

Board of County Commissioners

Conservation Area Impact Permit Application

CAI-20-12-075

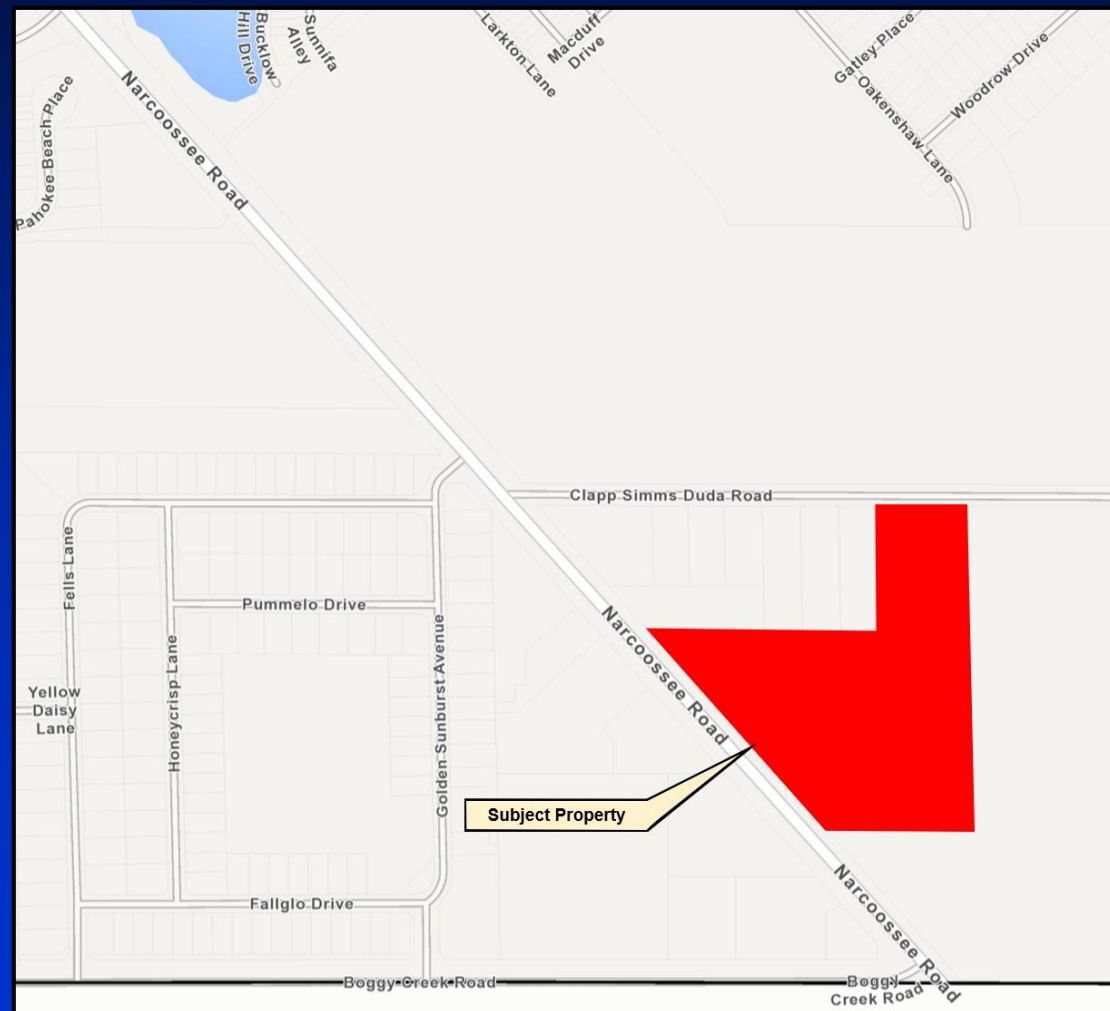
Applicant: Orlando Utilities Commission (OUC)

September 28, 2021



Location Map

10708 Clapp Simms Duda Rd, Orlando



Parcel ID No.: 32-24-31-0000-00-008

10708 Clapp Simms Duda Rd, Orlando



Parcel ID No.: 32-24-31-0000-00-008



Current Conditions

- Existing features onsite include:
 - Class I surface water (0.69 acre) comprised of a manmade, excavated cattle-watering pond. Class I designation due to imperiled wildlife utilization.
 - Class II wet prairie system (1.29 acres) comprised of wet improved pasture
 - Uplands (8.21 acres) comprised mostly of improved pasture with some areas of forested habitat.
 - Single-family home and buildings located in the northern portion of the site associated with a former residence.
- The immediate surrounding land uses include:
 - Eagle Creek development to the north.
 - Undeveloped areas, a single-family home, and Narcoossee Road to the west/northwest.
 - Shrub wetland to the south and east.



