

MINUTES OF THE MEETING

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

TAMPA, FLORIDA

MAY 10, 2012

The Southwest Florida Water Management District's (SWFWMD) Governing Board Surplus Lands Assessment (SLA) Project Subcommittee met at 10:00 a.m. on May 10, 2012 at the District's Tampa Service Office, 7601 Highway 301 North, Tampa, FL 33637. The following persons were present:

Board Members Present

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

Staff members

Robert Beltran, Assistant Executive Director
Michael Holtkamp, Operations, Maintenance & Construction Division Director
Kurt Fritsch, Management Services Division Director
Roy Mazur, Operations & Land Management Bureau Chief
Steven Blaschka, Real Estate Services Manager
Will VanGelder, Land Management Supervisor
Cheryl Hill, Land Program Coordinator

Recording Secretary

Teri Hudson

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.

Approval of the November 3, 2011 and March 7, 2012 Meeting Minutes – Mr. Gramling moved, seconded by Ms. Closshey to approve the meeting summaries as presented. Motion carried unanimously.

Brief Review of Surplus Lands Assessment Process – Chair Joerger introduced Mr. Roy Mazur, the District's Bureau Chief of Operations and Land Management. Mr. Mazur stated 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.

Mr. Mazur stated that at this meeting the Subcommittee will review lands owned and maintained by the District in SLA Evaluation Area 2, which includes Hillsborough, Pinellas and Polk (excluding the Green Swamp) counties. Evaluation Area 3 will focus on properties in Pasco County and the Green Swamp portion of Polk County.

Review of Properties in Evaluation Area 2 – Mr. Mazur stated that properties in Evaluation Area 2 focus primarily on District project lands and the parcels reviewed today contrast to Evaluation Area 1, in that there is a larger proportion of parcels that could be sold or swapped and fewer opportunities for land management efficiencies/adjusting land management arrangements. Mr. Mazur stated a cost benefit analysis will need to be done by staff for the surplus options discussed today. Mr. Mazur then reviewed each property in Evaluation Area 2.

- Tampa Bypass Canal – The land was acquired between the 1960s and 1980s for the construction and operation of the Tampa Bypass Canal for flood protection of urbanized areas of the cities of Tampa and Temple Terrace. Staff separated the Tampa Bypass Canal into four different sections with 16 parcels evaluated for potential surplus and four that need additional title work, as the surveys are reflective of the technology used at that time. Section 1 includes the area around McKay Bay to Adamo Drive (SR 60); Section 2 Adamo Drive (SR 60) to US 301; Section 3 US 301 to Harney Canal; Section 4 Harney Canal to Fowler Avenue.
 - Parcel 1 consists of 0.81 acres, the District has no clear direct access and staff recommendation is to explore sale or surplus to adjacent land owner. Mr. Beruff addressed the issue of the adjacent land owner using our property without our permission. Ms. Closshey stated that although many properties in this evaluation area belong to the District, they have been used by our neighbors for many years and we should be sensitive to the public in this evaluation process. Chair Joerger stated that we have a moral obligation to be a good neighbor in this process and wondered if lowering the elevation of parcel 1 would enhance the water quality in the canal and provide an opportunity for SWIM projects. Steve Blaschka, Real Estate Services Manager, stated the adjacent land owner has expressed an interest in the property but does not want to go through the public bid process. Mr. Charles Lee with Audubon of Florida addressed the Subcommittee about the possibility of reaching a settlement with an encroacher which may be an option when addressing the adjacent landowner. Ms. Closshey confirmed with staff that the Subcommittee's responsibility today is to authorize staff to explore surplus opportunities and then get back with them. Mr. Beruff moved, seconded by Mr. Gramling to accept staff recommendation to explore surplus options on this parcel, including the property to the west at the point where boats are docked and exploring leasing options to the adjacent landowner. Motion carried unanimously
 - Parcel 16 consists of 1.59 acres, there is no clear access and staff recommendation is surplus. Mr. Gramling moved, seconded by Mr. Beruff, to explore options for sale or surplus. Motion carried unanimously.

