

**HERNANDO COUNTY
ENVIRONMENTALLY SENSITIVE LANDS COMMITTEE
(ESLC)**

AGENDA

Wednesday
March 16, 2005
(Meeting 3)

Time: 5:30 p.m.

Location: Hernando County Planning Conference Room (2nd Floor), which is located in the Hernando County Government Center/Administration Building, 20 N. Main Street, Room 261, Brooksville, FL 34601

1. Meeting called to order
2. Election of Officers
3. Committee vacancy update
4. Annual budget discussion
 - a. Budget considerations for FY 2005/06 work program
 - b. Planned 2005 management items
5. Future funding options for ESL program
6. Letter of support Regarding Rural Lands Protection (SB242)
7. Janet Butterfield Brooks Preserve update
8. General public comment
9. Approval of minutes from November 15, 2004 and January 13, 2005
10. Committee member issues
11. Schedule and focus of next meeting
12. Adjournment

March 10, 2005

MEMORANDUM

PD-145

TO: Environmentally Sensitive Lands Committee

VIA: Lawrence Jennings, Director
Growth and Development Services

FROM: Dawn Velsor, Lead Environmental Planner
Hernando County Planning Department

SUBJECT: Discussion Items for **March 16, 2005** ESLC Meeting

Planning staff has scheduled a meeting of the ESLC for **Wednesday, March 16, 2005, at 5:30 pm in the Planning Conference Room (2nd Floor, Room 261)**. The main focus of the meeting will be to discuss the annual budget/work plan and to continue discussion of funding options. **A quorum must be present for this meeting.** Members will be notified to confirm meeting date and time.

ESL Budget Update & Proposed FY 2005/2006 Work Program

Estimated expenditures for 2005/2006 include the continuation of the following:

- Design/Improvements for Bayport Park Expansion (\$1.2 million allocated to park development).
- Acquisition of the Withlacoochee State Forest Connector Project is the primary acquisition project for the 2005/2006 budget. The request for consultant services for this project has been advertised. The ESL account will have an estimated balance of \$3.6 million available for acquisition. The committee should review and focus on the proposed 2005/06 work plan. Recent ESLC rankings should be presented to the Board of County Commissioners before the end of March.
- Interim site security:
 - Interim site security using off-duty local deputies (\$20/hr for a minimum of 3 hrs/patrol). Target 4-6 weeks in spring, start of summer vacation, hunting season and sporadically in between (approximately 250 hr) and assess impact. (\$5,000)
 - Fencing of addition, repairs due to vandalism, and boundary sign replacement. (\$8000)
- Control of invasive exotics. On-going invasive exotic plant control at Fickett Hammock and Cypress Lakes (cogon grass, Japanese climbing fern, and skunk vine) (\$17,500).
- Prescribed burns. Contracting for two burns per year for the next three years to restore fire adapted communities as recommended by consultant. (\$15,000)
- Trail improvements and brochure with trail map for Cypress Lakes Preserve to improve public use and satisfy FCT grant award agreement (\$10,000).

- Implementation of wildlife survey recommendations (post burn assessment 2006/2007).
- In addition to any figures above, operating and improvement costs previously budgeted are to be carried forward from last year and adjusted to keep pace with construction costs. This includes proposed improvements at Cypress Lakes Preserve (restrooms, picnic pavilion, kiosk, etc.).
- Begin providing a public education component for Cypress Lakes Preserve to satisfy the FCT stipulation for a minimum of 12 tours/year with at least 200 participants.

Planned 2005 Management Items

Staff anticipates completion of the following in the current fiscal year: fencing of the Cypress Lakes Addition, design and installation of parking area with access management at Fickett Hammock Preserve, and entrance signs for Fickett Hammock and Cypress Lakes. Staff is in the process of hiring a contractor to conduct prescribed burn(s) at Cypress Lakes, exact timing of the burn is unknown. Control of invasive exotics is on-going. Skunk vine has begun spreading on the western boundary of Fickett Hammock Preserve and will require assessment. Please note that FCT has reviewed the annual stewardship report for Cypress Lakes Preserve and finds that the County is in compliance with Florida Administrative Code and the Grant Award Agreement.

