

HERNANDO COUNTY, FLORIDA
A Nature Coast County



ENVIRONMENTALLY SENSITIVE LANDS PROGRAM

ACQUISITION MANUAL

FEBRUARY 2009

***The County's ESL mission is to preserve the County's natural, cultural,
and scenic resources, while enhancing the quality of life for present
and future generations***

Hernando County, Florida

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INTRODUCTION

Hernando County residents approved a bond referendum on November 8, 1988, which authorized the County to levy taxes to support a program for environmentally sensitive lands and recreation. The Proposition was described as follows:

Proposition No. 1

Shall Hernando County be authorized to levy ad valorem taxes on all taxable property at a rate not exceeding one-tenth of one mil (.10 mil) for not in excess of thirty (30) years and to issue general obligation bonds bearing interest at no more than the maximum legal rate at time of sale and payable from such ad valorem taxes for financing the acquisition, lands and habitats for endangered species, threatened species and species of special concern?

A. SCOPE OF THE ENVIRONMENTALLY SENSITIVE LANDS PROGRAM

Environmentally sensitive lands may be described using the 1975 State of Florida definition which reads as:

Any land area and related water resources that may be determined to contain naturally occurring and relatively unaltered flora, fauna, or geologic conditions and whose interdependent biophysical components, including historical and archaeological resources might be essentially preserved intact by acquisition. In addition:

1. The area must be of sufficient size to materially contribute in some substantial measure to the overall natural environmental well-being of a large area or region, or
2. The area must contain flora, fauna, or geologic resources characteristic of the original domain of Florida and that these be unique to, or otherwise scarce within, the region or larger geographic area; or
3. The area whatever its size or the condition of its resources, must be capable, if preserved by acquisition, of providing significant protection to natural resources of recognized regional or statewide importance.

There must also be some reasonable likelihood that without protection through public acquisition, the area's related natural and cultural resources will be subjected to some activity of man that might result in their substantial and irretrievable loss. This definition still holds true today; however, Hernando County must address the issues in terms of county-wide as well as regional and state-wide perspectives.

Several factors must be evaluated prior to listing a site to purchase for preservation or restoration. The occurrence of one or more of the following must be present prior to the

property being designated as an Environmentally Sensitive Lands (which from here on out will be known as ESL):

1. Within County's Proposed Greenways/Wildlife Corridor
2. Wildlife that is endangered, threatened, or a species of special concern;
3. Plants that are rare, endangered, threatened, or commercially exploited;
4. Unique vegetative communities;
5. Areas of high recharge to the Floridan aquifer;
6. Unique geological features; and
7. Associated archaeological, historical, or paleontological sites.

The primary objective of the program is the protection of the County's natural resources, and the accommodation of the public's resource based recreational needs. The use and management of each property will be evaluated, and a preliminary prospectus for the use and management of each property will be prepared prior to acquisition. Recreational uses are ancillary and will only be allowed when the resource will not be placed at risk by such use.

B. APPROACH

Several steps have been taken in the development of the ESL Acquisition Manual. The Manual that follows is divided into four sections.

Section 1 describes the planning process, which includes the roles of the parties involved in the program, identification of general areas of significance within the county, types of acquisition to be considered and budgetary responsibilities.

Section 2 provides an overview, and mapping of the areas in the County that are in need of protection through acquisition.

Section 3 lists the criteria for site-specific evaluations. Additionally, it guides the preparation of management and use plans and provides direction for the negotiation process.

Section 4 provides the mechanism to be used in identifying parcels for emergency acquisition. This process will be coordinated with the rezoning process.

SECTION 1: PLANNING PROCESS

A. PURPOSE

The purpose of the ESL Acquisition Manual is to outline the procedures ~~will~~ to be followed in the identification, selection, and purchase of environmentally sensitive lands. The Manual will define the roles and duties of staff, the Environmentally Sensitive Lands Committee (ESLC), and the Board of County Commissioners (BCC). The Manual's intent is to provide consistent acquisition procedures.

B. NEED TO PRESERVE RESOURCES

Hernando County's population has grown sharply since 1980 from 44,469 to 175,000 people in 2008. The correlation between the increase in population and the decrease in natural resources is evident.

C. IDENTIFICATION OF SIGNIFICANT FEATURES WITHIN HERNANDO COUNTY

Physiography

White (1970) identified four physiographic provinces in Hernando County, including the Coastal Swamps, the Gulf Coastal Lowlands, the Brooksville Ridge, and the Tsala-Apopka Plain. The Coastal Swamps province, which includes tidal marshes and freshwater swamps, parallels the coast and averages 5 miles in width. The land surface ranges from sea level near the coast to 5 or 10 feet further inland. The eastern boundary is just west of US Highway 19.

The Gulf Coastal Lowlands province is situated east of the Coastal Swamps and west of the Brooksville Ridge provinces. The province varies from 2 to 16 miles wide and ranges from 10 to 100 feet in elevation. The area is known locally as “the sandhills.”

The Brooksville Ridge province is the dominant topographic feature in the county and occupies the largest area. It is bound to the west by the Gulf Coastal Lowlands and the east by the Tsala-Apopka Plain. The Ridge is divided into two subprovinces. The rolling, deep, sandy ridges on the western and eastern edges of the Ridge are dominated by deep, sandy soils with numerous depressions and sinks. Elevations range from about 75 to 100 feet-mean sea level (ft-msl) along the western flank and from about 50 to 100 ft-msl along the eastern flank. In places there are small ponds with sandy bottoms. The central part of the Ridge, which includes the high hills of Brooksville, ranges in elevation from about 100 to more than 200 ft-msl. This hummocky area consists of poorly to well drained, sandy to clayey soils.

The Tsala-Apopka Plain province, east of the Brooksville Ridge, is a series of interconnected swamps and low ridges. The soils are generally sandy and weakly cemented with organic matter. Land elevations range from 75 to 85 feet.