- Parcels 2 and 15 consist of 0.93 and 0.40 acres, respectively. These parcels have been identified by District Operations staff as not being needed for the maintenance of the canal. Mr. Beruff moved, seconded by Mr. Gramling, to authorize staff to explore surplus options on these parcels. Ms. Katy Roberts, representative of Florida Native Plant Society, thanked the Subcommittee for their attention given to the details in this process and feels the Subcommittee is making good decisions. She also commended staff for their thoughtfulness. At this point she has no objections. Mr. Lee suggested sensitivity to the apartment complex adjacent to these parcels and suggested possibly transferring to another public/government entity. He stated overall staff has done a good job on these analyses. The motion carried unanimously.
- Parcel 10 consists of 3.06 acres, is adjacent to an RV park, and District staff mow and maintain this parcel. Staff recommendation is surplus. Mr. Beruff moved, seconded by Mr. Gramling, to approve area for potential surplus and evaluation by staff. Motion carried unanimously.
- Parcel 3 consists of 1.31 acres, adjacent to single family residences, needs title verification, and staff recommendation is explore surplus to adjacent owners. Ms. Closshey moved, seconded by Mr. Beruff, to authorize staff to evaluate title verification and explore surplus to adjacent owners. Motion carried unanimously. Mr. Gramling suggested staff explore the possibility of quit claiming property to save the expense of title verification on properties where we may be transferring to another government agency.
- Parcel 11 consists of 2.09 acres, adjacent to multi-residential land, and staff recommendation is explore sale of easement or surplus to adjacent owners for dock access. Mr. Beruff moved, seconded by Mr. Gramling, to accept staff recommendation for Parcel 11. Motion carried unanimously.
- Parcel 4 consists of 12.09 acres, adjacent to a lumber mill, and staff recommendation is surplus. Parcel 12 consists of 12.40 acres and is a neighborhood park under agreement with Hillsborough County, and staff recommendation is to surplus if the County can no longer maintain park. Chair Joerger stated that if we give this property to Hillsborough County the deed should reflect that the property comes back to the District for surplus if the park ceases to exist. Mr. Beruff moved, seconded by Mr. Tharp, to accept staff recommendation for Parcels 4 & 12, including Chair Joerger's statement. Motion carried unanimously.
- Parcel 7 consists of 0.74 acres, adjacent to a warehouse, and staff recommendation is surplus with a reservation for a fee simple access corridor. Mr. Beruff moved, seconded by Mr. Gramling, to accept staff recommendation for Parcel 7. Motion carried unanimously.
- Parcel 8 consists of 1.34 acres, adjacent land is residential, and staff recommendation is surplus. Parcel 14 consists of 3.98 acres, adjacent land is pasture/residential, and staff recommendation is to explore alternate use; if none available, surplus and reserve access easement. Mr. Beruff asked how often the canal has been dredged. Mr. Holtkamp responded that we have never dredged it and if faced with doing so we would be hard-pressed without some land available. Mr. Beruff moved, seconded by Mr. Gramling, to accept staff recommendation for Parcels 8 and 14 with a request for staff to take a closer look at parcels south of I-75 or north of US 301 for future spoil sites if needed or potential surplus opportunities. Motion carried unanimously.
- Parcel 17 consists of 0.34 acres, adjacent land is commercial and staff recommendation is title verification prior to surplus.
- Parcel 18 consists of 0.28 acres, adjacent to a warehouse and staff recommendation is title verification prior to surplus.
- Parcel 19 consists of 0.90 acres, adjacent to county jail and staff recommendation is title verification prior to surplus.

