

Board of County Commissioners

**Split Oak Forest and
Osceola Parkway Extension
Discussion Agenda**

December 17, 2019



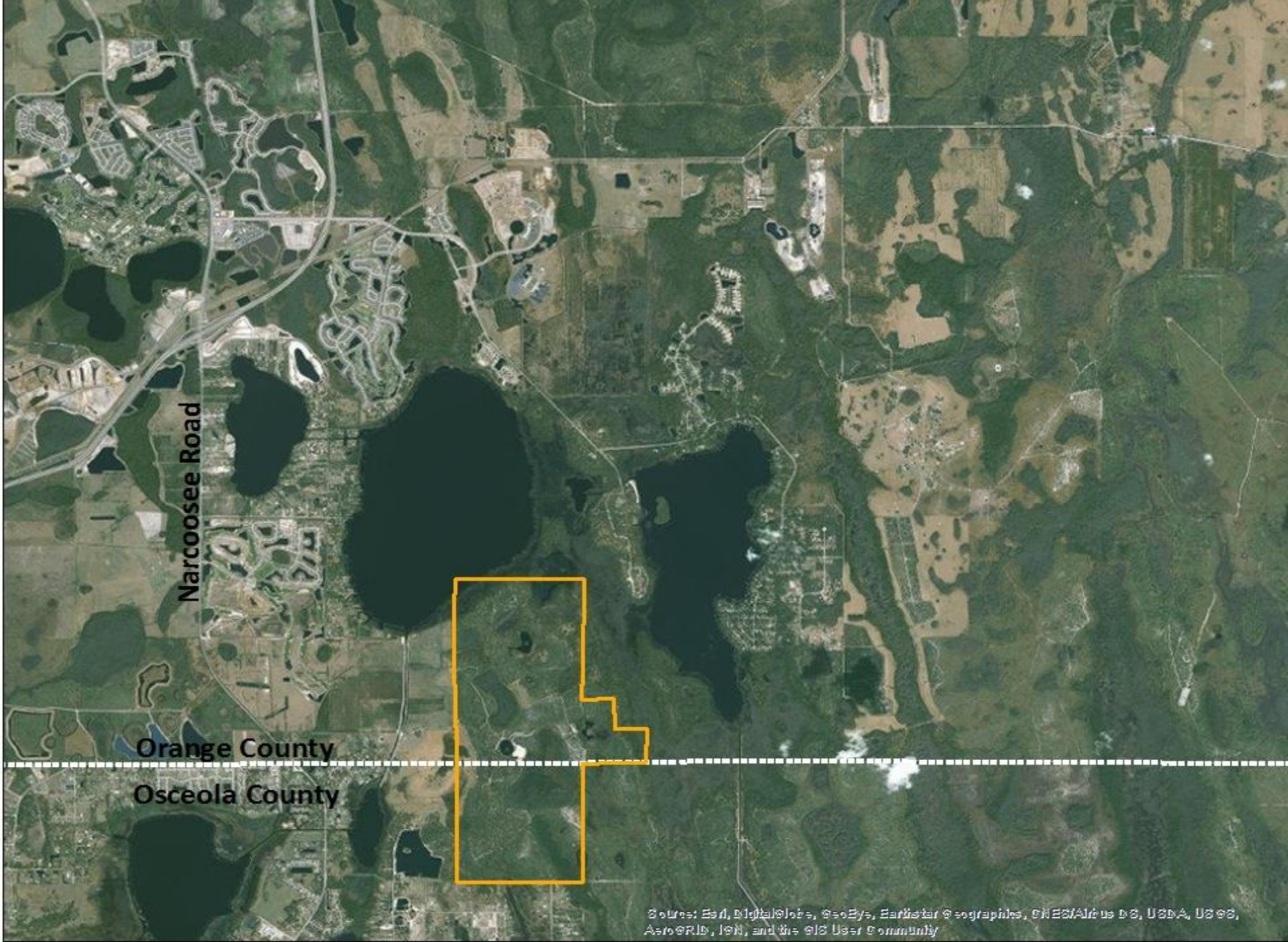
Presentation Outline

- **Split Oak Forest Wildlife & Environmental Area**
- **Florida Communities Trust Process**
- **Osceola Parkway Extension**
- **Resolution Overview**
- **Summary**
- **Action Requested**



Presentation Outline

- **Split Oak Forest Wildlife & Environmental Area**
- Florida Communities Trust Process
- Osceola Parkway Extension
- Resolution Overview
- Summary
- Action Requested



Narcoosee Road

Orange County
Osceola County

Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Split Oak Forest WEA

- Acquired in 1994
- Purchase Price: \$8,613,900
- 1,684 acres
 - 1,049 Orange County
 - 635 Osceola County
- Partners:
 - Florida Fish and Wildlife Conservation Commission (FWC)
 - Florida Communities Trust (FCT)
 - Osceola County





Split Oak Forest WEA

▪ Acquisition Purpose

- Wetland permitting mitigation
- Preserve suitable Gopher Tortoise habitat
- Provide nature-based recreational experiences
- Conserve natural and cultural resources





