

ITEM XX:

Consider whether an approximately 0.03-acre public water main and sewer main easement under the Cross Seminole Trail is consistent with the Board of Trustees’ Incompatible Use Policy.

LOCATION:

Seminole County, Section – 29, Township – 21S, Range – 31E

APPLICANT:

Seminole County

DSL STAFF REMARKS:

The Applicant has requested an 0.03-acre easement to construct, operate and maintain underground potable water main and force main crossing under the Cross Seminole Trail (Trail). The 6” PVC potable water main and 2” PVC sewer force main will be constructed using directional drilling in an area 25-feet wide under the Trail. The proposed easement area is currently managed by Seminole County under Board of Trustees (BOT) Lease No. 4770. The parcel was purchased by the BOT in 1997 for public recreational purposes.

Seminole County consented to the easement in a letter dated November 3, 2021. In a letter, dated January 18, 2022, Division of Historical Resources stated that the proposed undertaking is unlikely to affect historic properties.

Avoidance:

There are no other practical alternatives for this easement request. The Trail bisects the parcel that will benefit from the potable water main line and force main line from the main sewer line located within the State Road 426 right-of-way.

Minimizing Impacts:

The proposed easement is not anticipated to have any additional impacts to the Trail. The Trail will remain open to the public. Both sewer and water mains are to be directionally drilled, preventing the Trail from being closed. The proposed potable water main and force main will not impact the Trail use nor will it impact natural, historical, archaeological, or recreational resources. The proposed location of the easement is a portion of the Trail with no existing vegetation to disturb and no imperiled and other wildlife species living in this section of the Trail will be impacted.

Compensation:

The easement fee is waived for Public Agencies. Per the BOT’s incompatible use policy, additional compensation, in the form of net positive benefit value, will be provided at 1.5 times the market value of the easement area. By removing the unsightly hazard of the broken driveway, this will increase safety for the Trail users and provide better scenery.

DSL STAFF RECOMMENDATION: APPROVE

ARC RECOMMENDATION:

- APPROVE**
- APPROVE WITH MODIFICATIONS:** _____
- DEFER**
- WITHDRAW**
- NOT APPROVE**
- OTHER:** _____



SITE



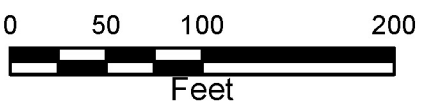
Cross
Seminole
Trail

W State Road 426

W State Road 426

W State Road 426

 Subject Parcel
 City/County Managed Conservation Lands



Easement No. 33439

Seminole County, Florida

LEGAL DESCRIPTION

A TRACT OF LAND LYING IN SECTION 29, TOWNSHIP 21 SOUTH, RANGE 31 EAST, SEMINOLE COUNTY, FLORIDA, BEING A PORTION OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3336, PAGE 847 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA,

BEING MORE PARTICULARLY DESCRIBED FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF OVIEDO SPRING HAMMOCK TRAIL, ACCORDING TO OFFICIAL RECORDS BOOK 3336, PAGE 847 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, SAID POINT LYING ON THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD 426, ACCORDING TO F.A. PROJECT NUMBER 8838-010-U, STATE PROJECT NUMBER 77060-2518; THENCE RUN SOUTH 42° 58' 23" EAST ALONG SAID NORTHERLY RIGHT OF WAY LINE OF STATE ROAD 426, FOR A DISTANCE OF 60.00 FEET; THENCE CONTINUE ALONG SAID NORTHERLY RIGHT OF WAY LINE AND ALONG THE SOUTHERLY LINE OF SAID OVIEDO SPRING HAMMOCK TRAIL SOUTH 47° 01' 47" WEST FOR A DISTANCE OF 24.45 FEET; THENCE DEPARTING SAID SOUTH LINE AND SAID NORTHERLY RIGHT OF WAY LINE RUN NORTH 42° 58' 13" WEST FOR A DISTANCE OF 60.00 FEET TO A POINT ON THE NORTHERLY LINE OF SAID OVIEDO SPRING HAMMOCK TRAIL; THENCE RUN NORTH 47° 01' 47" EAST ALONG SAID NORTHERLY LINE OF A DISTANCE OF 24.45 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 1,467 SQUARE FEET, OR 0.03 ACRES, MORE OR LESS.

LINE TABLE		
LINE	BEARING	LENGTH
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L2	S47°01'47"W	24.45'
L3	N42°58'13"W	60.00'
L4	N47°01'47"E	24.45'

BSM: *Alamy Lewis*

DATE: **October 13, 2021**

SHEET 1 OF 2
SEE SHEET 2 FOR SKETCH OF DESCRIPTION

SURVEYOR'S NOTES:

1. THIS IS NOT A SURVEY.
2. THIS SKETCH IS NOT VALID UNLESS SIGNED AND SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
3. BEARINGS SHOWN HEREON ARE BASED ON SOUTHERLY LINE OVIEDO SPRING HAMMOCK TRAIL BEING SOUTH 47° 01' 47" WEST (ASSUMED FOR ANGULAR DESIGNATION ONLY).
4. THIS LEGAL DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF TITLE.
5. DELINEATION OF THE LANDS SHOWN HEREON ARE AS PER THE CLIENT'S INSTRUCTIONS.