- Parcel 20 consists of 0.08 acres, adjacent land is office/mixed use and staff recommendation is title verification prior to surplus.
- Mr. Tharp moved, seconded by Mr. Beruff, to accept staff recommendation on Parcels 17, 18, 19, and 20. Mr. Gramling requested staff to be practical in the evaluation of these parcels. If the property were to be deeded to another governmental entity (jail, DOT, etc.), there may be opportunities to transfer rights in lieu of performing an extensive title search (i.e., quitclaim the property). Mr. Tharp added that these are small parcels and it may be cheaper to retain the property rather than doing title work. Motion carried unanimously.
- Lake Hancock – Lake Hancock is a 4,500-acre lake in the headwaters of the Peace River watershed that extends 120 miles downriver to Charlotte Harbor. The lands were acquired to implement several projects in the District's Upper Peace River/Lake Hancock water resources initiatives.
 - Parcels 2 and 3 were part of the Old Florida Plantation (OFP) acquisition and are both part of the modified OFP Development of Regional Impact (DRI). Staff recommendation is to surplus an estimated 833 acres of the OFP DRI. When the OFP tract was originally purchased in 2003 the Governing Board designated as surplus any lands not needed for implementation of Lake Hancock projects. The staff recommendation reaffirms the 2003 Governing Board's position. Ms. Closshey moved, seconded by Mr. Tharp, to authorize staff to prepare a presentation to the full Governing Board on Parcels 2 and 3. Mr. Beruff suggested including the property on the east side of the canal, north and west of Parcels 2 and 3 for potential surplus, adding that it could enhance the sale of Parcel 2, become the buyer's responsibility to maintain it and would be a benefit to the DRI. Ms. Closshey stated she would like to keep her original motion but supports a separate motion for staff to explore potential surplus on the additional property. Mr. Lee addressed the Subcommittee stating he has no objections to surplus of Parcels 2 and 3 but would object to surplus land along the shoreline of Lake Hancock. He stated the original OFP DRI included this land as an important migratory bird area and valuable conservation lands. He would prefer the Subcommittee stay with the original motion and later pursue easement access down to the lake. Mr. Beruff asked if the original mission of the Lake Hancock acquisition was to restore minimum flows and levels to Upper Peace River. Mr. Mazur responded yes with Kurt Fritch adding that as far back as 1995 Lake Hancock was seen as the largest problem for water quality of Charlotte Harbor and has been included in restoration projects. Mr. Mazur stated that the surplus area indicated on the map is developable land. Mr. Beruff added that development next to the shoreline could be precluded in the sale. Mr. Blaschka added that it was anticipated that the District would reserve any rights it needed on portions of the OFP DRI not shown on the map. Mr. Lee addressed the Subcommittee pointing out the natural systems benefits on the property and he does not think that surplus this land would meet the constitutional test of what the land was originally purchased for. Ms. Gaye Sharpe, Polk County Parks and Natural Resources, asked the Subcommittee to take into consideration that the northeast property, known as the Coscia Tract, may be impacted by the Lake Level Modification project; Polk County manages the Hampton Tract; and a trail around the lake is anticipated to be included in DOT's budget in the near future. Mr. Mazur clarified that the trail is included in the DRI. Mr. Gramling clarified that the District is looking at selling any un-needed property associated with the OFP DRI and the development rights are shown on the map. He stated that the Subcommittee's recommendation gives staff authorization to do what the Governing Board originally said, which was to sell all un-needed portions of the DRI; the area indicated on the map is only the developable area under the DRI. Having that said, the original motion stood and carried unanimously. Parcel 1 is known as the Griffin Tract and Parcel 4 is known as the Ellsworth Tract. Staff recommendation is to designate as surplus an estimated

100 acres pending final determination of lands needed for Polk County's mitigation and access for Structure P-11. Mr. Beruff moved, seconded by Ms. Closshey, to accept staff recommendation. Motion carried unanimously. Ms. Sharpe requested that relative to the Griffin Tract, the District retain an additional 12 feet off the road for the trail.

