

Seminole Forever – WORKING DOCUMENT – June 13, 2023

March 14, 2023 BCC Work Session Notes

Supplemented with comments from Commissioner briefings

Chapter Introduction – General Notes

190.201 Legislative intent/use of Acquired Lands by the public.

1. Nothing in this ordinance will preclude a privately led initiative (Zembower)

NEXT STEPS

✓ Staff added language in section 206 (e), page 8 of 15, Dedicated Funding of Seminole Forever to reflect this request.

2. What are the seven cities doing and would they be willing to partner with us (All commissioners)

NEXT STEPS

✓ Language added in section 207, page 8 of 15, Partnerships & Alternative Funding Sources.

3. What is the plan (30/30 plan)? (Dallari)

FOR DISCUSSION

- This does not affect the ordinance and will be further addressed later.
- Staff will investigate and provide insight into this type of conservation plan.
- The “30 by 30” conservation plan: <https://wildlife.org/administration-releases-30-by-30-conservation-plan/>
 - Proposes to conserve at least 30% of all lands and waters by 2030
- Recently a figure of 30% has been posed which includes lands and waters. Taking that into consideration Seminole at approx. 50% would appear to be in good shape!? If we go with 30% land area that would mean an additional 20,000 acres to move into conservation. Not sure there’s that much available if you add up the remaining large landowner properties.
- Currently 20% of Seminole County land is preserved – 44,000 acres; but with wetlands and flood prone areas, it’s over 100,000 acres, or 50% of Seminole County

4. Wants Hanson to weigh in on the sustainability – this is the 30/30 plan – how much land should we preserve in Seminole County? (Dallari)

FOR DISCUSSION

- This does not affect the ordinance and will be further addressed later.
- Once staff has guidance and direction, we will reach out to appropriate consultant for assistance.

190.202 Definitions.

1. Requested the definition of passive recreation vs recreation lands – (Constantine, Herr, Dallari, Lockhart)

NEXT STEPS

✓ Section 202, page 3 – Recreation lands were removed and two definitions were added: Resource Based Passive Recreation and Passive Recreation.

2. What is intent of preservation only? Define environmentally sensitive lands (Dallari)

NEXT STEPS

✓ The intent is defined in the draft ordinance – line 76 “Preservation Only Lands.”

✓ “Environmentally Sensitive Lands” are defined beginning at line 59.

3. Line 80 - Clarify recreational opportunities (Dallari, Herr)

NEXT STEPS

✓ Staff added a resource-based passive recreation definition, starting at line 69 and deleted “Recreation Lands.”

4. Line 58 - Define sensitive environment – consistent with other state definitions? (Dallari)

NEXT STEPS

✓ Staff confirmed that the environmentally sensitive lands is consistent with other agencies.

5. Active vs passive or a hybrid (Lockhart)

NEXT STEPS

✓ Staff added two definitions: Resource Based Passive Recreation and Passive Recreation.

6. Include urban open spaces (Lockhart)

NEXT STEPS

✓ Staff are reviewed and modified, if necessary, all definitions included in this ordinance.

7. Clarify intent, preservation, or recreation (Herr)

NEXT STEPS

✓ Staff have reviewed and modified, if necessary, all definitions included in this ordinance.

8. Follow FWC and FFWS criteria for threatened and endangered species (Zembower)

NEXT STEPS

✓ Staff will include language that specifies which agency guidelines will be followed for threatened and endangered species (Wildlife - Florida Fish and Wildlife Conservation Commission, US Fish and Wildlife Service; Plants – Florida Department of Consumer Services, Florida Natural Areas Inventory).

9. Look at providing community garden space on some of the acquired lands (Zembower)

NEXT STEPS

✓ This language was added to 201, lines 50, and 75.

190.203 The use of an Advisory Board and its Purpose.

1. ARC – Acquisition and Restoration (not Recovery) Council (Constantine) Edit accordingly

NEXT STEPS

✓ Staff edited this throughout the document.