Inclusion of Agricultural/Open Space Preservation into any ESL Program Expansion

The Committee should discuss whether the explicit inclusion of agricultural or open space lands should be made into any environmentally sensitive lands program expansion. Agricultural or open space preservation has a mixture of public benefits that could overlap those of a strictly environmentally sensitive lands program (aquifer recharge, scenic value, etc) but in many cases differs (agricultural economic development, preservation of working rural landscapes, conversion of natural vegetative communities, etc). The methodologies used to accomplish those goals could mean that any agricultural/open space preservation program would benefit from having a separate funding source outside of the ESL program. A successful agricultural/open space preservation program would also likely focus on purchase and/or transfer of development rights, agricultural product marketing and other methods of support for local agriculture. Since the goals and objectives of these two types of programs can be very different, it would seem appropriate to discuss this issue further.

Future ESL Funding Options

The ESLC discussed options for expanded funding of the ESL Program at the February 9th meeting. At that meeting the ESLC expressed interest in reviewing specific options for expanded funding which it might recommend to the Board of County Commissioners. The Committee also expressed that any new funding for the program should have the ability to be used for management of ESL acquisitions and to possibly broaden the scope of the program to include preservation of rural and agricultural lands.

The statutorily available funding sources to Hernando County for preserving and managing environmentally sensitive or agricultural lands are: the county property tax, local government infrastructure sales tax (local option sales tax) and the issuance of general obligation bonds and a pledged millage increase. The current ESL program is funded by the latter of these methods in which the funds have been used in a “pay as you go” philosophy rather than through the issuance of bonds.

The Trust for Public Land’s report “Florida’s County Land Conservation Programs” surveyed 35 counties, the majority of which had dedicated land conservation programs. Of the counties that use an ad valorem tax to finance land conservation the median rate is .25 mills and the average rate was .31 mills. This puts Hernando County’s program .15 mills below the median rate.

Hernando County has the ability to collect a local option sales tax of either a half or whole cent. This sales tax would have to be approved via a referendum and if enacted there would be competition for this funds amongst various county infrastructure projects. Parks and open space could be a part of the program as is the case in the recent “Penny for Pasco” sales tax. Approximately 1/10 of the one cent is being used for the purchase of environmentally sensitive land in that case. In Hernando County 1/10 of one cent could raise approximately 18.5 million dollars from 2006-2035 if current trends in annual taxable sales increases continue (calculated with approximate 9% annual increase).

Of the options available, Staff recommends exploring a referendum similar to the one which initiated the current program. This referendum would propose to increase the millage rate an additional .1 mil to .15 mil over 30 years. The referendum language should make clear that the funds may be used to purchase environmentally sensitive lands and manage develop low impact public amenities on ESL properties. The referendum could also include the ability to bond these funds.

Staff has estimated that an additional .1 mil could raise approximately 49.5 million dollars between 2006-2035. An additional .15 mil could raise approximately 74 million dollars over the same period. There is approximately 15-18 million dollars remaining to be collected by the current program. These dollar amounts are based on the continuance of the cyclic property value fluctuations of the last 10 years projected over the next 30 years and are likely to change. They are offered here only to offer some comparison of an ad valorem property tax versus a local option sales tax as a funding mechanism for a program over a 30 year period.

Rural Lands Protection Bill

Senator Dockery is again sponsoring the Rural Land Protection and related Rural Lands Program Trust Fund Bills in an effort to fund the initial Rural & Family Lands Act of 2001. A draft letter of support from the ESLC is included in your packet for review.

