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the rapidly developing region of northeast Osceola County and southeast Orange County, with plans to eventually connect the highway to Brevard County and the jobs and economic opportunities associated with Space Coast industries.

The proposed alignment – as depicted in the map below – would impact 60 acres of SOFWEA directly with construction of a 1.35 mile, 330-foot-wide linear roadway. No stormwater ponds will be located within SOFWEA. Another 100 acres would also be indirectly impacted. In an effort to mitigate those impacts, development interests have proposed to donate another 1,550 acres of contiguous conservation land portions of which are currently zoned for commercial, residential and industrial uses to act as a buffer between existing residential neighborhoods and the wildlife corridor.

The proposed donated lands are within the Florida Fish and Wildlife Conservation Commission (FWC) Optimal Planning boundary as outlined in the Split Oak Forest Wildlife and Environmental Area 2017-2027 Management Plan. The Optimal Conservation Planning Boundary is depicted in Figure 11 of the FWC 2017-2027 Management Plan. On the following page is a depiction of the Optimal Planning Boundary as identified by FWC.



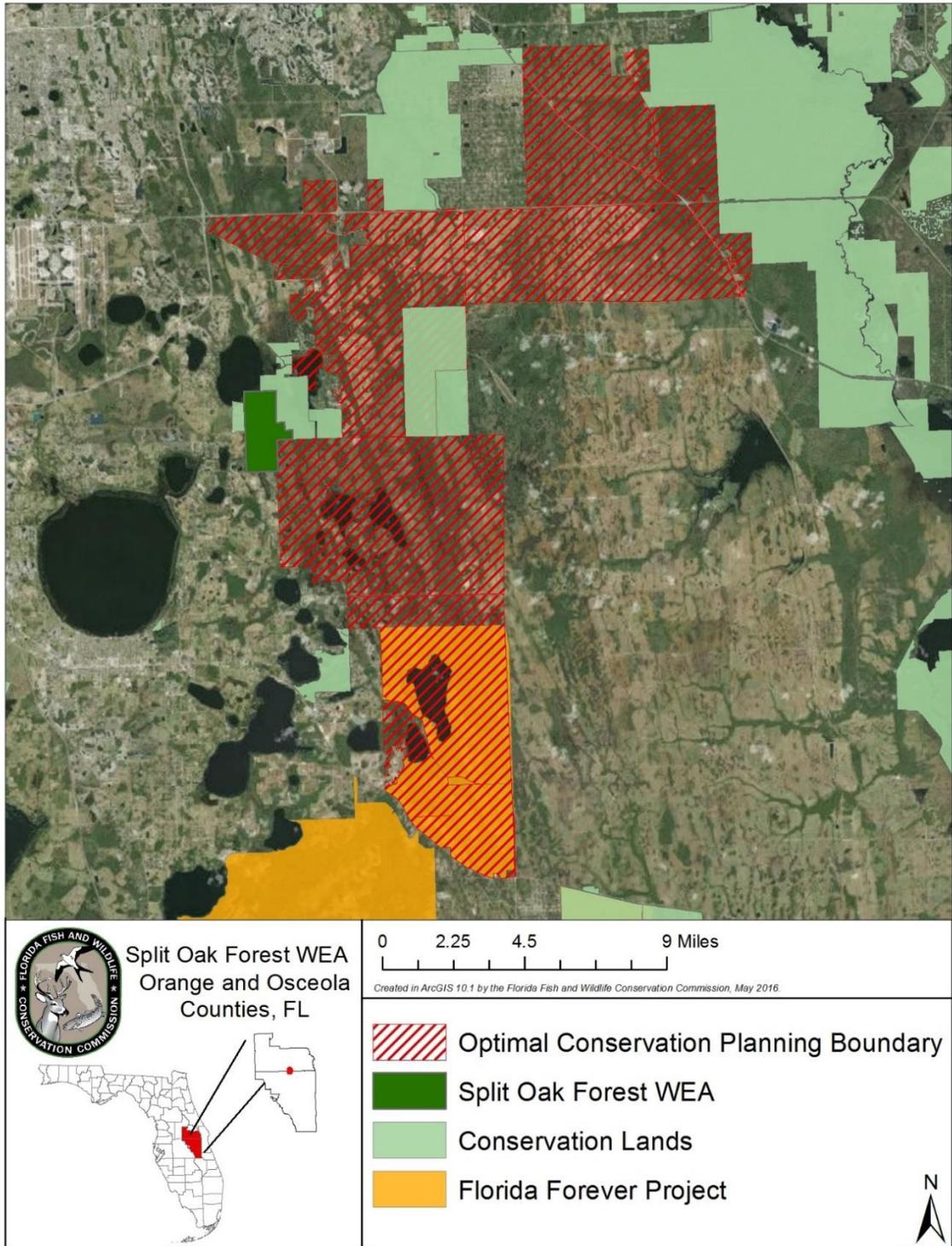


Figure 11. SOFWEA - Optimal Conservation Planning Boundary

Florida Fish and Wildlife Conservation Commission | Split Oak Forest WEA Management Plan

A number of alternatives were evaluated over the course of two decades. The Preferred Alternative, as shown in the map preceding the Optimal Planning Boundary graphic above, minimizes environmental impacts and disruptions to existing neighborhoods and adds 1,550 acres of contiguous conservation lands that portions of which otherwise would be developed.

II. Acquisition Background

As detailed in Exhibits 1 and 2, the Osceola County Board of County Commissioners and the Orange County Board of County Commissioners adopted Resolutions on December 16, 1991 and December 17, 1991, respectively, seeking to petition the Florida Communities Trust (“FCT”) for a loan and a grant to be issued to the Counties to acquire and preserve certain lands for conservation. The two Resolutions outlined three collective goals: (1) create areas that will be used for mitigation to