Geology

In Hernando County, Pliocene to recent age sands and clays of extremely variable thickness occur at land surface (SWFWMD, 1987 and Yon and Hendry, 1972). Underlying these sands and clays are clayey sands and clays of the Miocene age Hawthorn Group (including, in places, it is thought, the Alachua Formation). The Hawthorn, where present, is of variable thickness. The Hawthorn is generally absent in the west end of the county, near the coast, and is as great as 30 feet thick in the center of the county (for example, near Brooksville) that occupies the Ridge. To the east, the Hawthorn gradually thins. Below the Hawthorn are Tertiary age limestones, which together are some 1,200 feet thick. These are, in order of increasing age and depth, the Suwannee, Ocala, and Avon Park Limestones.

The Ocala is the uppermost rock unit in the east part of the county, and the Suwannee in the west part of the county. The Suwannee crops out along the coast. The limestone of the Suwannee is generally well indurated and is known locally in the mining industry as "hard rock"—it is mined at a number of places in the county for aggregate. The Ocala is generally much softer, and is known as "soft rock"—it is mined for production of Portland cement and road base. The elevation of the top of the limestone (Ocala or Suwannee) varies from near sea level along the coast to more than 160 ft-msl in the area of the Brooksville Ridge. The upper surface of the limestone, however, especially in the area of the Ridge, is very irregular, and may vary by more than 100 feet over a distance of as little as several hundred ft.

Hydrogeology

The Floridan aquifer is the primary source of water for domestic, agricultural, and industrial use in Hernando County. The aquifer is comprised of the middle and upper Avon Park and the Ocala and Suwannee Limestones (Wetterhall, 1964). The lower part of the Avon Park contains anhydrite and gypsum, which renders the water non-potable and the rock less permeable, and marks the base of the aquifer. The aquifer is less than 700 ft thick near the coast, where the top of the aquifer is at land surface, and more than 800 ft thick in the Brooksville Ridge area, where the top of the aquifer may be as deep as 100 ft-bls.

The Floridan is unconfined in most parts of the county, but in some areas of rather limited extent the aquifer is confined by overlying clay beds (SWFWMD, 1987). The Floridan ranges from an elevation of approximately 80 ft-msl near the eastern edge of the county to less than 10 ft-msl along the coast. Groundwater flow in the

Floridan is generally to the west-northwest across most of the county (except in the southeast corner near a potentiometric “high”).

At a few locations in the county, there is a surficial or perched aquifer in the sands above the Floridan (especially the Brooksville Ridge area), where the sands are separated from the underlying limestone by beds of low permeability clay. In most places, the surficial aquifer only contains water during the rainy seasons, and water levels fluctuate rapidly. Twenty-eight (28) wells were drilled across the county during the dry season into the shallow sands that comprise the surficial aquifer, but only 7 contained water at the time of installation (SWFWMD, 1987). All of these wells pumped dry very quickly at pumping rates no greater than 5 gallons per minute.

There is a series of shallow wells in the southwest part of the county that are screened in the surficial aquifer that generally contain water year round and yield significant quantities of water, but in this area there is no clay separating the sands from the limestones and the surficial aquifer is thought to be hydraulically connected with the underlying Floridan. Water flow in the surficial aquifer, at least where it is not directly connected hydraulically to the Floridan, generally follows the slope of the land; movement is from topographically high to topographically low areas.

Site-specific features such as ponds and ditches may exert an influence on flow during periods of recharge and discharge. During extreme rainfall events the aquifer may be recharged by the surface water bodies, and during dry seasons the water table may discharge to the surface water bodies (at least until the water table disappears).

Climate

The climate of Hernando County is humid sub-tropical, characterized by high rainfall and temperature. The mean annual temperature is about 72 degrees F, with August being the warmest month with a mean temperature of 82 degrees, and January the coldest month with a mean temperature of 62 degrees. Summer highs are generally in the 90s, with occasions of 100 degree plus temperatures. Winter lows are generally 25 to 30 degrees, though occasionally temperatures fall into the teens. Frost and freezing can be expected at least once a year.

Rainfall in the county averages about 56 inches per year, but the annual rainfall is quite variable. Between 1915 and 1985, the rainfall varied from 37.5 to 80.2 inches per year. Maximum monthly and daily amounts during this period were 24 and 20 inches, respectively. The least rainfall generally occurs in the fall (October and November) and in the spring (April and May). The summer (June through September) sees the greatest amount of rainfall. Spring and fall rainfalls are typically less than 3 inches per month, and summer rainfalls are 7 to 9 inches per month.

Estuaries

S.H. Wolfe in *An Ecological Characterization of the Florida Springs Coast* definitively characterizes estuaries in west-central Florida. Estuaries are systems which consist of deepwater tidal habitats and adjacent tidal wetlands that are semi-enclosed by land but have open, partly obstructed, or sporadic access to the open ocean. The system contains ocean water which is periodically diluted by freshwater runoff from the land. The limits of the system are as follows:

- a. Upstream and landward to the point where salinity does not fall below 0.5 ppt during the period of average annual low flow;
- b. To an imaginary line closing the mouth of a river, bay, or sound;
- c. To the seaward limit of wetland emergents, shrubs, or trees where they are not included in (b).

Estuarine habitats may be affected in several ways by development. First, dredging and filling activities can often result in habitat destruction. In addition, excessive organic loading will degrade water quality and promote the growth of undesirable aquatic plants. Hernando County is known to contain estuaries which by regulatory definition are pristine in nature.

Estuaries play an essential role in the life cycles of many fish and invertebrates. These fish and invertebrates also represent important commercial and recreational resources. Efforts should be made to protect the water quality and habitat values of these systems. Such efforts include protection of the estuary and those areas contributing freshwater to the system.