JOB NO. <u>20190581</u>	CALCULATED BY: <u>MR</u>
DATE: <u>6/21/2021</u>	DRAWN BY: <u>JD</u>
SCALE: <u>1" = 30'</u>	CHECKED BY: <u>MR</u>

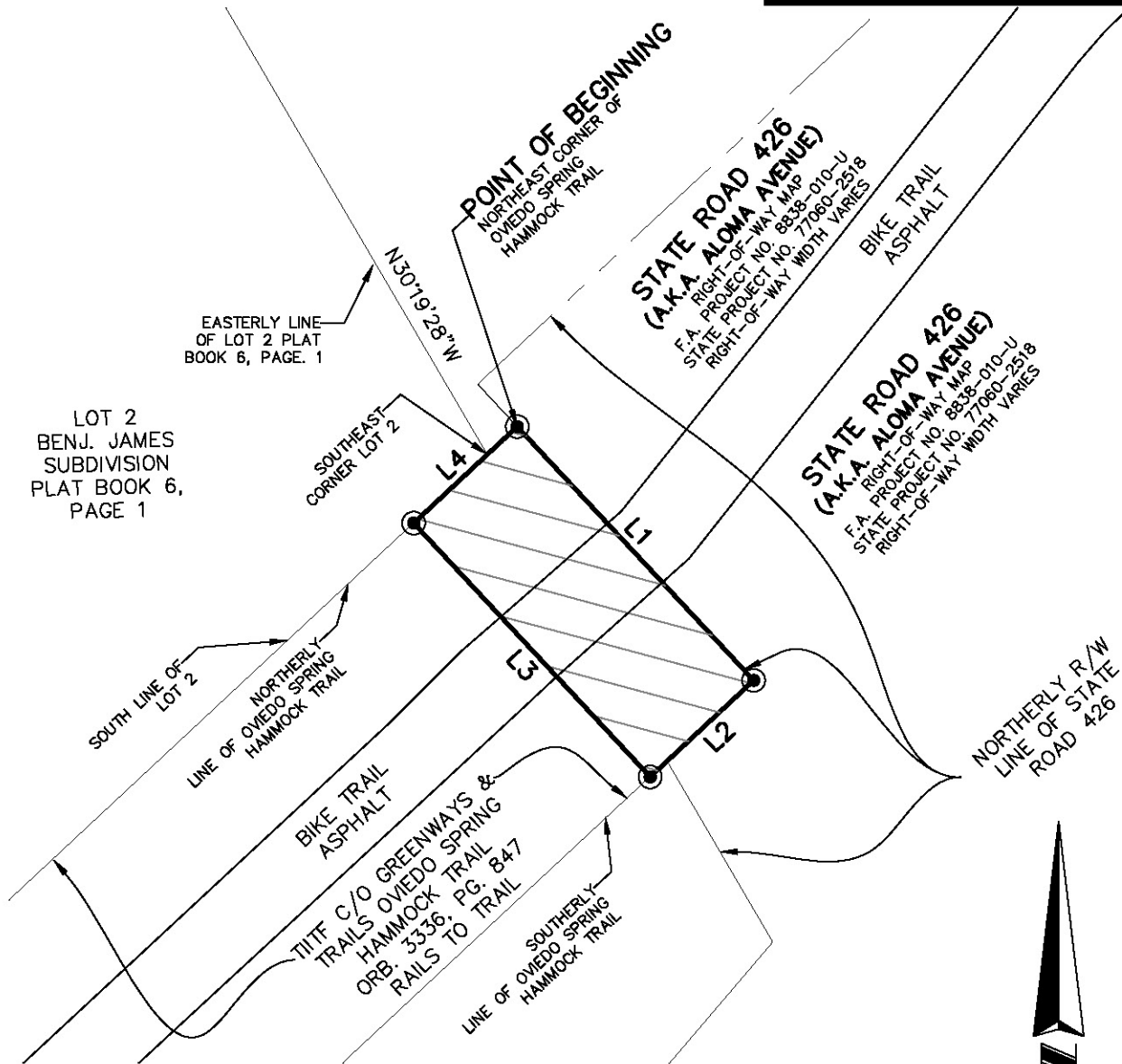
FOR THE LICENSED BUSINESS #0728 BY:
JAMES L. RUCKMAN, P.S.M. #5633
Page 3 of 14

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Founded in 1938

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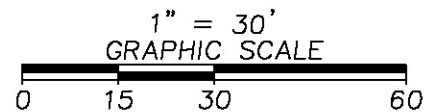
16 East Plant Street
Winter Garden, Florida 34787 • (407) 654-5355

SKETCH OF DESCRIPTION



BSM: *Lacy Lewis*

DATE: October 13, 2021



SHEET 2 OF 2
SEE SHEET 1 FOR LEGAL DESCRIPTION



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SYMBOL AND ABBREVIATION LEGEND:

- = CHANGE IN DIRECTION
- A.K.A. = ALSO KNOWN AS

JOB NO. 20190581
DATE: 6/21/2021
SCALE: 1" = 30'



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

Department of Environmental Protection
Central District – Environmental Resource Permitting
3319 Maguire Blvd, Suite 232
Orlando, FL 32803

January 18, 2022

Re: Projects Reviewed by the Florida State Historic Preservation Office
No Historic Properties Likely Affected – **See Page 2**

To Whom It May Concern:

Our office reviewed the referenced project in accordance with Chapters 267.061 and 373.414, *Florida Statutes*, and implementing state regulations, for possible effects on historic properties listed, or eligible for listing, in the *National Register of Historic Places*, or otherwise of historical, architectural or archaeological value.

It is the opinion of this office that the proposed project is unlikely to affect historic properties. However, unexpected finds may occur during ground disturbing activities, and we request that the permit, if issued, should include the following special condition regarding inadvertent discoveries:

- If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The applicant shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section at (850)-245-6333. Project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, *Florida Statutes*.

If you have any questions, please contact Joseph Bomberger, Historic Sites Specialist, by email at Joseph.Bomberger@dos.myflorida.com.

Sincerely,

Timothy A Parsons, Ph.D.
Director, Division of Historical Resources
& State Historic Preservation Officer

DHR No.	App. No.	Project Name	County
2021-7573		Park Dental LLC Easement	Seminole
2021-7625	370111-003	Swoboda Seawall	Volusia

ENVIRONMENTAL SERVICES DEPARTMENT



To: Karen Lee G. Reecy
Government Operations Consultant III
Bureau of Public Lands Administration
Department of Environmental Protection
3800 Commonwealth Blvd. MS 125
Tallahassee, Florida 32399-3000
(850) 245-2796
Karen.G.Reecy@FloridaDEP.gov

From: Terry McCue, PE; Environmental Services Director
Seminole County, Florida

Date: 12/8/2021

Subject: Park Dental – Utility easement across the Seminole Trail

Ms. Reecy,

Seminole County has reviewed the plans for Park Dental (Seminole County Project # PZ-2106000033), which is in need of a utility easement to cross the Seminole Trail to gain access to our utilities. The utilities planned to be installed would be owned and maintained by Seminole County upon completion of the project.

As the Director of the Environmental Services Department for Seminole County, Florida; I have the authority to sign documents related to Environmental Services Department matters.

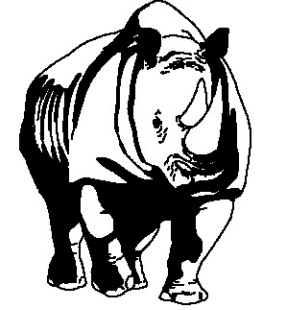
Thank you,

A handwritten signature in blue ink that reads "Terry McCue".



Terrence McCue, Ph.D., P.E.

Director
Environmental Services Department
O: (407) 665-2012 | C: (407) 310-7238 | F: (407) 665-2099
500 W. Lake Mary Blvd
Sanford, FL 32773-7441
tmccue@seminolecountyfl.gov
www.seminolecountyfl.gov