offset impacts to wetlands and imperiled species caused by existing or proposed development; (2) provide resource-based recreation for residents of both Counties; and (3) combine efforts cost-effectively in the maintenance and acquisition of the properties. The Resolutions also referenced the Florida Game and Fresh Water Fish Commission (now known as the Florida Fish and Wildlife Conservation Commission (“FWC”)) as a third participant to the application. As requested in the Resolutions, FCT was to provide a loan of \$2,700,000 to Osceola County and a \$2,300,000 matching grant to Orange County for the acquisition of lands in both Counties. The loan and the grant were to be repaid with funds obtained from the sale of wildlife and wetland mitigation credits.

By December 31, 1991, the Counties submitted a joint application to FCT, as included in Exhibit 3, which was acknowledged as being substantially complete by January 2, 1992. As the joint application detailed on Page 12 of Exhibit 3: “The major purpose of this project [was] to establish an Environmental Mitigation Funding Program” to “accommodate wetland and wildlife mitigation projects” in the Central Florida region with a particular focus on the Gopher Tortoise. The secondary purpose was to “establish nature based recreational uses for the Split Oak Forest Mitigation Park.”

The currently proposed OPE project would utilize approximately 60 acres of land currently in the SOFWEA and provide for the conversion of 1,550 acres portions of which are currently zoned for “commercial, residential and industrial uses” to preservation of environmentally sensitive lands. The current proposal is consistent with the objectives of the original application. On page 113 of Exhibit 3 of the original agreement, for example, the Counties provided 503 acres of wetland preservation, 55 acres of wetland restoration in Orange County, 325 acres of new wetland creation in Osceola County, and 561 acres of upland mitigation – for a total of 1,160 acres of mitigation in Orange County and 685 acres of mitigation in Osceola County.

In October of 1992, the FCT executed a Conceptual Approval Agreement that is attached as Exhibit 4, providing funding for the acquisition of SOFWEA and requiring each of the counties to jointly enter into an Interagency Management Agreement with FWC.