Big Hammock Region

The Big Hammock Region is an extensive area of upland hardwood forest with two principal hammock bodies located within Hernando County - the Annutteliga Hammock and the Chocochatti Hammock. The Annutteliga Hammock is nearly 9 miles long and between 4 - 7 miles wide. The area is typified by high hills with an enclosed central valley.

The Chocochatti Hammock is located southeast of Brooksville with dimensions of eight miles long by three to six miles wide. The topography is typified by lake occupied valleys, high hills, and rolling uplands. A smaller hammock, the Toadchudka is located in the southeast corner of the County and extends into Pasco County.

The Big Hammock Region is the southernmost expanse of upland hardwood hammock in peninsular Florida and represents the southern limits of the Southern Mixed Hardwood Forest Region. Much of the vegetation has been characterized in several studies since the 1800's occupying pages of vegetation lists. A good

representative listing of characteristic species can be found in the document *Hernando County's Big Hammock Region - Ecological and Historical Overview*.

The Big Hammock is known for the presence of locally endemic listed plants - some of which are known to occur only in Hernando County and some of which only occur in the Hammock. Therefore, the Hammock is clearly important in the preservation of listed plants. As populations of listed species are found, they should be preserved with sufficient buffering to prevent their extirpation. Hammock lands which contain listed plant species should receive special consideration for acquisition - particularly if the listed species are known to occur only in few locations.

The crystalline limestone geology of the Big Hammock has been an essential determining factor in the surface topography and vegetative composition of the region. Karst activities in process on the Suwannee Limestone have created an irregular surface which corresponds to the hills and valleys characteristic of the area. The limestone is favorable for mining activities and much of the Annutteliga Hammock has been lost to extensive limestone mining.

Another unique geological feature of the hammock is the prairie basin lake, also known as a sink outlet lake, within which much of the drainage is internal with rapid infiltration. Following heavy rainfalls, water flows into sinkholes where it is rapidly discharged to the water table or ponds to form lakes. These prairie lakes are usually dry during the dry season; however, they may remain flooded in the wet season providing unique habitat for listed reptiles and amphibians. Other interesting features, some of which have been mined, include large deep sinks and limestone outcrops.

The Big Hammock supports a great diversity of wildlife with excellent food sources and cover for birds, amphibians, reptiles and mammals. Because of the cover and food source provided by the Hammock, it is important to wildlife movement, although with the exception of the wet systems and pine forest areas, it does not appear to support large populations of threatened and endangered wildlife. However, because the Annutteliga component of the Big Hammock interconnects with wildlife areas on the east and west side of the County, it is important as a greenway/wildlife corridor. Acquisitions within the Big Hammock should be consistent with a greenway/wildlife corridor concept.

Historical, Archaeological and Paleontological Resources

Hernando County has a wealth of potential historic and archaeological sites. *Hernando County's Big Hammock Region - Ecological and Historical Overview* (Henningson Durham Richardson (HDR), August 1987) discusses strong indications of the presence of prehistoric and proto-historic Indians within the Big Hammock and the documented presence of Chocochatti Seminole Indians in the

late 1700's. Many old communities existed in Hernando County, some of which are of historic importance, such as the logging community of Centralia. Additionally, the Hernando County Comprehensive Plan identifies pre-1940 neighborhoods, sites and structures as being of historical importance. Bayport has significance both as the historic County seat and the site of Civil War activities.

A historical/archaeological/paleontological site is considered to include all aboriginal mounds, forts, earthworks, villages, locations, campsites, hunting camps, burial mounds, historic or prehistoric ruins, or caves, which are the source of artifacts, or any place where individual artifacts or fossils may be found. Artifacts include all relics, specimens, or objects of a historical, prehistoric, paleontological, or archaeological nature, which may be found above or below the earth, and which have scientific or historical values as objects of antiquity, as aboriginal relics, or as paleontological or archaeological specimens.

In order for a site to qualify as a historic/archaeological/paleontological resource for acquisition purposes, at least two of the following criteria must be met:

- a. Listed in the National Register of Historic Sites,
- b. Included in the Florida Master Site File,
- c. Will yield information important in prehistory, history or paleontology,
- d. Contains natural landmarks, or
- e. Associated with the lives of persons significant in our past.

Conservation easements over historic, archaeological and paleontological sites will be sought when appropriate conditions can be met to preserve the site in keeping with the designation. For those sites which are of historical significance, but for which little evidence remains by way of structure or artifact, the ESLC, with cooperation of the property owner and approval by the Board of County Commissioners, may designate and erect signs depicting the site's significance.

Xeric Uplands

Xeric oak and sand pine scrub habitats are extremely restricted in their distribution and home to several listed species - of note, the Florida Scrub Jay. Very little xeric oak habitats remain in Hernando County. These xeric communities are well suited to development due to their well-drained soils and readily succeed to a climax community if not maintained by recurring fire. This type of community also supports the Gopher Tortoise and its commensal species.

Wetlands

Wetlands are also of great significance. Historically, wetland systems have been altered, filled, and mined in the county. Wetlands provide habitats to many species - particularly many of the listed wading birds. Wetlands also provide storage for stormwaters, and treatment of urbanized stormwater runoff.

In recent years, regulations have been established by the Army Corps of Engineers, Environmental Protection Agency, Florida Department of Environmental Protection, Southwest Florida Water Management District and Hernando County. These agencies have not halted the alteration of wetland features; however, they have mitigated the damaging effects of projects. Wetlands which will be affected by minimal impacts under current regulations may not rate as highly on the acquisition list. Isolated wetlands that are of benefit to wading birds and ameliorate flooding problems should be considered valuable when combined with other resource features on potential purchases.

High Recharge

Other features of significance to the County are areas of high recharge to the Floridan Aquifer. Fortunately, protection of recharge areas will coincide with protection of those uplands already described. Maps of high recharge areas are available from SWFWMD and will be used when evaluating parcels for purchase. Occasionally, impacted areas whose protection is essential to protection of groundwater quality and quantity may be considered for purchase.