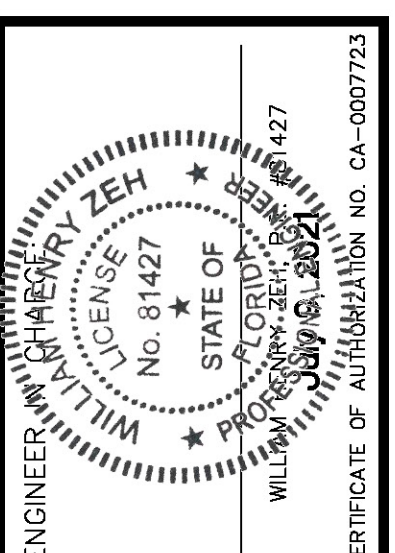


MADDEN
MOORHEAD & STOKES, LLC
CIVIL ENGINEERS

431 E. Horatio Avenue
Suite 260
Maitland, Florida 32751
(407) 629-8330

UTILITY PLAN
FOR
PARK DENTAL
SEMINOLE, FLORIDA

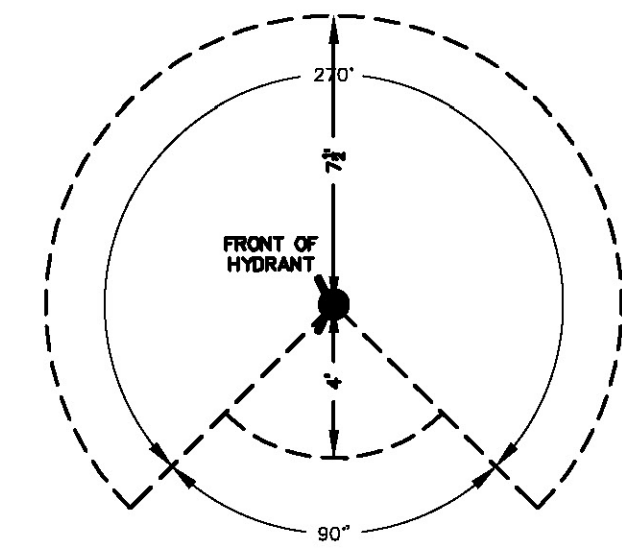
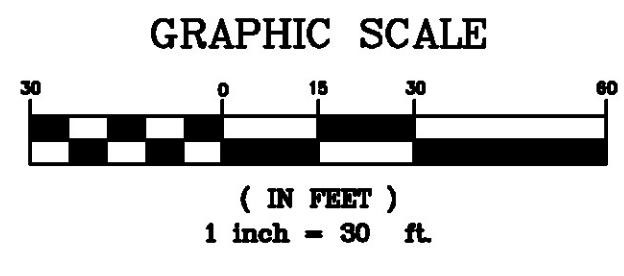
PARK DENTAL, LLC
6001 BRICK COURT
WINTER PARK
FL 32792



NO.	DATE	REVISIONS
1	07/09/2021	ISSUED FOR PERMIT
2	07/09/2021	REVISED PER COMMENTS
3	07/09/2021	REVISED PER COMMENTS
4	07/09/2021	REVISED PER COMMENTS
5	07/09/2021	REVISED PER COMMENTS
6	07/09/2021	REVISED PER COMMENTS
7	07/09/2021	REVISED PER COMMENTS
8	07/09/2021	REVISED PER COMMENTS
9	07/09/2021	REVISED PER COMMENTS
10	07/09/2021	REVISED PER COMMENTS
11	07/09/2021	REVISED PER COMMENTS

JOB # 19068
DATE: 04/19/21
SCALE: 1" = 30'
DESIGNED BY: KGS
DRAWN BY: KGS
APPROVED BY: WZ

C200



FIRE HYDRANT CLEARANCE DETAIL

FIRE FLOW CALCS.

FIRE FLOWS WERE BASED ON NFPA 1 (FPFC 6TH EDITION, 2015), TABLE 18.4.5.2.1, FIRE FLOW AND FLOW DURATION FOR DWELLINGS HAVING A FIRE FLOW AREA IN EXCESS OF 5,000 SQ.FT. SHALL NOT BE LESS THAN THE SPECIFIED IN TABLE 18.4.5.2.1.

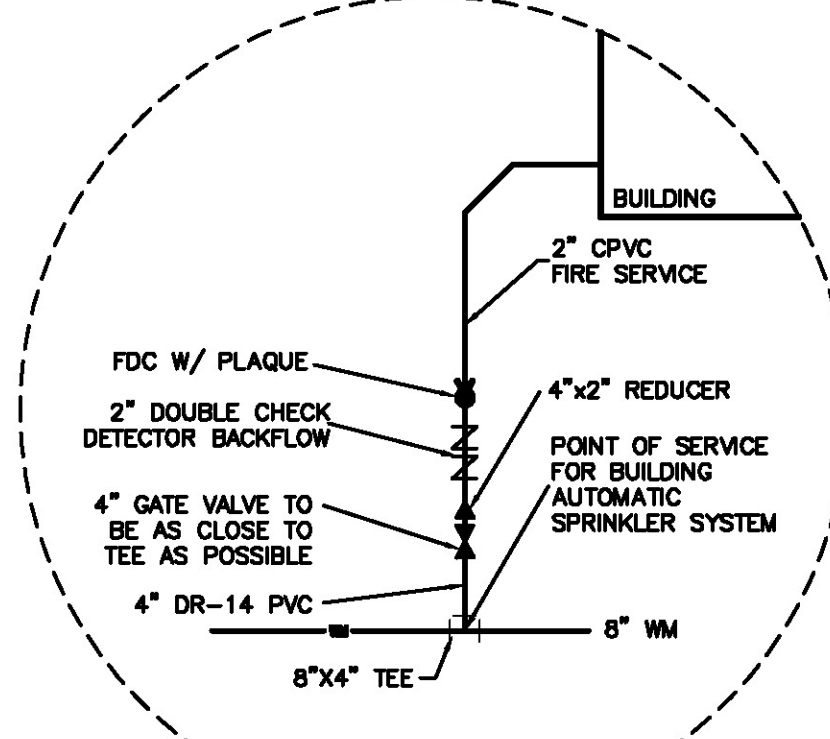
THE REQUIRED FLOWS ARE AS FOLLOWS:
BUILDING TYPE IIB: ±3,800 SF = 1,000 GPM

PER NFPA 1, CHAPTER 18.4.5.1.2 A REDUCTION IS ALLOWED FOR BUILDINGS WITH APPROVED AUTOMATIC SPRINKLER SYSTEMS. THE BUILDINGS ARE PROPOSED TO BE SPRINKLED.
REQUIRED FIRE FLOW: 1,000 GPM