The Interagency Management Agreement was approved on February 15, 1994 by Osceola County and on March 15, 1994 by Orange County. The primary focus of the Interagency Agreement, which is included as Exhibit 5, was to spell out the fiscal duties, management, and mitigation administrative responsibilities of each of the parties.

As a result of compliance with the application requirements, the FCT entered into a Grant Award Agreement with both Counties, which was recorded in both Counties on April 4, 1994 and are included as Exhibits 6 and 6A. The General Conditions provision in Paragraph 3 on Page 3 for that agreement provides that the Agreement may be amended at any time if agreed to by both the Counties and FCT. In paragraph 5 of page 4 of Exhibit 6 or 6a, the Grant Award Agreement also contemplates the necessary steps that must be taken if any portion of the property is subsequently acquired “through the exercise or the threat of the exercise of eminent domain.” Paragraph 5 on Page 4 of the Agreement specifically states that if the eminent domain scenario occurs, the “FCT Recipient shall deposit with the FCT any insurance proceeds or any condemnation award, and shall promptly commence to rebuild, repair or restore the Project Site in such manner as is consistent with the Agreement.”

In 1995, an Amendment to the Grant Award Agreement and a Modification to the Interagency Management Agreement was recorded in both Counties, as provided in Exhibits 7 and 8. The Amendment provided for a new legal description of those wetlands and uplands that were not available for sale as mitigation.

The FCT Grant Award Agreement recipients were also required to record Conservation Easements consistent with section 704.06, F.S., granting certain state agencies rights over respective portions of SOFWEA. Those Conservation Easements, as recorded in both Counties, are included as Exhibits 9, 10, 11, and 13.

III. Management Plans

As part of the Grant Award Agreement, a Management Plan for SOFWEA was also submitted and approved by the FCT in 1999 and is included as Exhibit 12. The original Management Plan is a 16-page report plus exhibits which contains information on the purpose of the project, the structures and improvements including the access points and parking lots for the park, some key management activities including a timeline of key activities in 3 year increments as well as the costs and schedule for rehabilitation, maintenance and monitoring of the subject site. Most, if not all, of the exhibits contained in the original report are contained as separate exhibits in this application.

A subsequent Management Plan for the 2017-2027 timeframe was approved on or about November of 2016 and is attached as Exhibit 16. The second plan was a more comprehensive management plan that laid out the future management actions for SOFWEA. The updated report begins with a list of 68 separate items with applicable references to statutes and references to page numbers in the 138-page report. As described in the Management Plan, the lands covered by this Management Plan are not titled to the Board of Trustees, as stated on Numbered Page 2 of Exhibit 16, and are

instead vested in the Counties, as stated on Numbered Page 7 of Exhibit 16. The Conservation Easements do provide the FWC with a “perpetual management authority and responsibility for the SOFWEA,” as detailed on Numbered Page 5 of Exhibit 16.

The Management Plan contains an extensive description of the soils, vegetation and fish and wildlife species on the subject property. Since the original Management Plan was authored, a considerable amount of data has been gathered about the species and habitats of SOFWEA. Through the use of technology and graphics, the updated report provided a detailed account of the approximately 1,700 acres that comprise SOFWEA, including 8 rare plant species such as the Giant Orchid and Hooded Pitcher plant; high quality mesic, scrubby and wet flatwoods communities; 30 amphibian and reptile species; 92 native bird species; 17 mammal species; 3 native fish species; 44 different species of butterfly; and six exotic wildlife species. Imperiled wildlife species occurring on or near the SOFWEA are detailed in Table 13 on Page 67 and 68 of Exhibit 16 and include the Burrowing Owl, Florida Sandhill Crane, the Florida Scrub Jay, the Little Blue Heron, the Southeastern American Kestrel, the Tricolored Heron, the Wood Stork, the Sherman’s Fox Squirrel, the American Alligator and the Florida Pine Snake.