D. POLICY

It is the policy of the Board of County Commissioners that the acquisition process will proceed such that the maximum size and value of the purchase will be realized with minimum expenditures of funds. To that end, the County will not make or accept an offer in excess of fair market value as determined by the appraisal procedures incorporated within this document. However, the County may participate in a purchase in excess of fair market value provided all the following conditions are met:

1. The purchase is jointly made with other governmental ~~or private~~ agencies, or private entities.
2. The purchase does not violate any rule, policy, or other standard established by the other governmental or private agency.
3. The County's contribution does not exceed fair market value.
4. The other governmental agency does not include an entity or district for which the Board of County Commissioners will serve as governing body.
5. The property achieves ~~an otherwise~~ high ranking using the adopted program criteria. A high ranking ~~applies to an acquisition with~~ shall maintain a minimum score of 30 points, or greater.

Additionally, it is the policy of the Board of County Commissioners that all land acquisition activities will proceed in accordance with all applicable regulations including those of State and Federal programs when these programs are participating in a joint purchase.

E. ROLE OF HERNANDO COUNTY STAFF

1. The Hernando County Planning Department will take the lead in drafting, modifying, and maintaining the ESL Acquisition Manual. Such efforts will also include the preparation of all supporting documentation.
2. Planning Department staff will provide support to the ESLC.
3. Planning Department staff will serve as liaison between the ESLC and the Board of County Commissioners.
4. Staff will provide the preliminary evaluation of potential purchases.
5. Staff will manage the contracts of any consultant hired.
6. Staff will prepare an annual program update
7. County Staff shall coordinate all negotiations, contracts, and agreements.
8. Planning Department staff will develop or review all conceptual and final management plans for ESL properties.
9. The management of each acquired parcel will be determined by Staff following acquisition.
10. Planning Department staff will prepare an annual budget for the Environmental Sensitive Lands (ESL) program which will be presented to the ESLC for review.
11. The County Attorney's Office will provide any legal services for this program needed by the Board of County Commissioners, the ESLC, and staff.
12. Any future bond issues will be coordinated by County Staff.

F. ROLE OF THE ENVIRONMENTALLY SENSITIVE LANDS COMMITTEE

1. The Committee will provide assistance to County staff within their individual areas of expertise to assist county staff in the preparation of the ESL Acquisition Manual.
2. The Committee will review and evaluate the language and effectiveness of the ESL Acquisition Manual.
3. The Committee will assist in determining when the Manual or revisions thereof will be forwarded to the Board of County Commissioners for approval.
4. The Committee will review projects evaluated by county staff for consistency with the Manual. This review may also consist of field visits to the sites.
5. Committee members will direct any nominations for acquisition to county staff for initial review before bringing the project back for evaluation by the full committee.
6. The Committee will review the projects to be considered for purchase and will submit a recommended ranking for those projects to the Board of County Commissioners for their approval.
7. The Committee will review all conceptual management plans for acquired parcels.
8. The Committee will review proposed boundary modifications and phased acquisitions and provide recommendations to the Board of County Commissioners for their approval.

9. The Committee will participate in special projects as assigned by the Board of County Commissioners.
10. The Committee will recommend an annual budget for land acquisition and management.
11. The Committee will have final approval of minor changes to the ESL Acquisition Manual.
12. The Committee will promulgate policies or major modifications of the Manual for use in clarification of the acquisition process and seek their approval by the Board of County Commissioners. The Committee will also review policies promulgated by the Board of County Commissioners prior to their approval by the Board.
13. The standing Committee shall review applications for vacant positions on the ESLC and submit recommendations for appointment to BCC.

G. ROLE OF THE HERNANDO COUNTY BOARD OF COUNTY COMMISSIONERS

1. The Board will review and approve the ESL Acquisition Manual as proposed by Staff and the Environmentally Sensitive Land Committee (ESLC).
2. The Board will determine final selection of acquisition ranking of the project list and authorize negotiations to begin.
3. The Board will approve all contracts.
4. The annual operating budget for the program will be approved by the Board of County Commissioners.
5. The Board of County Commissioners will authorize bond issues.
6. The Board will appoint members to the ESLC based upon the recommendations of the standing ESLC.
7. All policies or major modifications promulgated by Staff or the ESLC will be reviewed and approved by the Board of County Commissioners prior to implementation. The Board of County Commissioners will also promulgate amendments and, subsequent to review by the ESLC, approve any changes deemed necessary.

H. MAINTENANCE OF THE ESL ACQUISITION MANUAL

The ESL Acquisition Manual and related materials and maps shall be maintained at the Hernando County Planning Department, 20 N. Main Street, Room 262, Brooksville, FL 34601.

I. AMENDMENT OF THE ESL ACQUISITION MANUAL

Minor changes to the Manual may be made by the Environmentally Sensitive Lands Committee upon acceptance by a majority of the Committee in an advertised meeting. Minor changes are those which do not change the intent, procedure, or policy of the Manual. Minor mapping may also be made to the Environmentally Sensitive Lands Map.

The maintenance of an acquisition map reflecting properties acquired by the County is considered to be a minor modification.

All other changes to the Manual must be approved by the Board of County Commissioners in a public meeting.

J. PURCHASE OF THE ESL ACQUISITION MANUAL

The Manual is a public record and available to the public for inspection or copying upon payment of copy charges authorized by statute.

K. METHODS OF PROTECTION

Hernando County has the ability to preserve its valuable environment through the Comprehensive Plan.

Chapter 10, of Hernando County’s comprehensive plan known as the Conservation Element includes protection of its environment through conservation goals. The goals are to protect wildlife, preserve wildlife habitats, and greenways through conservation. Protect quality and quantity of ground and surface water, protect air quality from degradation, and to protect the quality of wetlands as designated by the Southwest Florida Water Management District (SWFWMD), and Florida Department of Environmental Protection (FDEP).