Janet Butterfield Brooks Preserve

The Nature Conservancy has offered to donate the Janet Butterfield Brooks Preserve to Hernando County. The Butterfield Brooks Preserve is adjacent to the Fickett Hammock Preserve. Staff is expecting to receive a packet of information from TNC on this matter and will provide it to the Committee if received before the meeting. TNC Staff have indicated that there may be interpretations of restrictive covenants that will need to be discussed in detail.

Committee Vacancy Update

The position vacancy has been re-advertised a second time with no new applications received. The only applicant is Mr. Doran Mann from the first advertisement of the vacancy. The committee can choose to recommend appointment of the applicant to the Board or continue to re-advertise.

DMV/JLH

pc: ESLC members
 Pat Fagan, Parks & Recreation Director
 Colleen Kruk, SWFWMD
 Mikel Renner
 Gulf Coast Conservancy
 Adrian Kilby
 Dixie Lee Bait Shop
 Nancy Sutherland
 Terry Bickel

Attachments: Meeting Agenda
 Draft letter of support regarding Rural Land Protection funding (SB242)
 Minutes from November 15, 2004 (to be provided)
 Summary of SB242 & Florida Forever Trust Fund

Note: Please bring your copy of the January 13, 2005 meeting minutes.

**HERNANDO COUNTY
ENVIRONMENTALLY SENSITIVE LANDS COMMITTEE (ESLC)
MINUTES OF NOVEMBER 15, 2004**

The Environmentally Sensitive Lands Committee (ESLC) met on November 15, 2004, for its third meeting of the calendar year. The advertised meeting was conducted in the Jury Assembly Room (#335), Hernando County Government Center, 20 N. Main Street, Brooksville, Florida.

The following members of the Environmentally Sensitive Lands Committee (ESLC) were present:

Eugene Kelly, Botanist, Chair
Len Tria, Lay Member, Vice Chair
George Foster, Geologist
Marilyn Bates, Realtor
Mark Bates, Lay Member
Mike Liberton, Lay Member
Bill Korn, Division of Forestry
Paul Furman, Botanist
Robert Marsh, Archaeologist
Richard Poling, Engineer

Absent:

Kathy Merrigan, Lay Member

County staff members present were:

Lawrence Jennings, Director of Growth & Development
Dawn Velsor, Lead Environmental Planner
Jeff Hays, Environmental Planner I
Mary Elwin, Planning Operations Assistant

MEETING CALLED TO ORDER

The meeting of the Environmentally Sensitive Lands Committee (ESLC) was called to order by Chairman Eugene Kelly at 5:35 p.m.

INTRODUCTIONS

Committee members and staff introduced themselves.

DISCUSSION OF SHORTLISTING OF NOMINATED PROJECTS

A review began of the projects nominated to be shortlisted. It was noted that no applicants were present to represent applications. The committee members received packets of application information and pertinent information prepared by Staff for the nomination of parcels.

Mrs. Velsor provided an overview of the projects. Mr. Hays provided a video presentation of the projects indicating land features and on-site footage.

Little Withlacoochee Riverine Corridor

Mrs. Velsor explained that the Little Withlacoochee Riverine Corridor project involves small parcels that are already platted in Ridge Manor; a total land area of approximately 2,598 acres with 2,333 parcels. The project is in two phases; the first phase is along the River and the second phase would be along Long Lake and connecting the wetland areas through Ridge Manor to the State Forest.

Mr. Korn stated that the project presents an attractive opportunity to tie together the upland areas of the properties in the area. He felt that the development and real estate transactions in the area should be monitored to see if fairly natural areas could be tied together.

Mr. Kelly stated that one important element of the project is to somehow protect a continuous corridor that would link all the way over to Richloam. Mr. Korn added that he felt there was opportunity to connect with upland area as opposed to the riverine area. Some discussion ensued regarding expansion of the project boundaries.

Mr. Liberton questioned the status of the roads in the area. Mrs. Velsor responded that Staff would like to see some sort of restoration program where the road system would be re-evaluated.