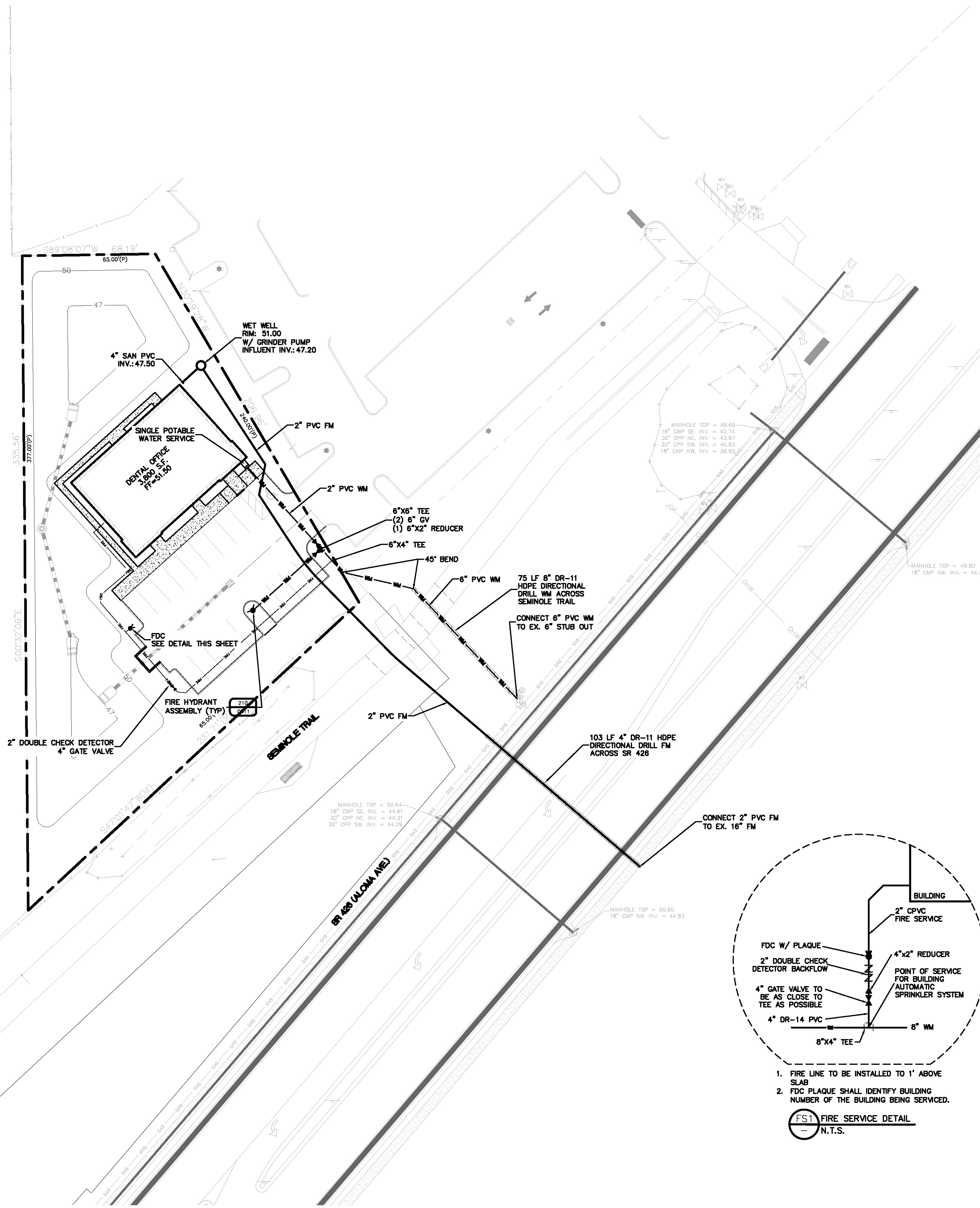
NOTES:

- WATER AND SEWER SERVICES TO BE PROVIDED BY SEMINOLE COUNTY ENVIRONMENTAL SERVICES.
- RECLAIMED WATER SERVICE IS NOT AVAILABLE WITHIN THIS AREA.
- IRRIGATION SHALL BE PROVIDED BY POTABLE WATER MAIN.
- ALL UTILITY LINES SHALL BE DESIGNED TO MEET APPLICABLE SEMINOLE COUNTY REQUIREMENTS.
- UTILITY LOCATIONS SHOWN ARE PRELIMINARY IN NATURE AND SUBJECT TO CHANGE DURING THE FINAL ENGINEERING PROCESS BASED ON SIZING, MATERIAL, REQUIRED SPACING, CAPACITIES AND DESIGN CALCULATIONS.
- INFORMATION PERTAINING TO THE WATER SUPPLY FOR FIRE PROTECTION, SUCH AS, WATER MAIN SIZE, TYPE OF PIPING MATERIAL, HYDRANT SPACING, WATER PLANT PUMPING AND STORAGE CAPACITIES, AND FIRE FLOW CALCULATIONS SHALL BE PROVIDED AT THE TIME OF FINAL ENGINEERING.
- FIRE DEPARTMENT ACCESS ROADS PROVIDED AT THE START OF A PROJECT AND SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION. (NFPA 1, 16.1.4).
- A WATER SUPPLY FOR FIRE PROTECTION, EITHER TEMPORARY OR PERMANENT, SHALL BE MADE AVAILABLE AS SOON AS COMBUSTIBLE MATERIAL ACCUMULATES. THIS APPLIES TO BOTH COMMERCIAL AND RESIDENTIAL DEVELOPMENTS. (NFPA 1, 16.4.3.1).
- WHERE UNDERGROUND WATER MAINS AND HYDRANTS ARE TO BE PROVIDED, THEY SHALL BE INSTALLED, COMPLETED, AND IN SERVICE PRIOR TO CONSTRUCTION WORK. (NFPA 1, 16.4.3.1.3).
- FIRE FLOW TESTING SHALL BE PERFORMED IN ACCORDANCE WITH NFPA 291, RECOMMENDED PRACTICE FOR FIRE FLOW TESTING.
- HYDRANT SHALL BE MARKED WITH A BLUE REFLECTOR THAT IS PLACED 6" IN THE ROADWAY IN ACCORDANCE WITH NFPA 1, CHAPTER 18.5.10 (2015).
- THE FOLLOWING IS REQUIRED FOR ACCESS SIGNAGE FOR NEW CONSTRUCTION SITES:
A. SIGNAGE SHALL READ "FIRE DEPARTMENT ACCESS" AND SHALL INCLUDE SITE ADDRESS, OR RANGE OF ADDRESSES, FOR ALL COMMERCIAL SITES AND RESIDENTIAL MODEL HOMES.
B. SIZE: THE TWO-SIDED SIGN PLATE SHALL BE A MINIMUM OF 4X4 FEET
C. COLOR: THE SIGN SHALL HAVE A RED BACKGROUND WITH A WHITE LEGEND.
D. LETTERING FOR THE SIGN SHALL BE FOUR INCH.
E. ADDRESS ON SIGN SHALL BE TWO AND ONE HALF INCH.
F. LOCATION: SIGN SHALL BE INSTALLED AT EACH POINT OF ENTRY.
G. BOTTOM OF SIGN SHALL BE SIX FEET ABOVE GRADE ON POSTS.

HAZARD	HORIZONTAL SEPARATION	VERTICAL SEPARATION		JOINT SPACING
		WATER ABOVE	WATER BELOW	
STORM SEWER	3FT MIN	12IN PREF, 6IN MIN	12IN MIN	3FT MIN
STORM FORCE MAIN	3FT MIN	12IN MIN	12IN MIN	3FT MIN
RECLAIMED WATER IF REGULATED UNDER 62-610	3FT MIN	12IN MIN	12IN MIN	3FT MIN
RECLAIMED WATER IF NOT REGULATED UNDER 62-610	10FT PREF, 6FT MIN	12IN MIN	12IN MIN	6FT MIN
VACUUM SANITARY SEWER	10FT PREF, 3FT MIN	12IN PREF, 6IN MIN	12IN MIN	3FT MIN
GRAVITY SANITARY SEWER	10FT PREF, 6FT MIN, 3FT MIN IF WATER MAIN IS 6IN ABOVE GRAVITY SANITARY SEWER.	12IN PREF, 6IN MIN	12IN MIN	6FT MIN
SANITARY SEWER FORCE MAIN	10FT PREF, 6FT MIN	12IN MIN	12IN MIN	6FT MIN
SEWAGE TREATMENT & DISPOSAL SYSTEM	10FT MIN	NONE	NONE	NONE



- FIRE LINE TO BE INSTALLED TO 1' ABOVE SLAB
 - FDC PLAQUE SHALL IDENTIFY BUILDING NUMBER OF THE BUILDING BEING SERVICED.
- FS1 FIRE SERVICE DETAIL
N.T.S.





PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION

November 3, 2021

Ms. Nicole Martin, Permitting Manager
Madden, Moorhead & Stokes, LLC
431 E. Horatio Ave, Suite 260
Maitland, FL 32751

RE: Application for the Use of State Owned Uplands – Park Dental
BTIITF Lease Number: 4770

Dear Ms. Martin:

Seminole County currently leases and maintains the Cross Seminole Trail including the strip of land subject to the utility easement request from Park Dental.

The proposed utility easement, as described in the attached Legal & Sketch of Description, crossing the trail corridor will have no impact to the management plan of the Cross Seminole Trail. Directional drilling will be the only construction method approved for crossing the trail corridor with the 2” FM. The applicant will need to apply for a County Right-of-Way Construction Permit after obtaining the easement and prior to any construction within the trail corridor.

If you have any questions, please contact Project Manager David Martin at 407-665-5610.

Sincerely,

Jean Jreij, P.E.
Public Works Director/County Engineer

Cc: Tony Nelson, P.E. Deputy Public Works Director/Deputy County Engineer
Matt Hassan, P.E, Assistant County Engineer
Dino Lucarelli, P.E., Chief Design Engineer
David Martin, P.E., Professional Engineer

LEGAL DESCRIPTION

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BEING MORE PARTICULARLY DESCRIBED FOLLOWS:

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THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 1,467 SQUARE FEET, OR 0.03 ACRES, MORE OR LESS.