Chapter 10 of the County’s Comprehensive Plan includes:

GOAL 6.01 PROTECT WILDLIFE AND CONSERVE, APPROPRIATELY USE, AND PROTECT WILDLIFE HABITATS

GOAL 6.02 CONSERVE, APPROPRIATELY USE AND PROTECT THE QUALITY AND QUANTITY OF GROUNDWATER AND SURFACE WATERS

GOAL 6.03 PROVIDE WATER TO SERVE THE NEEDS OF URBAN, AGRICULTURAL, AND MINING LAND USES AND TO ENSURE

PRESERVATION AND PROTECTION OF THE NATURAL SYSTEMS
IN HERNANDO COUNTY, FLORIDA.

GOAL 6.04 PROTECT AIR QUALITY FROM DEGRADATION

GOAL 6.05 CONSERVE, APPROPRIATELY USE AND PROTECT THE QUALITY AND QUANTITY OF WETLANDS AS DESIGNATED BY SWFWMD AND DEP

GOAL 6.06 CONSERVE, APPROPRIATELY USE, AND PROTECT MINERAL RESOURCES, SOILS AND TREES

GOAL 6.07 CONSERVE, APPROPRIATELY USE AND PROTECT HISTORICAL AND ARCHAEOLOGICAL RESOURCES

L. VOLUNTARY NATURE OF PROGRAM

Although the goal of the program is to preserve lands acquired through acquisition the rights of the County's citizens and property owners must be considered. Each property owner has interests, or bundles of rights; they include, water rights, rights of ingress and egress, and mineral rights. Property owners have the right to refuse any offer given by the program, and the County will not apply eminent domain as an option in reaching its conservation goal.

M. METHODS OF LAND ACQUISITION

Property can be purchased in the following ways through the ELS program:

FEE SIMPLE: A means of acquiring a parcel of land with its full complement of property rights.

LESS THAN FEE SIMPLE: Acquisition of certain property rights which are necessary to meet a particular land management or preservation need while the remainder of property rights are held by the fee title holder.

The County occasionally may wish to acquire less than fee simple ownership when full fee interest is unnecessary to accomplish preservation or management objectives and when insufficient funds are available for fee purchase. The use of conservation easements in less than fee simple acquisition is spreading for these and other reasons.

Purchase of these rights can also be made two different ways. The first is by paying full market value. Purchase at market value is the acquisition of property rights, either full or partial, at a price equal to its economic worth on the open real estate market. These rights

may also be purchased at less than market value. Both fee simple and less than fee simple acquisitions can be made at full market or less than full market value.

Examples of less than market value purchase include the following:

DONATION: A gift of land or property rights to a public or nonprofit agency with no capital outlay required from the agency and generally with tax advantages to the owner.

BARGAIN SALE: Acquisition of full or partial rights at a price below the market value generally with tax advantages to the seller.

The County shall investigate all viable options for acquisition of property during the negotiation process.

SECTION 2: ENVIRONMENTALLY SENSITIVE LANDS MAP

The Environmentally Sensitive Lands (ESL) map is available at the Hernando County Planning Department, or on the County's ESL website located on the planning website at, <http://www.hernandocounty.us/plan/ESL/default.htm>. The ESL map shows federal, state, locally owned public properties and non-profit conservation lands. Previously Acquired and Ranked projects along with County designated greenways/wildlife corridors are shown on the map.

The Environmentally Sensitive Lands Map will be reviewed annually for any necessary amendments.

SECTION 3: NOMINATION, EVALUATION AND ACQUISITION

A. EVALUATION AND ACQUISITION PROCESS

Nominations for Acquisition may be filed by staff, individual members of the public and organizations by submitting a completed application on a nomination form provided by the County. Applications may be submitted to the Hernando County Planning Department at anytime, however, formal review of the completed applications will be conducted at an official, publicly noticed meeting of the ESLC. Staff may evaluate properties based on designated corridors, uniqueness or ranking to secure key parcels. Any inquires pertaining to nomination for acquisition shall follow the application process. Individual Staff members or ESLC members shall follow the County's acquisition process.

Only those nominated properties that have willing sellers will be considered for acquisition. However, at time of nomination if the property is for sale the County is

encouraged to contact and inform the owner of the County's program and express interest in the property.

The County will follow this basic process for evaluation and acquisition of environmentally sensitive lands upon receipt of a complete Application for Nomination:

1. Staff will accept completed applications submitted to the Hernando County Planning Department during normal business hours throughout the year.
2. Staff conducts field evaluations and reviews any relevant documentation, or data that distinguishes the environmental values or significance of the nominated project. Data to be reviewed shall include geospatial data maintained by the Florida Natural Areas Inventory, Florida Fish and Wildlife Conservation Commission, and other agencies or organizations engaged in identifying lands with significant environmental values.
3. Staff will prepare a report, including a management objective for each nominated project enumerating the projects conformance with the Requisite Conditions for Designation as Environmentally Sensitive Lands and summarizing the project's environmental values. The reports will be forwarded to the ESLC for review and evaluation. Any relevant supporting information will be provided with the report, including the occurrence and representation of similar lands in current public ownership, estimates of the property's development potential, and the presence of existing infrastructure.
4. The ESLC will review the nomination package, conduct field inspections as necessary, and develop a ranking in accordance with the program criteria. The project will proceed provided there is a majority vote of the ESLC prior to Ranking.
5. Staff will provide information requested by the ESLC. ESLC will rank projects in accordance with the Project Ranking Criteria.
6. Staff will present the ESLC's recommended project ranking to the BCC.
7. The Board of County Commissioners will finalize ranking of projects and identify those projects for which purchase will be sought.
8. Staff will prepare an acquisition plan.
9. Staff implements any Board approved acquisition plan.
10. Staff presents negotiated purchase agreements to the BCC for approval to proceed to closing on the project.