Current Conditions

 **Surface Water**
(Class I - 0.69 acre)

 **Wetland**
(Class II - 1.29 acres)



Current Conditions





Current Conditions





Permit Application Review

- During review of the Conservation Area Determination (CAD-20-04-073) for the property, Florida sandhill crane (*Grus canadensis pratensis*), a state-designated threatened species, were documented to utilize the site.
 - Cranes were observed foraging in the wet prairie system in the southern portion of the site.
- Approximately 0.10-acre of the littoral shelf of the cattle pond is considered suitable nesting habitat for cranes, although not of very high quality.
 - The slopes of the pond are moderately steep. Cranes prefer gradual slopes.
 - The pond is deeper than the ideal system type for crane nesting habitat, a freshwater marsh.



Permit Application Review

- Albeit low quality habitat for nesting, two adult cranes were observed by the applicant's environmental consultant constructing a nest in February 2021 along the southwestern shoreline of the cattle pond.
- Upon subsequent visits, eggs were observed within the nest.
- Later in the nesting season, the scattered remains of the eggs were observed without any evidence of sandhill cranes hatchlings utilizing the site.
- Sandhill crane nests are frequently raided by predators, which may explain what happened to the eggs.

Permit Application Review



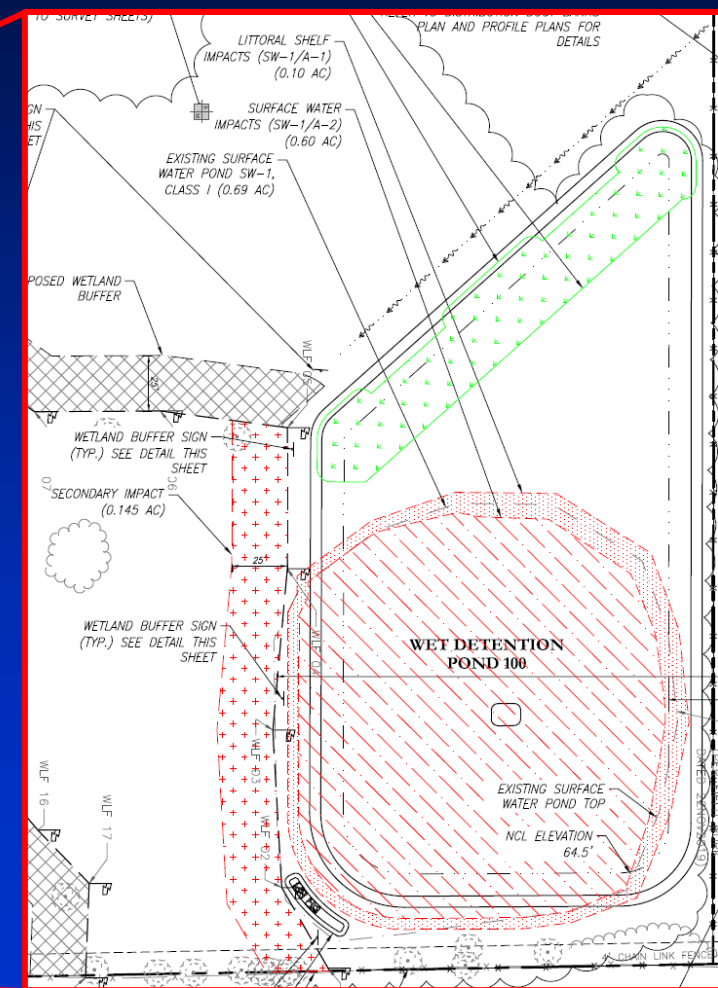
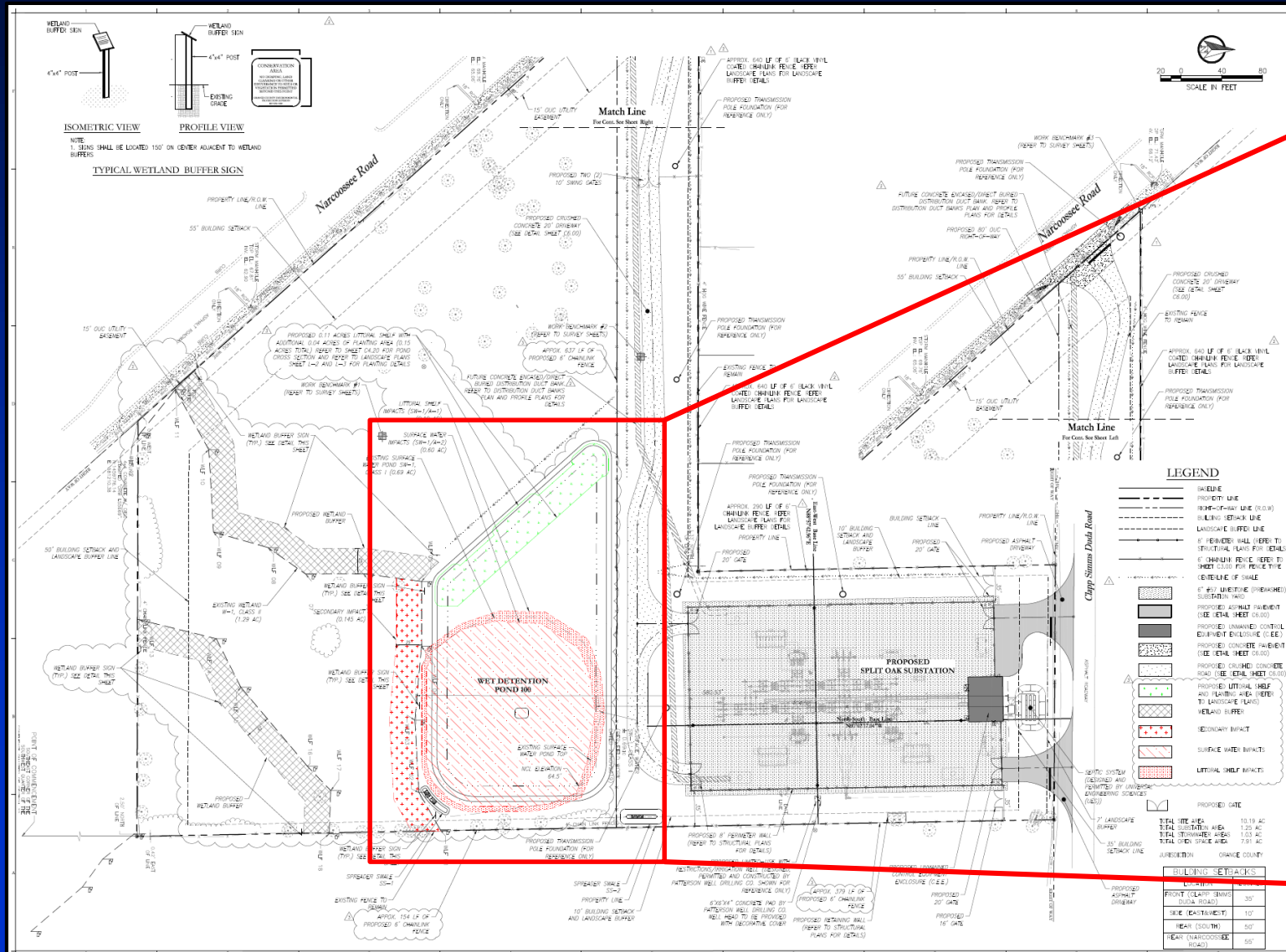


Permit Application Review

- The applicant is proposing direct impacts to 0.69 acre of Class I surface waters in order to construct a stormwater retention pond to serve the proposed substation. The project will also result in 0.15 acre of temporary secondary impacts to Class II wetlands.