The report also covers the objectives accomplished, the objectives and goals for the next 10 years, as well as a timeline of the goals to be accomplished. The final section identifies challenges in managing SOFWEA. The first challenge is that SOFWEA has an insufficient amount of habitat to sustain the imperiled species identified above. The second of the challenges identified in Exhibit 16 on Numbered Page 109 is that the SOFWEA is not a widely known recreation destination. The proposed linear facility could help in both increasing the amount of available habitat due to the conveyance of the proposed donated lands and allow for enhanced access to SOFWEA from Osceola County. The linear facility will also provide a connection for the Florida National Scenic Trail which will improve eco-tourism opportunities at SOFWEA.

As detailed in pages 109-110 of Exhibit 16, among the other challenges identified are the increasing management difficulties based on development of adjacent lands and the potential impacts of the original proposed construction of OPE through the middle of SOFWEA. In 2016, the proposed alignment for the OPE was through the center of SOFWEA and impacted lands in both Counties. To counter that challenge, the Management Plan, on Page 110 of Exhibit 16, calls for a strategy “to cooperate and work with FDOT and Orange and Osceola Counties to ensure any unavoidable impacts are minimized and sufficiently mitigated to maintain existing habitats and replace habitats eliminated by any potential development of the parkway on the area.”

That has been the approach agreed to by all parties, including the Counties and FWC, to minimize the impact of the OPE. The proposed linear facility is a byproduct of that cooperation, as detailed in the maps contained in Exhibit 25. As part of those efforts, all interested parties addressed the minimization of impacts on the scrub natural community in SOFWEA and specifically Scrub Jays, a federally Threatened & Endangered species(T&E) that is known to utilize that natural community. The benefit of

the addition of the donated lands is that it will expand the natural community of scrub which will allow for management of those areas to enhance their quality to make it more suitable for the Scrub Jay.

IV. PD&E and PD&E Study Re-Evaluation

Beginning in 2012, the OCX began a study to review the feasibility for the extension of Osceola Parkway as part of the southern beltway in Central Florida. In May 2017, a Project Development and Environment (PD&E) Study was approved by OCX, which proposed an alignment that would bifurcate SOFWEA, as depicted in Composite Exhibit 14L. The OCX PD&E Study concluded that the proposed alignment had significant environmental impacts to SOFWEA, including acquisition of portions of the forest that were located in the Counties. The Preferred Alternative included over 36 acres of direct impacts and approximately 593 acres of indirect impacts to SOFWEA.

In 2014, the legislative reorganization of local expressway authorities required OCX's merger with the newly formed CFX. This merger of assets and projects was to be completed by December 31, 2018. As part of the merger, an agreement between Osceola County, OCX, and CFX was signed in September 2016 for CFX to complete Concept, Feasibility & Mobility (CF&M) Studies for the four OCX Master Plan segments, including the OPE. The CF&M Study for the OPE analyzed a number of roadway alternatives with varying impacts to SOFWEA. Exhibit 25 provides an illustration of the CF&M Study Alternatives. At the March 2018 meeting, the CFX Board voted to move forward with a PD&E Study Re-evaluation for the OPE to further refine the OCX PD&E Preferred Alternative and the CF&M Study alternatives.

As part of the PD&E Study Re-evaluation, careful consideration was given to determining impacts related to the design; physical, cultural, natural, and social effects; and costs for each of the alignments for the OPE. Exhibit 29 illustrates the summary of the impacts associated with the viable alternatives for the OPE. As shown in the matrix in Exhibit 29, overall the Split Oak Minimization Alternative had fewer physical and social impacts including residential impacts and relocations as well as a lower estimated cost as compared to the Split Oak Avoidance Alternative. In terms of the natural environment, the Split Oak Minimization Alternative had less acre impacts to ponds/lakes, less flood hazard area impact, less wetland impact, and less Federal Listed Species – Caracara acre impact as compared to the Avoidance Alternative. However, the Split Oak Avoidance Alternative had a lower State Listed Species – Gopher Tortoise acre impact, a lower potential species impact, no impact to SOFWEA, and a lower Eagles Roost acre impact as compared to the Minimization Alternative.

