

## MINUTES OF THE MEETING

### GOVERNING BOARD SUBCOMMITTEE SURPLUS LANDS ASSESSMENT PROJECT SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

SARASOTA, FLORIDA

MARCH 7, 2012

The Southwest Florida Water Management District's (SWFWMD) Governing Board Surplus Lands Assessment (SLA) Project Subcommittee met at 10:00 a.m. on March 7, 2012 at the Sarasota County Government Building. The following persons were present:

#### **Board Members Present**

Albert G. Joerger, Chair, SLA Subcommittee  
Hugh Gramling, Vice Chair, SLA Subcommittee  
Carlos Beruff, SLA Subcommittee Member  
Jennifer E. Closshey, SLA Subcommittee  
Member  
Doug Tharp, SLA Subcommittee Member

#### **Staff members**

Michael Holtkamp, Division of Operations,  
Maintenance & Construction Director  
Roy Mazur, Operations & Land Management  
Bureau Chief  
Joe Quinn, Land Management Section Manager  
Will VanGelder, Land Management Supervisor  
Cheryl Hill, Land Program Coordinator

A list of others present who signed the attendance roster is filed in the permanent records of the District.

**Welcome and Introductions** – SLA Chair Joerger called the meeting to order and stated the SLA project has been undertaken at the direction of the Governing Board, which directed staff to look at whether there is the potential to surplus any of our lands to improve the efficiency of our land resources program. This is one of several efforts currently underway to increase the operational efficiency at the water management district. The Governing Board feels this project is of such importance that it has appointed this six-member Committee to oversee the project and make recommendations to the full Board for its consideration. The Chair then introduced each Governing Board Subcommittee member.

Chair Joerger requested that anyone wishing to comment on the process, please fill out a speaker's card. To assure that all speakers have an opportunity to speak, comments may be limited to three minutes per speaker. When appropriate, exceptions to the three-minute limit may be granted by the Chair. If several individuals wish to speak on the same issue or topic, the designation of one spokesperson is recommended.

Chair Joerger also reiterated Governing Board Chair Paul Senft's comments at the first subcommittee meeting in November, that there are no expectations to identify large tracts of land for sale. This assessment is intended to identify unused project land or identify instances where the District purchased a large parcel recognizing that some small portions may have little conservation value, but nonetheless were included by the seller. Staff has worked within these objectives and their recommendations to be reviewed today are reflective of that direction.

**Project Timeline and Brief Review of Surplus Lands Assessment Process** – Chair Joerger introduced Roy Mazur, the District's Bureau Chief of Operations and Land Management. Mr. Mazur stated that the purpose of this meeting is threefold: for the Subcommittee to receive staff recommendations on parcels

for potential surplus; listen to public input on the recommendations; and discuss surplus recommendations to be presented to the entire District Governing Board at its May 22, 2012 meeting.

Mr. Mazur stated that at this meeting the Subcommittee will review lands owned and maintained by the District in SLA Evaluation Area 1, which includes Manatee, Sarasota, Charlotte, DeSoto and Highlands counties. Lands in Evaluation Area 2 (Hillsborough, Pinellas and Polk (excluding the Green Swamp) counties) will be presented to the SLA Subcommittee in July. Lands in Evaluation Area 3 (Pasco, Lake, Polk (Green Swamp portion) and Sumter (Green Swamp portions) counties) Evaluation Area 4 (Marion, Citrus, Hernando and Sumter (excluding the Green Swamp) counties) are scheduled for July and September, respectively.

Mr. Mazur then briefly reviewed the SLA project mission statement and the project methodology. He stated that the board notebooks are available to the public on the District's website and contain all of the SLA project forms, maps and staff subject matter expert evaluations.

**Review of Properties in Evaluation Area 1** – Mr. Mazur stated that properties in Evaluation Area 1 have a great deal of floodplain, are important for water quality enhancement, provide critical habitat and provide greenways between other public landholdings. Mr. Mazur then reviewed each property in Evaluation Area 1.