B. ENVIRONMENTALLY SENSITIVE LANDS CRITERION GUIDELINES

The following criterion will be used as a guide for the evaluations of property upon receipt of a complete application for Nomination.

1. Located within an ecologically functional greenways/wildlife corridors.
2. Supports prime examples of ecological communities native to Hernando County and/or significant features as identified in Section (1) (C) of the Manual.
3. Supports exceptional biodiversity - sites which represent several ecological communities or exhibit high species diversity within an ecological community native to Hernando County.
4. Manageability - feasible to manage in a fashion that will protect and enhance the resource.
5. Feasibility of acquisition - ownership patterns, property restrictions or other conditions should not pose significant barriers.
6. Surrounding land use - the current land use of adjacent property should be compatible with the proposed management and preservation of the site as environmentally sensitive.
7. Development - When sites are in imminent danger of development, they should receive preference for purchase.
8. Size - large sites generally are preferable to small ones because they are better able to encompass a diversity of resources and a mixture of uses. Exceptions include smaller sites that support highly imperiled species that function as greenway/wildlife corridors or otherwise play an important role in maintaining physical connectivity among conserved lands. These exceptions are not required to be depicted on the Environmentally Sensitive Lands Map.
9. Other methods of protection - sites which receive substantial protection by other strategies should be considered.
10. Rarity - vegetative communities which are poorly represented in public ownership should receive preference. These communities include those species which, while not currently listed, are known to be poorly represented in the state or county.
11. Consistency with Comprehensive Plan - the property satisfies a goal, objective, or policy of the adopted Comprehensive Plan.

12. Location - the site has proximity to other resources which would heighten its value as a sensitive land or is within an area of long range planning with the objective of preserving greenway/wildlife corridors between existing protected resources. The property is within the mapped designation of environmentally sensitive lands as described in Section 2.
13. Historical/archaeological/paleontological resources - must satisfy the criteria provided in Section 1.
14. Hydrology - the property is critical to preserving hydrologic integrity of significant natural systems and/or contributes substantially to recharge of the Floridan Aquifer.
15. Adjacent to existing conservation lands.

C. ACQUISITION CATEGORIES

Projects will be placed in the Ranked Projects Category based on the project ranking recommended by the ESLC and approved by the Board of County Commissioners (BCC). Additional categorization can be based on the, potential for shared acquisition with other agencies and willingness of the seller.

Upon completion of the process for newly submitted nominations, staff will prepare conceptual management plans for new projects, updates to unacquired ranked projects remaining from previous nomination cycles and projects in the Inactive Category. All newly and previously ranked projects, except those for which the BCC has authorized negotiation, will be evaluated pursuant to the Project Ranking Process, which may result in reassignment of previously ranked projects.

The ESLC will follow the guidelines below for ranking projects:

- The ESLC shall review and rank projects in an advertised Public Meeting.
- A quorum of the ESLC must be present. Absent members wishing to provide points for ranking must provide a written sealed tally to the Planning Department prior to the meeting during which the projects will be ranked. The tally sheet shall remain sealed until final totals are submitted by the Committee members present.
- Points shall be assigned by each member to each project in accordance with the Project Ranking Criteria contained within the Manual.
- Once the points have been totaled, Planning Department staff shall assign numerical ranks to the projects and place them in the Ranked Projects and/or Shared Acquisition Categories.

1. Ranked Projects Category

Acquisition of projects on this list (preparation of grant applications, procurement of appraisals, surveys, etc.) will be pursued in the order in which the projects are ranked. Should favorable circumstances arise for a project that would make the acquisition process inconsistent with the BCC approved acquisition plan (i.e., potential purchase below fair market value, donation of a parcel or parcels, and offer of matching funds for joint acquisition) then these circumstances will be presented to the BCC. If the circumstances are favorable to the County, the BCC may authorize acquisition of the project in a manner that is not consistent with the previously approved acquisition plan.

2. Shared Projects Category

The Shared Projects Category may include any parcels and/or projects included within other public or private land acquisition/preservation programs (eg. CARL, SWFWMD, The Nature Conservancy, etc.). The Shared Projects Category will be reviewed by the ESLC and the Board with the Ranked Project Category to determine which projects the County may want to participate in shared acquisition.

A project in the Shared Projects Category will not be actively pursued for acquisition unless the project is also included in the Ranked Projects Category and is eligible for acquisition. If an outside agency were to approach the County with an opportunity to participate in the joint acquisition of specific parcels then staff would prepare an agenda item for the Board's consideration. This agenda item will discuss the impact of the potential purchase on acquisition of projects in the Ranked Category, the availability of funds in the ESL account, financial commitments to other ESL projects, ability of the County or other agency to provide for land management and other circumstances. Planning staff may present appraisals, purchase agreements and other acquisition materials to the BCC for their consideration and approval without additional approvals from the ESLC.

D. PROJECT RANKING CRITERIA

Hernando County's Environmental Sensitive Lands program plays an important role in the acquisition and conservation of environmentally sensitive lands within the County. The following criteria will be used in the evaluation and ranking of projects for consideration under the County's ESL program. Should the application not receive a score of 30 or higher then it will not be considered for Ranking.

Ecological Criteria

1. The project site contains predominantly native vegetative communities that have not been subjected to significant disturbances or alteration as a result of current or past human activities. (0-4 pts)
2. The project site contains native vegetative communities or plant species that are recognized as rare or threatened within Hernando County (0-4 pts).
3. Florida Natural Areas Inventory (FNAI), and other appropriate State or Federal agencies recognize the property as suitable for one or more listed animal species. (0-2 pts.)
4. The property supports or is critical to the recovery or maintenance of regionally significant populations of one or more listed animal species or migratory birds (0-4 pts).
5. The property contains important habitat as determined by Florida Natural Areas Inventories (FNAI) Rare Species Habitat Conservation Priorities, and/or Florida Wildlife Conservation Commission's (FWC) Strategic Habitat Conservation Areas (SHCA). (0-4 pts.)
6. The property contains unique geological features such as dry caves, sinkholes, springs, etc. (0-2 pts.)