2. Create an advisory board that falls under Leisure Services and reports to the BCC (Constantine, Zembower, Dallari)

NEXT STEPS

✓ Addressed under 203 starting at line 90 – The use of an Advisory Board and its Purpose

3. Line 88 – revise to state ARC is appointed by the BCC (All)

NEXT STEPS

✓ Addressed under 203 starting at line 90.

4. Line 91 – omit ‘via Leisure Services’ (Constantine)

NEXT STEPS

✓ Staff made edits to reflect this throughout the document.

5. Line 95 – omit ‘selected from PPAC’ and change to appointed by the BCC (All)

NEXT STEPS

✓ Addressed under 203 (c).

6. Seminole Soil and Water should be part of the process (Lockhart)

NEXT STEPS

✓ Staff added this group to line 107 under 203 – The use of an Advisory Board and its Purpose.

190.204 Partnerships: Nonprofits and Local Community Involvement. This section was deleted and the language was included in other sections.

1. Seminole Soil and Water should be part of the process (Lockhart)

NEXT STEPS

✓ Staff added this group to line 106 under 203 – The use of an Advisory Board and its Purpose.

190.205~~4~~ The Leisure Services Department Acts as Liaison. Removed acts as liaison.

1. Line 116 – reword so that the ARC reports to the BCC directly with coordination/cooperation with County staff (Constantine)

NEXT STEPS

✓ This has been reflected throughout the ordinance.

190.20~~65~~ Duties of ARC and Leisure Services.

1. Economic impact (of placing more lands into conservation) (Zembower, Lockhart)

FOR DISCUSSION

✓ Leisure Services has worked with Resource Management to develop an Economic Impact Statement for each proposed property.

2. Line 119 – omit 'Leisure Services' - ARC to make the recommendations (Constantine)

NEXT STEPS

✓ This has been reflected throughout the ordinance.

190.20~~76~~ Dedicated Funding of Seminole Forever.

1. Under Sec. 190.207 – we are funding this program and providing other supplemental funding sources (it would be good to point out that all of these “supplemental” funding sources are applied for and not guaranteed) (Constantine, Lockhart, Herr)

NEXT STEPS

✓ This is now Sec. 190.206 and requested additions made starting at (c) line 162.

2. Do not want funding to take away from TDC funding (Lockhart, Herr)

NEXT STEPS

✓ Staff added complete list of options including TDC with BCC and CAO approval only.

3. Look at other funding opportunities (Dallari, Herr)

NEXT STEPS

✓ This is now Sec. 190.206 and requested additions made starting at (c) line 162.

4. Line 135 – add 'up to' 6% (Zembower)

NEXT STEPS

✓ Revised text changing from 6% to 5% and stated that this is an aggregate dollar number for funding opportunities.

5. Line 140 – change 'reevaluated' to 'evaluated' (Zembower)

NEXT STEPS

✓ Staff corrected this in the ordinance.

6. All current lands must have O&M Funded before new acquisition (Zembower briefing)

FOR DISCUSSION

✓ Staff will analyze and review impact on program and budget as part of the program's annual review.

7. What about an endowment, would an outside entity hold the money? (Lockhart)

NEXT STEPS

✓ Funding will remain in County Budget.

8. What % will the cities participate? (Dallari)

NEXT STEPS

✓ Staff propose to add language stating that funding is available if the Cities have matching dollars for properties that fit the criteria for acquisition.

9. Detailed information related to funding (all Commissioners)

NEXT STEPS

✓ Leisure Services staff are coordinating with Resource Management to provide detail.

10. Line 145 - Make it clear this is out of 'general fund' (Herr)

NEXT STEPS

✓ Staff clarified this in the ordinance.

11. Line 166 – sentence that begins with 'Both ARC and Leisure Services...' and provide detail or clarity as to what this means (Dallari)

NEXT STEP

✓ Staff clarified Leisure Services role throughout the document as a support function.

12. Provide information on IDA Bonds as a funding source? (Dallari)

NEXT STEPS

- Resource Management to provide this information. Budget Dept.

190.207 Partnerships & Alternate Funding Sources

190.208 Property Eligible for Acquisition and Management.

1. Ensure that wetlands qualify (Dallari)

NEXT STEPS

✓ Wetlands are included under the "Environmentally Sensitive Lands" definition, and staff made the necessary changes where this is not clear.