Split Oak Forest WEA

- Protects a diverse range of natural communities that support both imperiled plant and wildlife species
- Designated as a Great Florida Birding and Wildlife Trail
- Future Land Use Designation of Preservation
- Florida National Scenic Trail





Presentation Outline

- Split Oak Forest Wildlife & Environmental Area
- **Florida Communities Trust Process**
- Osceola Parkway Extension
- Resolution Overview
- Summary
- Action Requested



Florida Communities Trust Process

▪ Florida Statute 704.06 subsection 11 states:

Nothing in this section or other provisions of law shall be construed to prohibit or limit the **owner of land**, or the owner of a conservation easement over land, **to voluntarily negotiate the sale or utilization of such lands or easement for the construction and operation of linear facilities, including** electric transmission and distribution facilities, telecommunications transmission and distribution facilities, pipeline transmission and distribution facilities, **public transportation corridors**, and related appurtenances, nor shall this section prohibit the use of eminent domain for said purposes as established by law. In any legal proceeding to condemn land for the purpose of construction and operation of a linear facility as described above, the court shall consider the public benefit provided by the conservation easement and linear facilities in determining which lands may be taken and the compensation paid.



Florida Communities Trust Process

- **Rule 62-818.015, Florida Administrative Code outlines a process for FCT to consider allowing a linear facility, such as a roadway, through a FCT project site**





Florida Communities Trust Process

- **Linear Facilities Rule 62-818.015 requires:**
 - FCT has to make a determination that there is no other reasonable alternative
 - That the land use is designed to have minimal impact to the site
 - That other options have been considered by the Recipient





Florida Communities Trust Process

- **If FCT determines that there are no practical alternatives, the following is required:**
 - A written statement from the local government that they have reviewed and approved the proposed use
 - A description and dimensions of the proposed linear facility
 - Information on the natural communities and cultural features on and adjacent to the proposed linear facility
 - A statement on how the proposed linear facility will be compatible with planned recreational uses
 - A proposed mitigation (e.g., compensation) plan for impacts to the site
 - A modified master site plan



Florida Communities Trust Process

- FCT staff then evaluates the request and may approve accordingly
- If public objections are received, FCT will present the request to the Trust Governing Board for consideration
- Once approved, the following is required:
 - An appraisal of the land use area as approved by the FCT
 - A legal description from a licensed surveyor
 - Execute an amended Declaration of Restrictive Covenants
 - Record the amended Declaration of Restrictive Covenants in the Public Records of the County where the property is located



Florida Communities Trust Process

- **If Split Oak is to be impacted, the following would require future Board action:**
 - **Approve an amended FCT Grant Award Agreement with Osceola County and FCT**
 - **Approve an amended Interagency Agreement with Osceola County and FWC**
 - **Execute an agreement that identifies the funding responsibility for restoration and management activities of the proposed preservation of 1,550 acres with Osceola County and CFX**



Presentation Outline

- Split Oak Forest Wildlife & Environmental Area
- Florida Communities Trust Process
- **Osceola Parkway Extension**
- Resolution Overview
- Summary
- Action Requested



Presentation Outline

- Split Oak Forest Wildlife & Environmental Area
- Florida Communities Trust Process
- Osceola Parkway Extension
- **Resolution Overview**
- Summary
- Action Requested



Resolution Overview

- **Background and context**
- **Approval of the use of an easement of approx. 60 acres for the Osceola Parkway Extension project**
- **Approval of submission of request to FCT for modification of necessary agreements**
- **Approvals contingent upon additional 968 acres to be placed into conservation**
- **Authorize staff to coordinate with Osceola County and CFX**
- **Approval of a conveyance of an easement of approx. 60 acres to CFX as part of the project**



Presentation Outline

- Split Oak Forest Wildlife & Environmental Area
- Florida Communities Trust Process
- Osceola Parkway Extension
- Resolution Overview
- **Summary**
- Action Requested



Summary

- **CFX has selected their preferred alternative**
- **Since the Osceola Parkway Extension impacts Split Oak, further Board action is required:**
 - **Make application to FCT to amend the FCT Grant Award Agreement**
 - **Amend the Interagency Agreement and Management Plan**
 - **Execute an Agreement between Orange and Osceola Counties and CFX that identifies the funding responsibility for restoration and management activities of the 1,550 acres**



Presentation Outline

- Split Oak Forest Wildlife & Environmental Area
- Florida Communities Trust Process
- Osceola Parkway Extension
- Resolution Overview
- Summary
- **Action Requested**



Action Requested

- **Approval of a Resolution of the Orange County Board of County Commissioners regarding Support of the Central Florida Expressway Authority Preferred Alternative for the Osceola Parkway Extension Project Development and Environment (PD&E) Study Re-Evaluation and petitioning the Florida Communities Trust for a Modification of the Grant Award Agreement, Interagency Agreement, and Management Plan. District 4**