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SHEET 1 OF 2
SEE SHEET 2 FOR SKETCH OF DESCRIPTION

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DATE: _____ 6/21/2021 _____	DRAWN BY: _____ JD _____
SCALE: _____ 1" = 30' _____	CHECKED BY: _____ MR _____

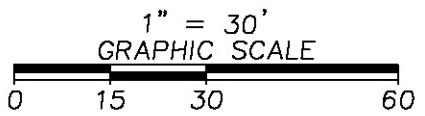
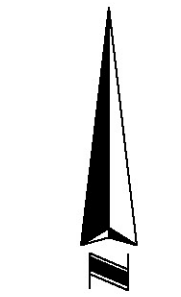
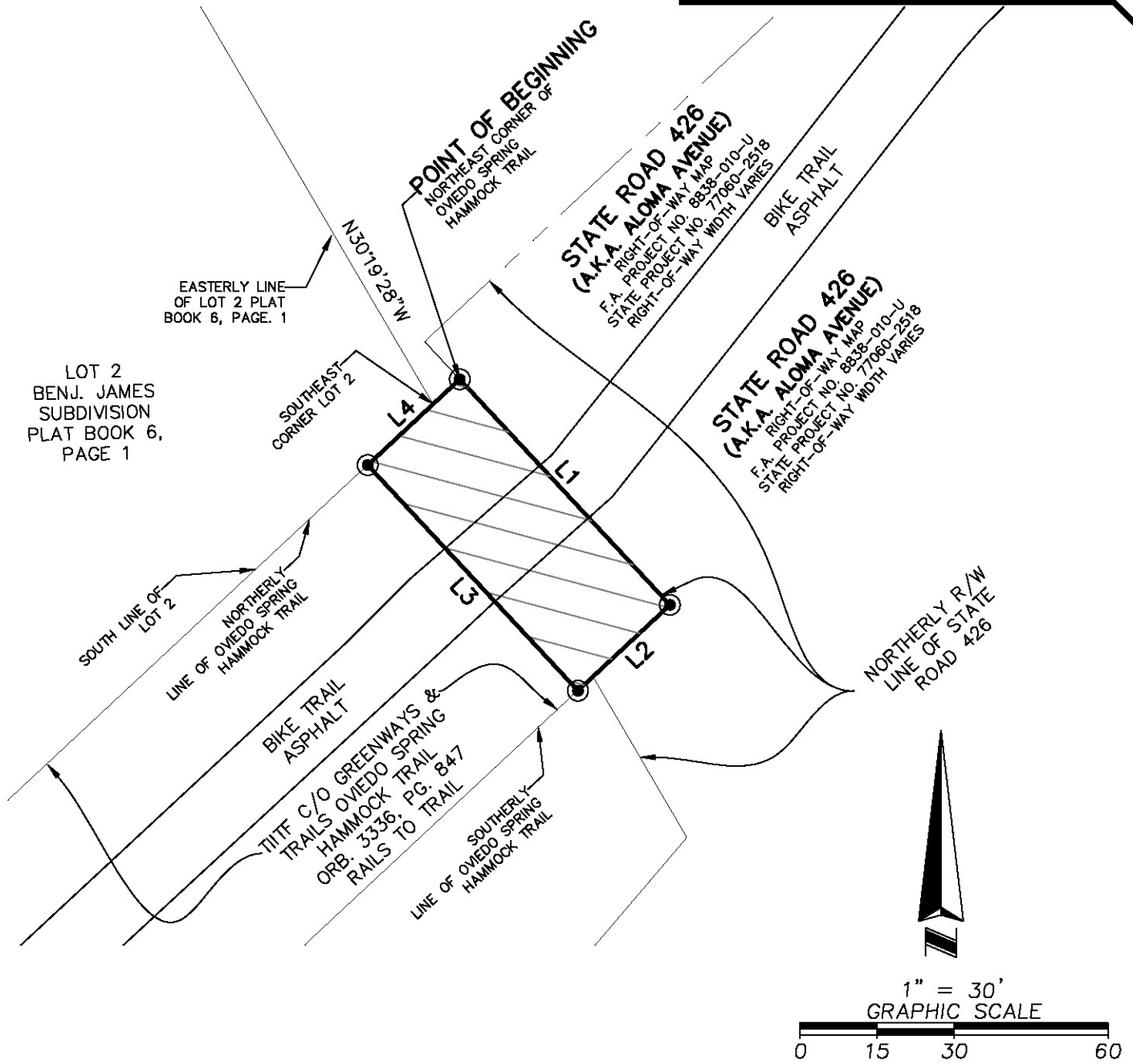
FOR THE LICENSED BUSINESS #0728 BY:

JAMES L. RICKMAN, P.S.M. #5633

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 Winter Garden, Florida 34787 • (407) 654-5355

SKETCH OF DESCRIPTION



SHEET 2 OF 2
SEE SHEET 1 FOR LEGAL DESCRIPTION



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- A.K.A. = ALSO KNOWN AS

JOB NO. 20190581
DATE: 6/21/2021
SCALE: 1" = 30'

ARC Questionnaire

1. Description of when and under what program or fund the parcel under consideration was acquired (EEL, LATF, CARL, P-2000, Florida Forever, etc) or donated.