Mr. Furman asked whether a management plan would include wetland restoration where roads have impacted wetlands if the project were shortlisted. Mrs. Velsor replied in the affirmative. Mr. Furman asked if Long Lake was navigable and whether it was navigable to the Little Withlacoochee River. Mrs. Velsor replied that she did not feel Long Lake was navigable and that there were areas that were kayak usable. Mr. Liberton stated that Long Lake has been dry several times in the past twenty years. He further commented that the whole subdivision is a playground for *mud-boggers*.

In discussion regarding the development of wetlands areas, Mr. Hays stated that the

Florida Department of Environmental Protection indicated that an individual lot would have to meet the same regulations as a large scale development in terms of mitigation requirements whether it would be restoration, creation, or preservation.

Mr. Tria asked whether homes in the area are required to be elevated. Mr. Jennings replied that if the property is in the floodplain, then the homes would have to be elevated.

Mr. Bates asked whether there was an opportunity to acquire any of the parcels in the area that are tax delinquent. Mrs. Velsor stated that occasionally the notice of tax delinquent properties come through the Property Management office so there would be some opportunities to acquire them in that way. Mr. Bates felt that tax delinquent properties should be acquired and proposals made to vacant properties probably being held by relatives sight unseen.

Oak Hill Open Space

Mrs. Velsor stated that the Oak Hill Open Space property was nominated by a resident of the County. The current owner is Loren Hamm and is 70.5 acres on SR 50. It is located across SR 50 from the Boy Scout Reservation. Mrs. Velsor commented that she believed it was nominated because it is a scenic corridor.

Mr. Marsh commented that the property lends itself to lawsuits due to the sinkholes on the properties in the subject area. He felt the County could be liable if someone drowned in the water-filled sinkholes.

In reply to Mr. Kelly's question concerning the assessed value of the property, Mrs. Velsor replied that the Property Appraiser has assessed the property at \$1.2 million.

Peck Sink Floodplain

Mrs. Velsor stated that the Peck Sink nominated project comprises approximately 2,986 acres and 256 parcels of land. There are areas within the property that are small subdivisions which would not be included in acquisition. She stated that the floodplain and conveyance to the Sink itself would be part of the project. Mrs. Velsor stated that the project would be separated into five phases.

Mr. Furman wondered whether the ESLC members could gain access to the property. Mrs. Velsor replied that she would contact the owner.

Mr. Marsh left the meeting at this time.

Mrs. Bates asked whether the property was in close proximity to the new hospital under construction. Mrs. Velsor replied in the affirmative.

Mr. Korn commented that the Southwest Florida Water Management District may want to be approached on this project to determine their interest. There would be some hydrological restoration involved with the drainage into the Sink as well as drainage south of Wiscon that have been artificially enlarged.

Discussion ensued over the topography of the property. Mr. Hays provided a video of the property. Some discussion ensued concerning expansion of the project boundaries.

Spring Hill Open Space

Mrs. Velsor stated the subject property is owned by Loren Hamm and is comprised of nearly 480 acres. The project came about after the Board of County Commissioners asked if there was anyway to do corridors or open space areas in the Spring Hill area. Mrs. Velsor stated that there would be some issues associated with management of the property such as burning due to its close proximity to residential areas. Fairly heavy all-terrain vehicle use is occurring on site.

Mr. Tria opined that the property is a good location for a park. Mr. Liberton questioned the probable cost for the property. Mrs. Velsor replied that Staff approximated the cost to be about \$15 million dollars.

Mr. Bates felt the property did not meet the environmentally sensitive lands criteria and probably should be developed. While he appreciated the property, he felt the funds could be used for a more environmentally sensitive area.

After some discussion regarding the property and then the Sensitive Lands Program, Mr. Tria felt that the Board of County Commissioners should be approached to increase the amount of money being set aside for the environmentally sensitive lands program.

West Brooksville Open Space

Mr. Korn stated that he could not find the sink holes that were described by Staff in their report. Mrs. Velsor stated that the sinkholes were shown on the soil survey.