Resource Management Criteria

1. Resource management (exotics control, restoration, structural repairs, etc.) of the site will not be cost prohibitive. (0-2 pts.)
2. The property has significant historical, archaeological or cultural value. (0-2 pts.)
3. The property can support environmental, educational and/or outdoor passive recreational opportunities while not endangering the integrity of the ecological systems present on the site (0-2 pts.).
4. The property would be feasible to manage, and would protect the resource effectively (0-2 pts).
5. The current land use surrounding the project site is compatible with the proposed management and preservation of the project site (0-2 pts.).

Water Resources Criteria

1. The project site borders or encompasses surface water resources that are designated as Class I, II, or III waters, Outstanding Florida Waters, a National Estuary or Marine Sanctuary, aquatic preserve, wild and scenic river or other special designation intended to protect the water quality of the waterbody (0-2 pts.).
2. The project site protects high aquifer recharge areas, or special protection areas, or potable water supply areas as recognized by local, state or federal agencies (0-2 pts.).
3. The property contains headwaters, viable wetlands, lakes, rivers, streams, or rivers that connect to other water bodies (0-2 pts.).
4. Protection and Management of the property would greatly enhance the water resources of the property or downstream of the property (0-2 pts.).
5. The property contains natural functioning floodplain and provides storage capacity to assist with riverine and wetland protection (0-2 pts.).

Greenways/Wildlife Criteria

1. The site is within a greenways corridor recognized by the county, or other State or Federal agency (0-4 pts.).
2. The property is adjacent to existing conservation lands (0-2 pts.).

Acquisition Considerations

1. The property provides for alternatives to the acquisition of fee simple interests in land, including, but not limited to, acquisition of less than fee simple interest of all or a significant portion of the project site through conservation easements, the purchase of development rights, leases, and leaseback arrangements (1pt.).
2. The property owner or authorized representative has knowledge of the nomination and is a willing seller (0-2 pts.).
3. Matching funds are available (2 pts.).
4. The property is available at lower than market value (2 pts.).
5. The property is in imminent threat of development (2pts).

6. The project site satisfies a goal, objective or policy of the adopted Comprehensive Plan (0-2 pts.)

E. PROJECT BOUNDARY MODIFICATIONS

Boundary changes to ranked projects must be reviewed and approved by the Environmentally Sensitive Lands Committee and the BCC. However, ranked or acquired project boundaries may be amended subject to one of the following conditions.

1. The amendment is necessary to protect the biological integrity of the project.
2. The amendment allows for improved management of the site.
3. The amendment allows for inclusion of infill properties.

F. NEGOTIATIONS AND PURCHASE

The Environmentally Sensitive Lands Acquisition Program will follow all uniform guidelines established by policy for the acquisition of real property by Hernando County. In the event the County participates in a joint purchase with another entity, that entity's requirements for negotiation and purchase will be satisfied. Determination of the need for an environmental audit will be made by the ESLC at time of review of the evaluation package. If an environmental audit is deemed necessary, it will be conducted during the negotiation and purchase process.

G. MANAGEMENT AND USE PLANS

For each acquired property a working management and use plan will be developed. Management and use plans may be developed in house by staff, by an outside consultant, or in cooperation with local land management parties. The plan will remain flexible and can be updated as needed.

The following are management goals to which Hernando County shall adhere:

1. All acquired land will be managed in an ecologically sound manner. Whenever possible the acquired land will be restored to its original, natural condition.
2. Lands acquired for historical, archaeological, or paleontological resources shall be managed, restored, and maintained in a manner which will retain the uniqueness and historical designation of the site.
3. Staff will provide a brief management prospectus prior to the rankings of the project. The management plan will address appropriate public access and recreation.

The following issues will be addressed within Management and Use Plans:

Hydrology

1. Lands within the 100-year floodplain or any regulatory floodway will be administered to promote non-structural floodplain management.
2. Proposed activities which will adversely impact surface or groundwater quality or quantity will not be allowed.
3. Restoration activities which will improve water quality and wildlife habitats will be undertaken if feasible.

Natural Habitats

1. Forest management practices which complement habitat enhancement shall be encouraged.
2. When managing wildlife habitats, natural species densities will be sought.
3. Pastures, crop lands, or pine plantations will be returned to naturally occurring habitat which is consistent with the ecological history of the site.

Other Resources

1. The protection of significant historical, archaeological, or paleontological sites will be ensured.
2. Mineral extraction shall be prohibited on sensitive lands.

Administration

1. The feasibility of revenue-generating enterprises will be assessed.
2. The estimated annual management and development budget, including capital improvements will be incorporated in the plan.
3. Man hours for staffing maintenance needs will be addressed.
4. Control of access to eliminate unauthorized use will be considered.
5. Resource protection and recreation objectives will be accomplished in a cost-effective manner.
6. Interagency agreements should be used whenever appropriate to avoid duplication of services and minimize costs among government agencies.

Recreation/Education Potential

1. The need for additional research on-site to promote protection of natural resources will be determined.
2. Use of the site for educational opportunities will be identified and promoted as appropriate.

3. The carrying capacity of the site will be assessed for all proposed recreational uses.
4. Use of the site for resource-based recreation will be determined. Such use includes fishing, primitive camping, hiking, horseback riding, picnicking, nature study and swimming.
5. Public access to waterbodies will be permitted where needed and when compatible with resource protection and not in excess of the land's carrying capacity.
6. Public access to the land will be free; however, services will be assessed and provided at reasonable cost.