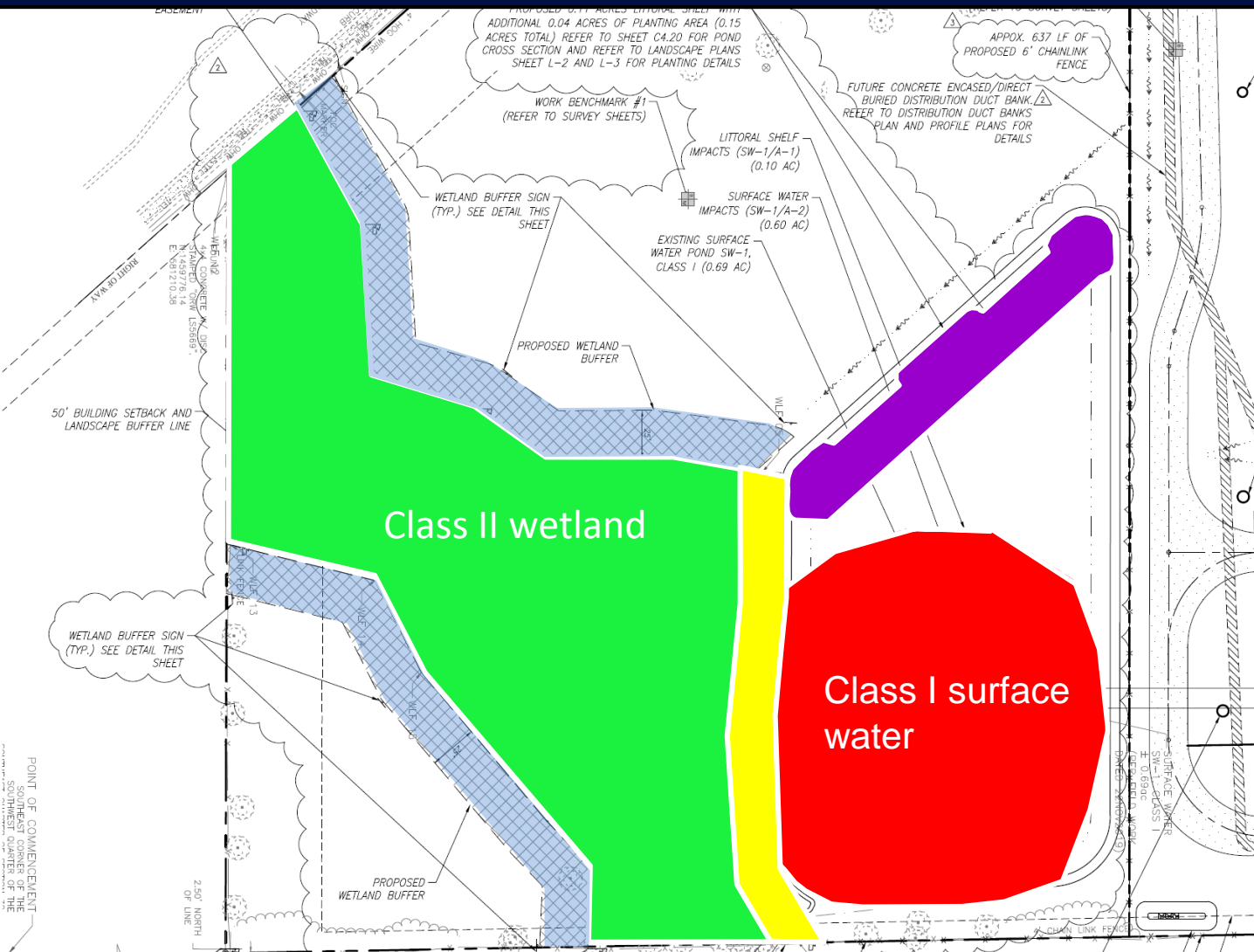


Site Plan





Site Plan – Impacts



1.29 acres of Class II wetlands and 0.69 acres of Class I surface water



0.69 acre of Class I surface water impacts



0.15 acre of Class II temporary wetland impacts



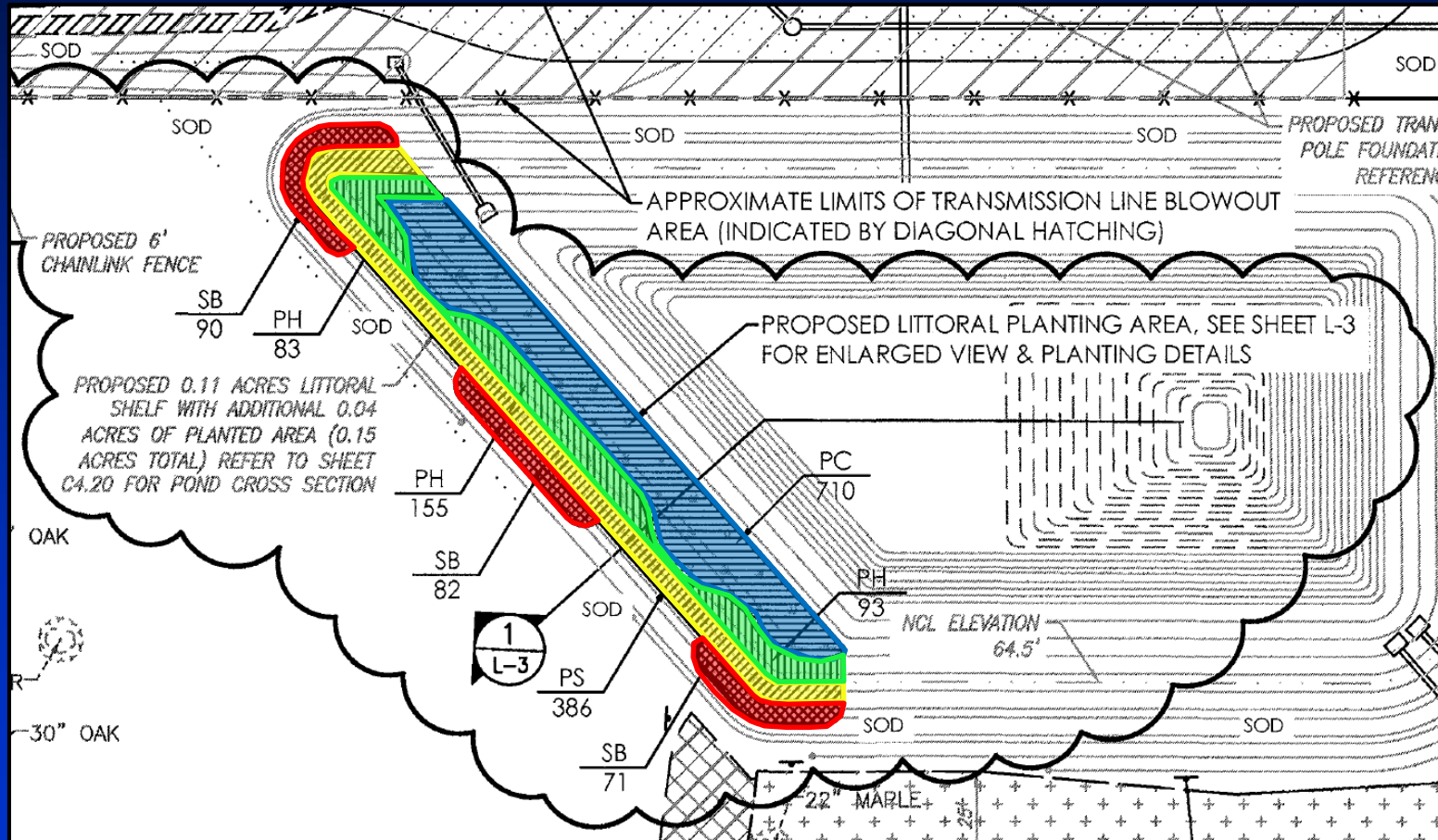
0.37 acre of upland buffer to remain





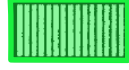

0.15 acre of created littoral shelf with plantings



Site Plan – Littoral Zone



LITTORAL PLANTING AREA LEGEND

SYMBOL	KEY	QNTY.	COMMON/BOTANICAL NAME
	SB	243	Sand Cordgrass <i>Spartina bakerii</i>
	PS	386	Smartweeds <i>Polygonum spp.</i>
	PH	331	Maidencane <i>Panicum hemitomom</i>
	PC	710	Pickeralweed <i>Pontederia cordata</i>



Mitigation

- As mitigation for the direct impacts, the applicant is proposing to purchase 0.17 state wetland mitigation credits from the TM-Econ Mitigation Bank, Phase 1-3, located in southeastern Orange County.
- Creation of 0.11 acre of littoral zone, with additional 0.04 acre (0.15 acre total) area with 1,670 native plantings within the proposed stormwater pond to provide sandhill crane habitat.