- Flatford Swamp – The tract contains the headwaters of the Myakka River, a national Wild and Scenic River, and consists of hardwood forested swamp that should have a seasonal hydroperiods. The property was purchased for, and continues to be important for, water quality protection, serving as a kidney for adjacent agricultural uses, with improved water quality leaving the swamp. The property is critical for a District wetland and hydrologic restoration project. Chair Joerger stated that staff originally looked at the potential of surplusing approximately 30 acres at the southern tip of the property, but determined that based on the restoration project, the entire property should remain intact. Mr. Beruff moved, seconded by Mr. Gramling, to retain the property and not recommend any of the project lands for surplus. Motion carried unanimously.
- Tampa Bay Estuarine Ecosystem, Frog Creek Tract – The Frog Creek tract consists of altered land and man-made lakes, was purchased as part of the Tampa Bay Estuarine Ecosystem project and is slated for restoration as part of the District's Surface Water Improvement and Management (SWIM) Program. Mr. Gramling stated that there may be other agencies better suited to manage the parcel than the District. Ms. Closshey stated that there is the potential to pursue alternative management arrangements. Mr. Mazur responded that staff is looking at maximizing land management efficiencies, including evaluating management arrangements for all District land holdings, and where appropriate looking for others to manage some lands currently under District management. He stated that staff has identified approximately 6-8 acres at the northwest corner of the Frog Creek tract for potential surplus or swap. The Subcommittee then discussed the potential surplus. Ms. Closshey suggested that staff explore all opportunities for the parcel. Chair Joerger stated one opportunity might be for the District to complete the restoration then sell the entire parcel, retaining a conservation easement which would maintain the densities of the entire tract. Mr. Gramling suggested staff explore swapping this parcel for something with a greater conservation need. Mr. Beruff requested staff provide him with the budget and plans for the habitat restoration project. Mr. Charles Lee with Audubon of Florida addressed the Subcommittee and stated that he appreciated the process that staff followed and agreed with staff's recommendation to surplus the 6-8 acres in the northwest corner of the property. He suggested that the property be exchanged for other property with a higher conservation value, or sold with the money used for land with a higher conservation value. Mr. Gramling stated that the Board is not under any time constraints to surplus the property and reiterated that staff should explore all options before final Board action. Mr.

Mazur stated that the District has had discussions with the Department of Environmental Protection (DEP) regarding managing the Frog Creek tract as part of the Terra Ceia Preserve State Park once restoration has been completed. Mr. Dave Feagles with the Florida Native Plant Society stated there are water quality concerns for the tract, and if a hotel were placed on the property there could be degradation to Frog Creek. After further discussion, Ms. Closshey moved, seconded by Mr. Gramling, that staff prepare to make a recommendation to the Governing Board whether to sell or exchange the 6-8 acres in the northwest corner of the property, or to sell the underlying fee interest and retain a conservation easement over the entire Frog Creek tract. Motion carried unanimously.

- Tampa Bay Estuarine Ecosystem, Huber Tract – The tract includes coastal mangrove forests, coastal marshes and salt barrens, as well as forested hammocks and was purchased as part of the Tampa Bay Estuarine Ecosystem project and is slated for restoration as part of the District's Surface Water Improvement and Management (SWIM) Program. Mr. Mazur stated that the Huber tract has also been identified to be incorporated into the Terra Ceia Preserve State Park. Mr. Beruff stated that he thought it made sense to include the northern half of the tract into the State Park; however the southern half, which is separated by I-275 is questionable. Mr. Will VanGelder, Land Management Supervisor, replied that the entire tract floods and though separated by I-275, the northern and southern portions of the Huber Tract are connected through the Bay. Chair Joerger commented that the tract is important for natural systems, water quality and flood protection. He suggested that the District maintain some type of ownership interest (either full fee or conservation easement) as the District has invested resources into the property. A motion was made by Ms. Closshey, seconded by Mr. Tharp, to retain ownership of the tract and continue discussions with DEP's State Parks to incorporate the tract into Terra Ceia Preserve State Park. Mr. Lee stated he supported the motion. Motion carried unanimously.

Ms. Closshey moved, seconded by Mr. Gramling, to maintain District ownership and conservation status for the remainder of the properties in Evaluation Area 1; however explore cooperative partnerships for cost effective management opportunities, provided this can be accomplished within available budgets and the current level of conservation land management can be maintained. Mr. Gramling discussed whether we should divest of properties that are managed by others, such as Medard Park in Hillsborough County. He stated that properties that are under a management agreement to another entity are not being reviewed at this time and suggested that efficiencies could be realized if the District did not continue ownership of those tracts. Chair Joerger stated that if a property doesn't meet the District's core mission it shouldn't be retained by the District; however there is a nominal cost associated with owning properties managed by others that meet our core mission and those should be maintained. Mr. Beruff stated he is concerned with duplicative processes and expenses encountered when another agency manages the District's land. Chair Joerger stated he does not believe there are duplicative expenses when others manage our property, and if it is part of the District's mission we should retain the property. Ms. Closshey agreed that the use of the property and conservation value of the property is the District's primary consideration, and it doesn't matter who is managing the property as long as it's managed well. She stated that anytime we enter into a land management relationship for District lands, our agreement should include a process that creates definable, measurable, quantified standards of performance, so the District can be assured that the management objectives are being accomplished. This would involve a baseline and agreed upon criteria to measure against on a periodic basis. Chair Joerger agreed, stating this is one reason we need to retain ownership. After further discussion Ms. Closshey retracted her motion so that the Subcommittee could vote separately for each project being evaluated.