The parcel under consideration is an easement for a 2” PVC sewer service force main (FM) under the trail connecting to an existing 16” FM on the east side of SR 426. The trail will remain open as the 2” PVC sewer service FM is directionally drilled under the trail. Additionally, this project will have 6” PVC water main (WM) located within FDOT right-of-way that’s also being directionally drilled under the trail.

In 1996, Seminole County and the Cross Seminole Trail Alliance, a local trail organization, submitted a Preservation 2000 application for Rails-to-Trails funding. The Florida Recreational Trails Council approved the application in March 1997 that awarded the County \$600,000 for planning, design, and construction of a paved multi-use trail between the cities of Winter Springs and Oviedo.

On March 31, 1997, the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (Board of Trustees) executed a Lease Agreement with the Florida Department of Environmental Protection, Office of Greenways and Trails (OGT). On August 12, 1997, the OGT executed a Sublease Agreement with Seminole County to develop the Cross Seminole Trail.

2. Description of the purpose for the parcel’s acquisition (P-2000 or Florida Forever goals and criteria or similar purpose descriptions) or donation and any restrictions or conditions of use that apply to the parcel, if any.

The Oviedo-Spring Hammock Trail property purchased by the State was for the development of the Cross Seminole Trail (CST) along 14.5 miles of the former CSX rail corridor. The corridor extends from the Orange/Seminole County line, through the cities of Oviedo and Winter Springs, to an area south of the Spring Hammock Preserve. Vital connections along the trail include links to Central Winds Park, Winter Springs High School, the proposed Winter Springs Town Center (nee-traditional design), the proposed Winter Springs Trailhead, Black Hammock Trailhead, Oviedo High School, Oviedo Crossings Mall, the proposed Oviedo Trailhead, downtown Oviedo, and Lawton Elementary School. Seminole County has extended the CST to 30.62 miles connecting to Volusia County, via the US 17/92 Bridge over the St. Johns River.

3. Description of the current level of public recreational use or public access of the parcel.
The current level of public recreation use is monitored by an infrared counting device located on the Cross Seminole Trail 50 yards west of Tuskawilla Rd. The yearly total count made on this device in 2020 was 26,675 based on the Average Daily Traffic (ADT).

4. Description of the natural resources, land cover, vegetation, habitat or natural community, if any, that are currently present on the parcel.

The parcel contains the paved trail and sod. The adjacent property to the east contains an office building, the property to the west is an FDOT maintenance facility and both sites were cleared prior to 2000. While the property to the east has a significant wooded buffer between the trail and SR 426.

5. Description and list of the imperiled and other wildlife species, if any, that occur on or use the parcel.

There are no imperiled and other wildlife species living in this section of the trail.

6. Description and list of historical or archaeological resources, if any, that occur or have the potential of occurring on the site.

There are no listed historical or archaeological resources, nor is there any chance or potential to occur on this easement (site).

7. Formal alternative siting analysis that includes a description and assessment of other potential alternative sites and why they are not feasible or practicable alternatives.

The proposed location of the easement is a portion of the trail with no existing vegetation to disturb. This area was a driveway to access the property to be developed. Additionally, the FM will be directionally drilled under the trail.

8. Assessment of the impacts the proposed alternative use will have on the natural/historical/archaeological/recreational resources, if any, as well as on the current public use and purpose for the site or parcel.

The proposed easement and FM under the trail will not impact the trail use nor will it impact natural/historical/archaeological/recreational resources.

9. Assessment of the potential impacts on the larger area of conservation lands the parcel is located within (park, wildlife management area, forest trail, etc.) and on any surrounding conservation lands, if any.

There are no potential impacts of the easement on the larger areas of conservation lands. The parcel is not located near any park, wildlife Management area, forest etc.

10. Assessment of how the proposed package of consideration and net positive benefit for the requested alternative use of the parcel, such as the generally standard requirement for replacement land (depending on the parcel's size), will offset the impacts and benefit the larger area of conservation lands (park, forest, wildlife management area, trail system, etc.) the parcel is within and particularly how it will offset the impacts or benefit the natural/historical/archaeological resources, habitat and public recreational uses of the public conservation area the parcel is located within.

The net positive benefit of the easement across the CST will be the removal of the existing driveway access to this parcel from SR 426. The driveway is broken concrete and an unsightly hazard. The removal of the driveway will increase safety for the trail users and provide better scenery.

It will be the responsibility of the managing agency on whose property a non-conservation or non-public recreation use is proposed to have staff at ARC meetings who will be able to answer questions about the effect of that proposed use on the lands that they manage and about their justification for agreeing to allow it. BPLA staff will continue to present the items but managing agency staff should be ready to answer any questions related to the resources and recreation on the site and the effects of proposed uses.