2. Include wildlife corridors (Dallari)

NEXT STEPS

✓ Wildlife corridors were added to the ordinance where appropriate.

3. Develop a list of potential properties (Dallari)

NEXT STEPS

✓ Staff will assist ARC with developing a list.

4. What properties already occur in unincorporated (Dallari)
 - ✓ All LS managed properties are in unincorporated except 4 parcels
 - 2 parcels from Jetta Point Tract – 42.09 acres in Winter Springs
 - 1 parcel from Little Big Econ Canoe Launch – 15.64 acres in Oviedo
 - 1 parcel from Spring Hammock Preserve – 29.65 acres

5. Lines 159-160 – add more detailed explanation of other acquisition tools (Dallari)

NEXT STEPS

✓ Staff expanded on the acquisition tools.

6. Be specific, consistent on what can be purchased (Constantine)

NEXT STEPS

✓ Staff provided edits to the definitions to clarify what qualifies for this program.

190.209 Criteria for Selecting Properties for Acquisition.

1. How would we rank the properties (all Commissioners)
 - ✓ Staff provided a preliminary ranking system that would be further developed with ARC.
2. Line 166 – clarify ‘preset criteria’ statement (Dallari)
 - Staff added broad selection criteria under 209, page 9:
 1. Vulnerability to development,
 2. Diversity of species and habitats,
 3. Connectedness to other conservation lands,
 4. Use potential for passive recreation or education
 5. Special considerations including strong public interest.

3. Consider a provision for protecting farmers (Zembower)

NEXT STEPS

✓ Natural Resources Conservation Service and Florida Department of Agriculture were included as alternative funding sources.

✓ Section 190.201 allows for farmland to be incorporated into this program.

190.210 Increased Priority Criteria for Acquisition.

1. How would we rank the properties (all Commissioners)

FOR DISCUSSION

✓ Staff developed broad ranking and selection criteria. This will be refined with ARC.

2. Line 173 - Follow FWC and FFWS criteria for threatened and endangered species (Zembower)

NEXT STEPS

✓ Staff included language that specifies which agency guidelines will be followed for threatened and endangered species (Wildlife - Florida Fish and Wildlife Conservation Commission, US Fish and Wildlife Service; Plants – Florida Department of Consumer Services, Florida Natural Areas Inventory).

3. Line 174 – Define ‘underserved’ – add to definitions? (Dallari)

NEXT STEPS

✓ This was removed

4. Add (e) – Lands need to be made available for Ag or farming use in future (Zembower)

NEXT STEPS

✓ This was addressed through criteria development and added to the definitions section.

5. Evaluate opportunities as a ‘response to the market’ (Herr)

NEXT STEPS

✓ Staff made edits to Section 190.210 “Increased Priority Criteria for Acquisition” and Section 190.211 “Five-year Acquisition Plan.”

190.211 Five-year Acquisition Plan.

1. Create a plan for improvements that may be necessary for any potential property purchased (Zembower)

NEXT STEPS

✓ Staff added language to develop an operations and maintenance plan for each proposed property, pre-acquisition.

190.212 Land Selection Process.

1. Line 202 – add (6), Develop a Conceptual plan/use for the potential property (Zembower)

NEXT STEPS

✓ Staff added language to develop an operations and maintenance plan for each proposed property, pre-acquisition.

2. Line 211 – add ‘T&E Species with supporting documentation (Zembower)

NEXT STEPS

✓ Staff added language that specifies which agency guidelines will be followed for threatened and endangered species (Wildlife - Florida Fish and Wildlife Conservation Commission, US Fish and Wildlife Service; Plants – Florida Department of Consumer Services, Florida Natural Areas Inventory).

190.213 Post-Acquisition Management and Property Improvements.

1. None

190.214 Alternatives to Fee Simple Acquisition.

1. Add more detailed explanation of other acquisition tools (Dallari)

NEXT STEPS

✓ Staff expanded on the acquisition tools.

190.215 Supermajority Required to Change any part of Ordinance

1. None