On December 12, 2019, after evaluating all reasonable and foreseeable alternatives and receiving extensive public input, CFX identified a Preferred Alternative for the Osceola Parkway Extension project as part of the PD&E Study Re-evaluation. An illustration of the Preferred Alternative is depicted in Exhibit 18O. The proposed preferred alternative no longer contained any direct impact to the conservation easement lands

located in Orange County and minimized impacts to existing and planned residences and the environmentally sensitive lands in the area. The Preferred Alternative also had a direct impact of 60 acres and approximately 100 acres of indirect impacts to SOFWEA all of which are located exclusively within Osceola County, as included in see Exhibit 18A.

As compared to the OCX Preferred Alternative, the CFX Preferred Alternative has not bifurcated SOFWEA and has reduced the indirect impacts to the facility by 493 acres which is a substantial reduction. The CFX Preferred Alternative has also minimized impacts to existing residential neighborhoods as well as keeping community cohesion effects low.

In addition, as stated in Section VIII of this Executive Summary, as part of the CFX PD&E Study Re-evaluation, 1,550 acres of adjacent lands portions of which currently have development entitlements for residential, commercial and industrial uses will be converted into conservation lands.

V. Prior Coordination with FCT Staff

Throughout the planning and evaluation process, CFX and the Counties have coordinated with FCT staff to discuss FCT approvals that will be necessary for the proposed OPE. Meetings on January 28, 2016 and May 15, 2018, were held with FCT staff and legal counsel to provide information with regards to the proposed planning and road alignment and discussed the possibilities of obtaining FCT approval through either the linear facilities provisions or the land exchange provisions.

Specifically, on January 28, 2016, members of FCT staff, OCX and FWC staff met in Tallahassee to discuss the alternatives for proposing the original alignment through the middle of SOFWEA, according to minutes from the meeting provided in Exhibit 15. A second meeting occurred on May 15, 2018 in Tallahassee with staff from FCT, Orange County, Osceola County, CFX, FWC, and members of the environmental community, according to an Orange County synopsis included as Exhibit 17. During both meetings, FCT staff indicated the Counties could apply for FCT approvals under either a Linear Facilities policy or a Land Exchange policy, according to the two meeting recaps. At the time of both meetings, the preferred alternative routed the OPE through the middle of SOFWEA as proposed in the original OCX PD&E Study.

As described in Section IV above, after these meetings with FCT in 2016 and 2018, CFX undertook the PD&E Study Re-evaluation for the OPE, which is provided in Exhibit 18. As a result of this re-evaluation, CFX minimized impacts to SOFWEA further by aligning the roadway more to the south.

VI. Resolutions by the Osceola and Orange County Boards

On December 16, 2019, by a 4-1 vote, the Osceola County Board of County Commissioners adopted a Resolution, as provided in Exhibit 21, approving the submittal of a request to the FCT for modification of the Interagency Agreement, Management Plan, and Grant Award Agreement to allow for the use of approximately 60 acres of SOFWEA

for a linear facility (OPE) and directed staff to coordinate with Orange County and CFX for submittal of the request as provided for in Rule 62-818.015, Florida Administrative Code. A similar Resolution was adopted by the Orange County Board of County Commissioners on December 17, 2019 by a 5-2 vote, as detailed in Exhibit 22. These resolutions fulfill Rule 62-818.015(a) which requires a written statement that the Local Government has reviewed and approved the proposed use

VII. Legal Analysis of Recipient's Request for Linear Facilities per Rule 62-818.015, F.A.C.

The Grant Award Agreement limits the use of the SOFWEA property to conservation, outdoor recreation, and other related activities. Consistent with Section 704.06, F.S., the Conservation Easements may be amended when competing public interests arise. Furthermore, as provided in Exhibits 27 and 28, rule 62-818.015, F.A.C. and the 2004 FCT Policy Regarding Local Government Requests for Linear Facilities on FCT Project Sites as reauthorized on June 15, 2017, provide that FCT "periodically receives requests for Management Plan modifications to allow linear facilities and related appurtenances on the Trust Project Site" When evaluating these requests, FCT must follow a process that first: (1) determines there is no reasonable alternative to the proposed modification land use on the Trust Project Site; (2) determines that the land use is designed to have a minimal impact to the site; and (3) reviews a copy of an alternative analysis assessment of other off-site alternatives or options that were considered by the Recipients.

