITY AS FOLLOWS:

- CFX will not request a widening of the easement after the initial construction of the Expressway.
- CFX supports granting a conservation and preservation easement across Split Oak and the 1,550 acres of donated land to a qualified land conservancy organization.
- CFX agrees to fund restoration to meet the criteria identified in an independent management plan and will fund the maintenance for a 30-year period for the 1,550 acres of donated land. Restoration and maintenance costs is estimated to be approximately +/- \$13 million net present value.
- CFX supports the efforts of Florida Fish and Wildlife and other land management agencies to assure that gopher tortoise mitigation easement areas within the 160 acres impacted by the Osceola Expressway Extension project are replaced with areas suitable for gopher tortoise habitat contiguous to and linked in a corridor to Split Oak.
- CFX supports the grant of an easement to the Florida Trail Association to promote, develop and maintain a network of hiking trails through Split Oak and the 1,550 acres of donated land with some allowances for dog friendly trails.
- CFX agrees to provide substantial bridged wildlife crossings along the 1.3 mile Expressway through Split Oak in Osceola County; using the Wekiva Parkway wildlife crossings as a model for this project.

Resolution # 2022-427  
Resolution of Support

- CFX will advocate for the expansion of wildlife corridors to provide more wildlife connectivity to other preservation lands in the area based on the 2021 Florida Ecological Greenways Network.
- CFX will erect appropriate signage and warning signals along the expressway for the periodic prescribed burns necessary for the conservation and preservation of Split Oak and will coordinate with the appropriate agencies to alert the traveling public of prescribed burns in the area when necessary.

This Resolution was approved and adopted by the Central Florida Expressway Authority on May 12, 2022.

**CENTRAL FLORIDA  
EXPRESSWAY AUTHORITY**

By: \_\_\_\_\_

  
Sean Parks, Chairman

**ATTEST:**

By: \_\_\_\_\_

  
Mimi Lamaute  
Board Services Coordinator

Approved as to form and legality by legal counsel to the Central Florida Expressway Authority on this 12<sup>th</sup> day of May 2022 for its exclusive use and reliance.

By: \_\_\_\_\_


  
Diego "Woody" Rodriguez  
General Counsel



## Interoffice Memorandum

May 2, 2022

TO: Mayor Jerry L. Demings  
-AND-  
County Commissioners

FROM: David D. Jones, P.E., CEP, Manager  
Environmental Protection Division 

SUBJECT: Synopsis of Florida Communities Trust April 20, 2022 Board Meeting regarding Orange and Osceola Counties Request for a Linear Facilities Determination for the Osceola Parkway Extension through Split Oak Forest Wildlife and Environmental Area

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There were approximately 60 individuals who commented in-person or virtually on the item and the overwhelming majority of the comments were in opposition to the request. Upon the completion of the public comment period, the FCT Governing Board members unanimously approved the request by a 4-0 vote, with one member absent.

Future actions to be considered by the Board of County Commissioners regarding this matter may include the acceptance of +/- 934 acres of proposed donated lands, conveyance of a Conservation Easement over the proposed +/-934 acres, revision of the FCT Grant Award Agreement, Florida Wildlife and Conservation Commission Management Agreement, and update of the Management Plan. At this time, there is not a definitive timeframe for when these items may come to the Orange County Board of County Commissioners. We will update the Board as we get more information.

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BJ/ERJ/GH/dj