The members completed their shortlisting ballots and the votes were tallied by Staff. Mrs. Velsor reported that the Little Withlacoochee River Corridor project and the Peck Sink property were shortlisted.

Motion Mr. Tria moved to accept the Little Withlacoochee Riverine Corridor project and the Peck Sink property for shortlisting purposes. The motion was seconded by Mr. Foster, and carried unanimously.

Motion Mr. Tria moved to send a recommendation from the Environmentally Sensitive Lands Committee (ESLC), signed by the Chairman, that the ESLC recommends the Board of County Commissioners look at the 486 acres for a piece of it to retain as an open space area within the urbanized area of Spring Hill. Mr. Liberton seconded the motion. The motion carried 8-1 with Mr. Foster voting nay. Mr. Foster was concerned that the Board may try to use sensitive lands funds for such purpose.

Motion Mr. Foster moved to reconfigure the boundaries of the Little Withlacoochee Riverine Project and the Peck Sink Project by expanding or contracting them. The motion was seconded by Mr. Korn, and carried unanimously.

BY-LAWS

Mr. Tria asked how the By-laws affected the status of sitting members. Mr. Korn felt that the staggering of positions should be discussed; more specifically, which positions are staggered. Mr. Tria suggested that at the next meeting, staff provide a list of positions and their staggered time frames together with a schedule of implementation.

Motion Mr. Korn moved for approval of the By-laws as presented. Prior to a second on the motion, Mr. Kelly suggested the wording “environmental areas of expertise” be replaced with “professional areas of expertise” to not preclude someone such as a realtor applying to be on the Committee. Mr. Korn concurred with the suggestion. Mr. Furman suggested that Section A, Item 5, should state that the Committee will review all conceptual management plans for acquired parcels. Mr. Korn concurred with the suggestions and moved for approval. The motion was seconded by Mr. Furman, and carried 9-0.

Some discussion occurred on the Nomination Application form. Mr. Korn cited that there appeared to be slightly different questions on the form versus what was in the ESLC manual. Mr. Hays stated that he would review the forms and revise them to reflect the manual’s language.

MINUTES - MARCH 18, 2004, AND APRIL 15, 2004

Mr. Liberton stated that with regard to his comments shown on Page 2 of the April 15, 2004, minutes, he meant to say that the very old house and existing spring were located on property adjacent to the subject property - not on it. Furthermore, he stated that on Page 3, the minutes reflected that he attended the Legacy Program when actually he received information about it.

Motion Mr. Tria moved approval of the March 18, 2004, and the April 15, 2004 minutes with the amendments. The motion was seconded by Mr. Liberton, and carried 9-0.

PUBLIC COMMENT ON PROJECTS

It is noted for the record that there were no other members of the public to render comment.

COMMITTEE MEMBER ISSUES***Resolution for Mr. Marsh***

Motion Mr. Tria moved that a nice resolution be presented to Mr. Marsh from the Board of County Commissioners and a letter of appreciation from the ESLC honoring his service since the inception of the Environmentally Sensitive Lands Committee. Mrs. Bates seconded the motion, and it carried 9-0.

Food for Meetings

Motion Mr. Bates stated that since the ESLC meets at the dinner hour, that Staff should look into the availability of providing food such as sandwiches and chips for the meetings. Mr. Foster seconded the motion, and it carried 9-9.

Bar-B-Que

Mr. Foster invited everyone to his home for the ninth annual Florida vs. Florida State bar-b-que on Saturday.

Annual Clean-up

Mr. Liberton announced the annual clean-up on the Janet Butterfield Brooks Preserve is the first weekend of December, 10:00 a.m. to 5:00 p.m.

Compliment

Mr. Furman complimented Staff on the presentation materials and video for the shortlisting of projects this evening.

ADJOURNMENT

Being no further business to conduct, the Committee adjourned the meeting at 8:05 p.m.

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