First, as described in paragraph 1(a) of Exhibit 27, there has to be a determination by the FCT Governing Board that "there is no reasonable alternative to the proposed modification land use on the Trust Project Site". As shown by the documents in Exhibits 14 and 18 for the OCX PD&E and the CFX PD&E Study Re-Evaluation, respectively, the request to approve the minimization alternative as opposed to the original road alignment is the only viable alternative. An alignment that would avoid any impact to SOFWEA was rejected for its fiscal and social impacts, including significant input and overwhelming support from members of the adjoining areas that supported the minimization alternative over the avoidance alternative.

Secondly, the FCT Governing Board must determine whether "the land use is designed to have a minimal impact to the site" as described in paragraph 1(b) of Exhibit 27. As stated, on January 28, 2016, staff from FCT, OCX, and FWC met in Tallahassee to discuss the alternatives for proposing the original alignment through the middle of SOFWEA. Minutes and correspondence prepared contemporaneous with those meetings and shared with all participants for input show that at that time, a linear facilities application was viable, subject to further review. There was no discussion about the potential impact of the road, despite its known dimensions as documented in Exhibits 15 and 17.

A second meeting, as previously indicated and detailed in Exhibit 17, occurred on May 15, 2018 in Tallahassee with staff from FCT, Orange County, Osceola County, CFX, FWC, and members of the environmental community. Again, the various alternatives were discussed, and the road configurations were the same in terms of the approximate width and distance of the road. This time, however, the proposed alignment was further south on the property.

Another meeting was held on February 21, 2020 in Tallahassee with staff from FCT and the Counties. During this meeting, FCT raised the concern that the proposal does not meet the minimal impact requirement because of the “size of the road”. The length of the road has not been substantially changed and has remained relatively the same throughout the process. It is intended to accommodate current needs, but also provides for additional feet of right of way, consistent with other roadway designs. It has not been designed as a larger than average road for its intended capacity and, in fact, its impact on SOFWEA has been substantially improved by relocating it in the southernmost portions of SOFWEA.

Exhibit 25 shows the evolution of the OPE alignments. The original preferred alignment approved by the OCX approved on April 11, 2017 would have resulted in 36 acres of direct impacts and indirect impacts of 593 acres to SOFWEA. The current Preferred Alignment of the OPE reevaluated PD&E Study Re-evaluation will result in 60 acres of direct impact and 100 acres of indirect impacts. Furthermore, the evaluation matrix, as presented in Exhibit 29, shows that the CFX Preferred Alignment results in less social, economic, and environmental impacts and meets Department of Transportation standards for the design and construction of roadways. The proposed CFX Preferred Alignment reduces the total direct and indirect impacts by shifting the alignment south and avoiding impacts to imperiled habitat of scrub.

The proposed linear facility impacts to SOFWEA will be offset by the design of the linear facility through the construction of a bridge(s) over wetlands, which will provide wildlife crossings and ensure the continuation of recreational activities such as, but not limited to, hiking and horseback riding. Furthermore, there will be the opportunity to enhance the trailhead located in Osceola County.

Additionally, the donation of the proposed 1,550 acres of environmental sensitive lands (ESL) lands, beyond any required regulatory and compensatory mitigation, will act as a buffer to SOFWEA and surrounding preserved ESL lands. This buffer will allow for the continuation of land management activities and provide suitable habitat for imperiled species known to utilize SOFWEA such as, but not limited to, gopher tortoises and their commensals as well as the federally endangered Scrub Jay. The proposed donated lands would also allow for the avoidance of development of approved commercial, industrial, and residential areas directly adjacent to SOFWEA.