- Chito Branch Reserve – The property is located in southeastern Hillsborough County south of Lithia in the vicinity of Boyette Road and was purchased in cooperation with Tampa Bay Water (TBW) for the primary purpose of building the 15-billion gallon C.W. “Bill” Young Regional Reservoir. Parcels 1 and 2, approximately 130 acres, have been identified by staff as potential surplus; however discussions with TBW are necessary before surplus action. Mr. Gramling stated the District should not restrict the potential future use of these parcels. Ms. Closshey moved, seconded by Mr. Gramling, to authorize staff to proceed with exploring the options of surplus for Parcels 1 and 2, with a full disclosure to potential buyers as to restrictions in light of the District's water use and water conservation rules (the property is within the Most Impacted Area of the Southern Use Water Caution Area). Vivian Baca addressed the Subcommittee opposing sale of any property in Chito Branch Reserve, especially near Lithia Pinecrest. Motion carried unanimously.
- Lake Tarpon Outfall Canal – The property is located in north-central Pinellas County, was constructed as one of the components of the Four River Basins, Florida Project for flood protection to an extensive area of southwest Florida. A two-acre parcel located on the west side of the canal, in the vicinity of McMullen Booth Road immediately downstream of Structure S-551, was identified for potential surplus. Mr. Beruff moved, seconded by Mr. Gramling, to approve staff recommendation. Motion carried unanimously.
- Harney Canal – The property is located south and west of the District's Tampa Service Office on U.S. Highway 301, is an accessory canal and integral part of the Tampa Bypass Canal system. No surplus opportunities were identified and staff recommendation is to maintain ownership. No action required of the Subcommittee.
- Pretty Lake – The property is located in northwestern Hillsborough County in the vicinity of Gunn Highway and Race Track Road. The Pretty Lake property includes several small parcels with a combined total of five acres needed to implement the elements the Lakes Horse, Raleigh and Rogers Recovery Project. No surplus opportunities were identified and staff recommendation is to maintain ownership and re-evaluate surplus opportunities once the project is constructed. Mr. Gramling moved, seconded by Mr. Beruff, to acknowledge the prior Governing Board action to surplus the residence and land not needed for the pump station and pipe line once the project has been constructed. Motion carried unanimously.
- Lake Thonotosassa – The property is the largest natural lake in Hillsborough County and was designated as a priority water body within the Surface Water Improvement and Management (SWIM) Program. No surplus opportunities were identified and staff recommendation is to maintain ownership. No action required of the Subcommittee.
- Jerry Lake – The Jerry Lake property includes Jerry Lake and approximately 58.3 acres of undeveloped mixed wetland forest and oak hammocks. The original purchase agreement includes provisions that preclude public access and public recreation on the property during the original owner's lifetime or until they move from the adjoining premises. Because of these limitations, no surplus opportunities were identified. Staff recommendation is to maintain ownership. No action required of the Subcommittee.
- Lower Hillsborough Wilderness Preserve – The property is located in north-central Hillsborough County in a rapidly urbanizing area of northeast Tampa. No surplus opportunities were identified and staff recommendation is to maintain ownership. Mr. Gramling moved, seconded by Mr. Beruff, to authorize staff to consider two parcels on the south side of 301 for potential surplus. Motion carried unanimously.

Public Comment - There were no additional public comments.

Subcommittee Discussion - Mr. Mazur updated the Subcommittee on the Frog Creek parcel recommended for surplus at the Subcommittee's March meeting. He said that approval by the Department of Environmental Protection is required prior to bringing this discussion to the Governing Board and that staff is pursuing land use changes to increase the marketability of the property.

Vice Chair Gramling stated that today's actions were very productive. He complimented staff for their time, efforts and thoughtful process. He stated that although there is still a lot of work to do, he appreciates staff's diligence. Ms. Closshey thanked the public for attending.

The Subcommittee's next meeting is scheduled for August 2, 2012 at 9:30 a.m. at the Tampa Service Office.

The meeting was adjourned at 12:00 p.m.