Review Criteria

- EPD staff evaluated the proposed impacts and site plan based on the review criteria in Orange County Code, Chapter 15, Article X.
- Pursuant to Section 15-396(3)(a), the removal, alteration or encroachment within a Class I conservation area shall only be allowed in cases where no other feasible or practical alternatives exist that will permit a reasonable use of the land or where there is an overriding public benefit.
- Additionally, pursuant to Section 15-362(5), where wetlands serve a significant and productive environmental function, the public health, safety and welfare require that any alteration or development affecting such lands should be so designed and regulated so as to minimize or eliminate any impact upon the beneficial environmental productivity of such lands, consistent with the development rights of property owners.



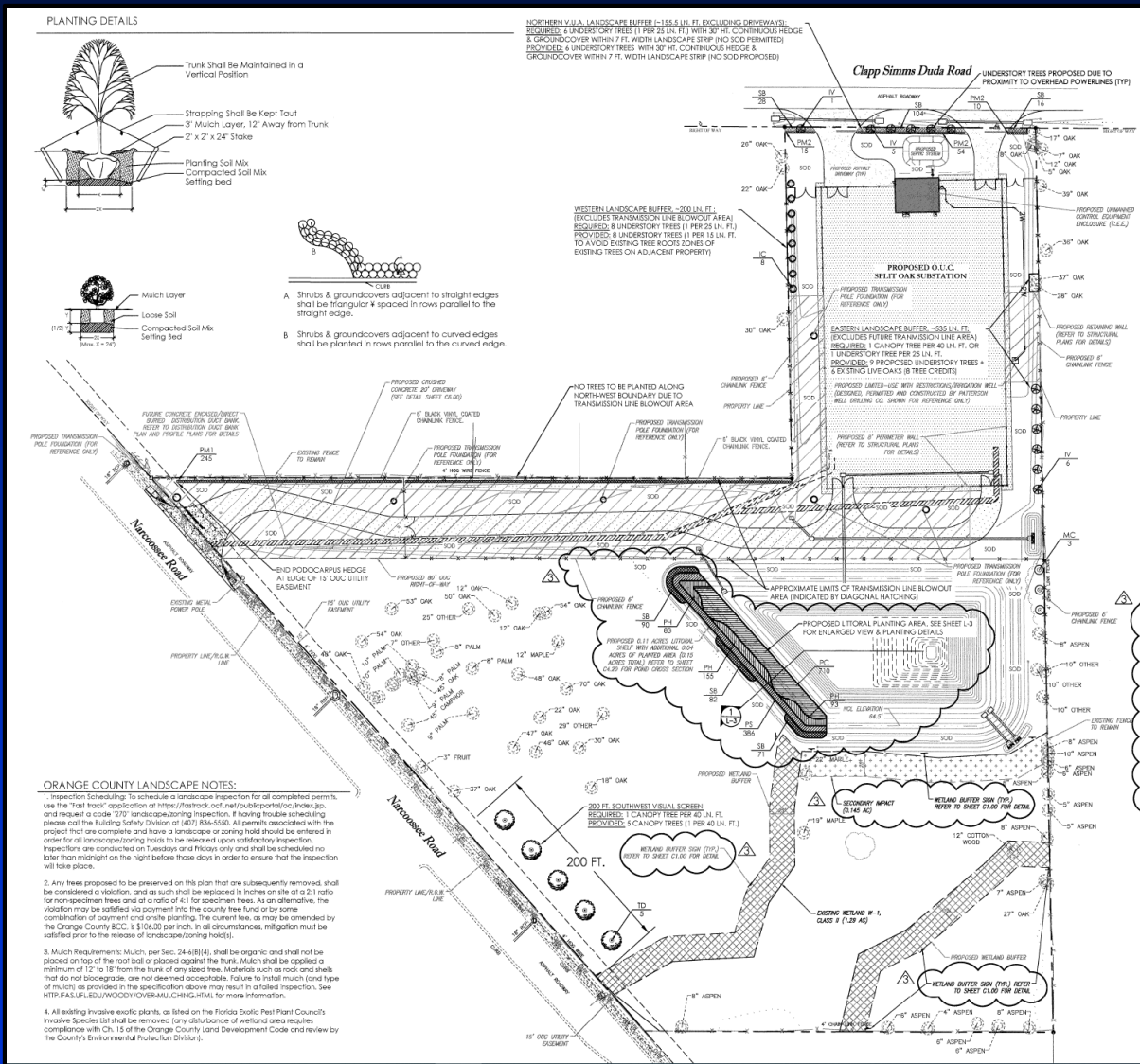
Finding

- **Based on the documentation and justifications provided, EPD staff has determined that the applicant has demonstrated the proposed site plan allows for reasonable use of the land, and that there are no other feasible or practical alternatives available to further minimize or eliminate impacts to conservation areas, and therefore the request meets the criteria for approval.**