The “alternative analysis” considered, consistent with rule 62-818.015 (1) (c), F.A.C., is provided in Exhibit 29 - December 12, 2019 PD&E Study Re-evaluation by CFX Board.

Rule 62-818.015(2), F.A.C. further provides that if FCT determines that no practical off-site alternatives exist, then the following information is required:

- (a) A written statement that the Local Government has reviewed and approved the proposed use;
- (b) A description and dimensions of the linear facility, and of the area that will be affected during construction;
- (c) Information on the natural communities and cultural features found on, and immediately surrounding the site of the proposed facility;
- (d) A statement explaining how the proposed facility will be compatible with planned recreational uses of the Trust Project Site, as committed to in the approved Management Plan;
- (e) Discussion of the proposed mitigation for impacts to the Trust Project Site; and,
- (f) A modified master site plan drawing identifying the locations of existing vegetation and all proposed structures, facilities and restoration areas that will be affected by the facility.

The following provides the information as required in Rule 62-818.015(2) (a) – (f), F.A.C.:

The Counties have adopted Resolutions of Support of the CFX Preferred Alternative for the OPE PD&E Study Re-evaluation and Petitioning the Florida Communities Trust for a Modification of the Grant Award Agreement, Interagency Agreement and Management Plan on December 16, 2019 and December 17, 2019, which are included as Exhibits 21 and 22.

The Preferred Alignment for the OPE has a typical section width of 330 feet and is 1.35 miles in length and is located entirely within Osceola County. The supporting documentation in the PD&E Study Re-Evaluation and SOFWEA Mitigation Park and Bank-Mitigation and Permit History Memorandum are included as Exhibits 18 and 24. Below is a chart that compares the OCX Preferred Alignment with the CFX Split Oak Minimization Alternative.

	OCX Preferred Alt	CFX Split Oak Minimization Alt
Typical Section Width (feet)	264	330
Length in Split Oak (miles)	1.14	1.35
Direct Impact Acreage	36.4	59.9
<i>Orange County (acres)</i>	<i>15.7</i>	<i>0</i>
<i>Osceola County (acres)</i>	<i>20.7</i>	<i>59.9</i>
Indirect Impact Acreage	593.0	99.4
<i>Orange County (acres)</i>	<i>24.4</i>	<i>0</i>
<i>Osceola County (acres)</i>	<i>568.6</i>	<i>99.4</i>

Information on the cultural features within the Split Oak Minimization Alternative is contained in Exhibit 18D and summarized on Exhibit 29. As shown in both of these exhibits, there are no cultural features within the Split Oak Minimization Alternative. Natural communities impacted by the Split Oak Minimization Alternative are described in Exhibit 18H and summarized in Exhibit 29. As shown in the exhibits, the Split Oak Minimization Alternative impacts approximately 1 acre of a pond/lake, 107 acres of 100 year floodplains, 36 acres of wetlands, no impacts to Scrub Jays, 20 acres of Caracara habitat, and 77 acres of Gopher Tortoise habitat.

Please see the references contained herein this Executive Summary that explain how the proposed project addresses some of the challenges identified in the current Management Plan, as well as Exhibit 18A which shows the 100 acres that will be indirectly impacted.

In addition to the impacts identified for mitigation, in Exhibit 23, see the section (d) above and Exhibits 19 and 20 which provide for an Agreement to Convey Conservation Lands if certain conditions are met.

Pending further design of the proposed linear facility, the impacts to the existing vegetation and restoration area are unknown at this time and will be provided at a later date. The proposed linear facility will not have an impact on any current or future recreational amenities. In fact, there is a potential for the construction of a parking area and trailhead amenities. These amenities will provide an enhanced user experience for those visitors accessing SOFWEA from Osceola County.