Suitability

1. Off-site influences on the site will be examined.
2. The need for agency permits for management activities will be determined.
3. The time frame for implementation of the management plan shall be estimated.

The management plan will ensure that all contractual and administrative conditions which may constrain the use of the property will be considered.

SECTION 4: EMERGENCY ACQUISITION PROCESS

While the intent of the environmentally sensitive lands program is to make reasonable timely evaluations of parcels for purchase, it is recognized that emergency situations may arise which could require the circumvention of the normal acquisition planning process.

An emergency may be declared under one of the following conditions:

1. An identified critical habitat, natural resource, or significant historical, archaeological, or paleontological feature is under an immediate threat of destruction, damage or development.
2. A property which is under threat of development, or is in danger of being damaged by other types of construction, clearing etc.

Upon identification of the need for emergency acquisition, a meeting of the ESLC will be scheduled. At that time, staff will provide an evaluation of the property sufficient to demonstrate the significance for purchase. Within 30 days of notification of a proposed development activity, the ESLC will render an opinion which will be scheduled for review during the next hearing of the Board of County Commissioners.

TABLE OF ABBREVIATIONS

ABBREVIATIONS	
BCC	Board of County Commissioners
EPA	Environmental Protection Agency
ESLC	Environmentally Sensitive Lands Committee
FDEP	Florida Department of Environmental Protection
ppt	parts per thousand
SWFWMD	Southwest Florida Water Management District
USGS	United States Geological Survey
FNAI	Florida Natural Areas Inventory
SHCA	Strategic Habitat Conservation Areas
FWC	Florida Wildlife Conservation Commission

APPENDIX A: DEFINITIONS

Aquatic Preserve - an exceptional area of submerged lands and its associated waters set aside for being maintained essentially in its natural or existing condition as defined in Chapter 258, Florida Statutes.

Class II Waters - Pursuant to Chapter 62-302, F.A.C., all surface waters of the State have been classified according to designated uses as follows:

CLASS I Potable Water Supplies

CLASS II Shellfish Propagation or Harvesting

CLASS III Recreation, Propagation and Maintenance of a Healthy, Well-Balanced Population of Fish and Wildlife

CLASS IV Agricultural Water Supplies

CLASS V Navigation, Utility and Industrial Use

Classification of a water body according to a particular designated use or uses does not preclude use of the water for other purposes.

The specific water quality criteria corresponding to each surface water classification are listed in Rules 62-302.530 to 62-302.580, F.A.C., inclusive.

Water quality classifications are arranged in order of the degree of protection required, with Class I water having generally the most stringent water quality criteria and Class V the least. However, Class I, II, and III surface waters share water quality criteria established to protect recreation and the propagation and maintenance of a healthy, well-balanced population of fish and wildlife, as defined in the DEP Water Quality Standards, Chapter 62-302, 1992.

Comprehensive Plan - refers to the adopted Hernando County Comprehensive Plan. This is a local comprehensive plan that meets with requirements of Sections 163.3177, 163.3178, and 163.3191, Florida Statutes, and has been found to be in compliance in accordance with Section 163.3184, Florida Statutes, as defined in Rule Chapter 9K-4, Florida Administrative Code.

Critically imperiled and imperiled vegetative communities - The Florida Natural Areas Inventory (FNAI) uses several criteria to determine the relative rarity and threat to each community type; these are translated or summarized into a global and a state rank, as described in the "Guide to the Natural Communities of Florida."

Environmental audit - An evaluation of property to assess the level of compliance with federal, state, and local environmental laws and regulations. The investigation may include, but

not be limited to, contamination assessments, floral and faunal inventories and determination of historical uses.

Florida Master Site File - is the state's clearinghouse for information on archaeological sites, historical structures, and field surveys for such sites. It is a system of several paper and computer files administered by the Bureau of Archaeological Research, Division of Historical Resources, under the Florida Department of State, as defined in the "Florida Site File Guidelines for Users, March 1991".

Florida Natural Areas Inventory - refers to staff operating within, or under contract with, the State of Florida, which maintains a comprehensive data base on the natural biological diversity of Florida to be used in biological resource evaluations for purposes of land acquisition, land management, and needs of other environmental programs serving the State of Florida, according to Chapter 18-8, Florida Administrative Code.

Listed species - means animal species listed as endangered, threatened or of special concern by the Florida Game and Fresh Water Fish Commission in Rules 39-27.003, 39-27.004, and 39-27.005, Florida Administrative Code; plant species listed as endangered or threatened in Sections 581.185(5)(a)-(b), Florida Statutes; species listed under the U.S. Endangered Species Act; or any plant or animal species identified or designated in the comprehensive plan or ordinance by the local government as being of local concern and warranting special protection, as defined in Rule Chapter 9K-4, Florida Administrative Code.

Marine Sanctuary - an area designated by the Office of Coastal Zone Management within the U.S. Department of Commerce which preserves, restores, or enhances conservation, recreation, ecological or aesthetic values of water resources.

National Estuary - estuaries of national significance as designated by the President of the United States in accordance with Section 320 of the Clean Water Act.

National Register of Historic Sites/places - is the official Federal list of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture. These contribute to an understanding of the historical and cultural foundations of the Nation, as defined in the "National Register Bulletin 16 Guidelines for Completing National Register of Historic Places Forms, Part A, How to Complete the National Register Registration Form."

Outstanding Florida Waters - shall mean waters designated by the Environmental Regulation Commission as worthy of special protection because of their natural attributes, as defined in Chapter 62-302.700 of the DEP Water Quality Standards.

Wild and Scenic River - rivers designated by the State Legislature which possess remarkable ecological, fish and wildlife, and recreational values which are unique in the State of Florida. Wild and Scenic Rivers are also established by Congressional law and

implemented by the National Park Service. The list of Federal and State Wild and Scenic Rivers will differ as they are proposed through two different mechanisms.

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