Action Requested

- **Acceptance of the findings and recommendation of the Environmental Protection Division staff and approval of Conservation Area Impact Permit CAI-20-12-075 for the Orlando Utilities Commission Substation – Clapp Simms Duda Road Project, subject to the conditions listed in the staff report. District 4**

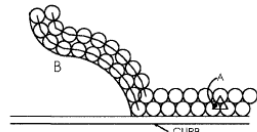
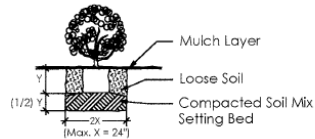
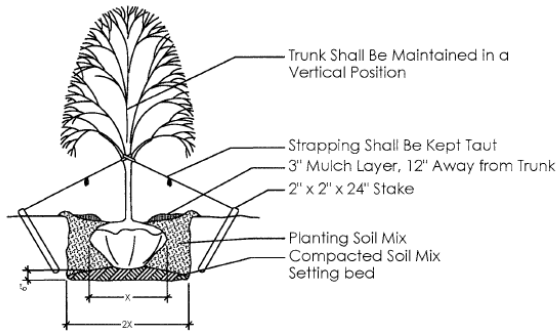


PLANT MATERIALS LEGEND					
SYMBOL	KEY	QNTY.	COMMON/BOTANICAL NAME	SPECIFICATIONS/DESCRIPTION	WATER ZONE
	TD	5	Bald Cypress <i>Taxodium distichum</i>	3" Min. Cal., 10' Min. Ht.	Low
	IV	12	Upright Yaupon Holly <i>Ilex vomitoria 'Pride of Houston'</i>	2" Total Cal., 7' Min. Ht., Multi-Trunk	Low
	MC	3	Wax Myrtles <i>Myrica cerifera</i>	2" Total Cal., 7' Min. Ht., Multi-Trunk	Low
	IC	8	Oakleaf Holly <i>Ilex x 'Conal'</i>	1 1/2" Total Cal., 7' Min. Ht.	Low
	PM1	245	Podocarpus <i>Podocarpus macrophyllum</i>	48" Min. Ht., 15 Gal., 30" O.C.	Medium
	PM2	79	Podocarpus <i>Podocarpus macrophyllum</i>	30" Min. Ht., 7 Gal., 24" O.C.	Medium
	SB	148	Sand Cordgrass <i>Spartina bakerii</i>	Full, 1 Gal., 24" O.C.	Low
	SOD	TBD	Bahia Sod <i>Paspalum notatum 'Argentina'</i>	Solid Sod, Free of Noxious Weeds Repair All Disturbed Areas	
	MULCH	TBD	Pine Bark Mulch	3" Minimum Depth. All Planting Areas Mulch To Be Installed 12" - 18" Away From Trunk of Trees	



Landscape Plan – Northern Quadrant

PLANTING DETAILS



A Shrubs & groundcovers adjacent to straight edges shall be triangular & spaced in rows parallel to the straight edge.

B Shrubs & groundcovers adjacent to curved edges shall be planted in rows parallel to the curved edge.

NORTHERN V.U.A. LANDSCAPE BUFFER (~155.5 LN. FT. EXCLUDING DRIVEWAYS):
REQUIRED: 6 UNDERSTORY TREES (1 PER 25 LN. FT.) WITH 30\"/>

WESTERN LANDSCAPE BUFFER, ~200 LN. FT.:
(EXCLUDES TRANSMISSION LINE BLOWOUT AREA)
REQUIRED: 8 UNDERSTORY TREES (1 PER 25 LN. FT.)
PROVIDED: 8 UNDERSTORY TREES (1 PER 15 LN. FT. TO AVOID EXISTING TREE ROOTS ZONES OF EXISTING TREES ON ADJACENT PROPERTY)

Clapp Simms Duda Road

UNDERSTORY TREES PROPOSED DUE TO PROXIMITY TO OVERHEAD POWERLINES (TYP)