VIII. Conservation Easements

There are multiple Deeds of Conservation Easement recorded in favor of either the Florida Freshwater Fish Conservation Commission, the South Florida Water Management District, and the Florida Department of Environmental Protection. These easements are located within the Osceola County portion of the SOFWEA. There are Conservation Easements located within the Orange County portion of SOFWEA. These easements were recorded in accordance with section 704.06, Florida Statutes.

Subsection (11) of section 704.06, Florida Statutes, provides in pertinent part that:

Nothing in this section or other provisions of law shall be construed to prohibit or limit the owner of land, or the owner of a conservation easement over land, to voluntarily negotiate the sale or utilization of such lands or easement for the construction and operation of linear facilities, including electric transmission and distribution facilities, telecommunications transmission and distribution facilities, pipeline transmission and distribution facilities, ***public transportation corridors***, and related appurtenances, nor shall this section prohibit the use of eminent domain for said purposes as established by law. In any legal proceeding to condemn land for the purpose of construction and operation of a linear facility as described above, the court shall consider the public benefit provided by the conservation easement and linear facilities in determining which lands may be taken and the compensation paid. (Emphasis added). (See Exhibit 26).

Therefore, conservation easements may be amended when competing public interests arise. For lands encumbered with FCT loans or grants, Rule 62-818.015, Florida Administrative Code (F.A.C.) (Consideration of Recipient's Request for Linear Facilities) may require FCT approval of a linear facility.

IX. Agreement to Convey Conservation Lands

In addition to the relocation of the proposed alignment, the parties, including members of the environmental community and owners of adjoining land, have discussed the impact of the OPE alignment in a series of Environmental Advisory Group meetings as documented in the PD&E Study Re-Evaluation materials as documented in Exhibit 18B Comments and Coordination Report. As a result, CFX was able to negotiate the attached Agreement to Convey Conservation Lands, which will convey 1,550 acres to the Counties or FWC, subject to the approval of certain conditions. This Agreement will convert 1,550 acres of adjacent lands portions of which currently have development entitlements for residential, commercial and industrial uses into conservation lands. These additional acres will help specifically address two of the challenges cited in FWC's current management plan.

The first challenge is that SOFWEA currently has “insufficient habitat to sustain certain imperiled species and preclude biological isolation,” as detailed in the 2017-2027 Management Plan, provided as Exhibit 16 on Page 109. This is cited in Section 8.1 of the Management Plan and is predicated on the lack of available suitable habitat. With the commitment to provide restoration dollars to the donated lands, SOFWEA can be enhanced to have sufficient habitat to sustain certain imperiled species. The additional lands will also expand the total acreage of the surrounding and contiguous environmentally protected areas to over 5,000 acres.

The second challenge, Challenge 8.3, addressed by these donated lands, provides that “Potential future development on adjacent lands can result in incompatible land uses increasing management challenges for the area for continuing to conduct management activities such as prescribed burning and exotic species treatments.” The lands being conveyed are, in fact, currently entitled for development at various levels. The donation will create a greater buffer in certain areas and allow for land management practices to occur while minimizing the impact to adjacent developed areas.

These donated lands will not be used for mitigation for species, or regulatory impacts from the development of the linear facility nor for compensation for the lands needed for the development of linear facility (OPE).

X. Conclusion

The Counties, along with CFX, have worked with a number of key stakeholders to minimize the impact of this regional linear facility that will serve a public purpose. They have coordinated with FCT and FWC staff as well with regards to necessary management plan changes and approvals. Throughout the process, the parties have worked to build consensus and were able to negotiate the donation of additional adjacent entitled lands to offset the direct and indirect impacts to SOFWEA while converting those lands from commercial, industrial and residential uses into conservation lands. All the while committing that these donated lands will not be used for mitigation for species or compensation of the lands for the linear facility. Once completed the expanded, contiguous area will be a more suitable environment for a greater number of species and vegetation and allowing for improved access to the public for their enjoyment of the combined properties. For all of the aforementioned reasons, the Counties respectively submit this application for review and seek the approval of the FCT Governing Board for this linear facility application.