- **Prairie/Shell Creek** – The property consists of palmetto prairies, pine flatwoods, oak scrub, scrubby flatwoods and tidally influenced riverine marshes near the confluence of Shell Creek, Hunter Creek and the Peace River. The property is bisected by a railroad right-of-way. Mr. Beruff asked why the eastern portion of the property has not been recommended for surplus, as the railroad seems to have severed it from the western portion. Mr. VanGelder stated that this property contains critical scrub habitat with threatened and endangered species, specifically the Florida scrub-jay and gopher tortoise. Furthermore the eastern portion of the property is the core of the scrub-jay and gopher tortoise area containing an ephemeral marsh system. He noted that the District doesn't manage its property for single species, but this is a unique example in the region of how habitat management has increased populations and has become a dispersal area for threatened and endangered species. In response to Ms. Closshey's question, Mr. Mazur confirmed that the property is important for groundwater recharge to shallow aquifers. After further discussion, Ms. Closshey moved, seconded by Mr. Tharp, to accept staff's recommendation to maintain District ownership and conservation status; however explore cooperative partnerships for cost effective management opportunities with local governments and state agencies, provided this can be accomplished within available budgets and the current level of conservation land management can be maintained. Members of the public spoke in support of the motion. Motion carried unanimously.
- **Myakka River, Schewe Tract** – Mr. Mazur stated that this parcel is an integral part of nearly 100 square miles of publicly owned and protected lands within the Myakka River watershed. Mr. Beruff moved, seconded by Mr. Tharp, to accept staff's recommendation to maintain District ownership and conservation status; however explore management opportunities with Sarasota County, as part of the District and County's jointly owned Deer Prairie Creek and/or the County's Mabry Carlton Reserve, provided this can be accomplished within available budgets and the current level of conservation land management can be maintained. Motion carried unanimously.
- **Jack Creek** – This tract is located along the Lake Wales Ridge in Highlands County. Mr. Beruff moved, seconded by Mr. Gramling, to accept staff's recommendation to maintain District ownership and conservation status; however explore cooperative management opportunities with other government agencies (FWD, USFWS, SFWMD) and/or non-governmental entities (Archbold Station, The Nature Conservancy) working in the Lake Wales Ridge region. Motion carried unanimously.
- **Little Manatee River, Southfork Tract** – This tract is located along the southfork of the Little Manatee River. Mr. Beruff moved, seconded by Mr. Gramling, to accept staff's recommendation to maintain District ownership and conservation status; however explore cooperative management with other governmental entities that manage adjoining conservation lands, provided this can be accomplished within available budgets and the current level of conservation land management can be maintained. Motion carried unanimously.
- **Edward W. Chance Reserve, Coker Prairie** – This tract includes relatively unaltered natural communities and contains a freshwater marsh system. Mr. Beruff moved, seconded by Mr. Gramling, to accept staff's recommendation to maintain District ownership and conservation status; however explore cooperative management opportunities with Manatee County other government agencies, provided this can be accomplished within available budgets and the current level of conservation land management can be maintained. Motion carried unanimously.
- **Edward W. Chance Reserve, Gilley Creek** – This parcel includes over four miles of Gilley Creek, one of the main tributaries of the Myakka River. Mr. Beruff pointed out that there is currently a cattle lease on the property and requested staff look into expanding the existing lease agreement. Mr. Joerger agreed, stating that any management arrangement should protect the water resources the property was purchased to protect. Mr. Beruff moved, seconded by Mr. Gramling, to accept staff's recommendation to retain ownership. Motion carried unanimously.
- **Lower Peace River Corridor, Deep Creek** – This property's proximity to the Peace River and Charlotte Harbor estuary is reflected in the tidal nature of the river and its associated floodplain wetlands. The

parcel contains pine flatwoods, freshwater marshes, wet prairies and tidal swamp. Mr. Beruff moved, seconded by Mr. Gramling, to accept staff's recommendation to retain ownership. Motion carried unanimously.

**Public Comment**

- Ms. Jeanne Dubi with Sarasota Audubon thanked staff and the Subcommittee for their work and stated that Sarasota Audubon is opposed to any surplus and would like to assist with any surveys at Frog Creek.
- Mr. Dave Feegles with Florida Native Plant Society stated most of the revenue derived from sale of surplus land will be used to purchase other land; be aware of the possible ramifications of surplus; and commended staff and the Subcommittee for the thoroughness of the process.
- Ms. Katie Roberts with Florida Native Plant Society thanked staff and the Subcommittee and reminded them that surplus doesn't necessarily mean sale.
- Ms. Carol Breyse, a board member with Sierra Club in Manatee County, commended the Subcommittee for actions taken today and stated she is concerned with Terra Ceia and Frog Creek development potential.
- Ms. Shelley Thornton with Mosaic indicated she wanted to clarify Mr. Mazur's earlier comments regarding the water originating from Flatford Swamp potential being transmitted to Mosaic. Mosaic does not need the water but is potentially interested in receiving it for conservation purposes.

**Subcommittee Discussion** – Chair Joerger stated that it is prudent to look at the District's land resources on a regular basis, such as every five to ten years, and that is what we're doing now. Mr. Beruff stated that sometimes the water management district is required to purchase more land than what is required in order to get what is needed for the core mission. He said that staff's process is well thought out and encouraged continuing to reach out to volunteers to assist.

Chair Joerger thanked the Subcommittee for their time, staff for their efforts and thoughtful process, and the community for their interest in conservation.

The meeting was adjourned at 11:55 a.m.