FLAGLER COUNTY

ENVIRONMENTALLY SENSITIVE LANDS

LAND ACQUISITION MANUAL

LAND ACQUISITION MANUAL
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Environmentally Sensitive Lands Project Flowchart

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Application:

An application may be submitted by any party for any parcel.

Staff will work with the owner to collect sufficient environmental information for LAC evaluation.

Complete package forwarded to LAC ▲.

LAC:

The LAC will evaluate the parcel to determine if it meets ESL goals.

LAC requests additional information .

If property found not to meet ESL goals.

If yes and placed on the A list the project will be recommended to BOCC. Θ

BOCC:

BOCC will evaluate package.

BOCC requests additional information

BOCC directs staff not to acquire the property at this time.

If yes.

Negotiation Team: develops strategy and pursues acquisition of property.

Negotiations may be terminated by Negotiation Team if they determine appropriate interest cannot be obtained at a reasonable value.

If the Negotiation Team is successful. £

LAC:

Recommend for or against purchase to BOCC.

Project placed on BOCC agenda. ¥

BOCC:

Approve or deny the purchase.

Project/application is rejected/denied.

▲ For LAC evaluation, the application will include, at a minimum:

1. Application including, Willing Seller form, Owners Authorized Representative form, Authorization to Enter Property form.
2. Land Use – Zoning - map(s) and descriptions.
3. Public lands, conservation lands and easements layers map.
4. FNAI report.
5. Aerial photograph, location map and/or USGS Quad map.
6. Property Appraisers parcel. information (from webpage).
7. Staff Preliminary Assessment Report.
8. Additional information determined appropriate by staff.

Θ The package to the BOCC will include:

1. Staff report discussing the environmental characteristics of the property.
2. Copy of LAC minutes recommending the BOCC acquire the property.
3. LAC priority list.
4. Statement from LAC identifying the ESL goals and objectives the met via acquisition of this property.
5. LAC evaluation application as outlined in ▲.

£ The package to the LAC will include:

1. Title report.
2. Appraisal's executive summary.
3. Pertinent maps.
4. Aerial photograph.
5. Property Appraisers parcel information (from webpage).
6. Purchase Agreement signed by Seller.
7. Other information deemed relevant.

¥ The package to the BOCC will include:

1. Staff report.
2. LAC package as outlined in £.

CHAPTER ONE
GLOSSARY OF TERMS

"A list"- projects that the LAC has recommended the BOCC consider acquiring.

Applicant – one who submits a property for consideration by the Environmentally Sensitive Lands program.

Appraisal – a report prepared by a professional appraiser that provides an estimate of the fair market value of the property or conservation easement.

"B list" – projects that the LAC has determined meets minimal ESL criteria but are not recommended for acquisition at this time.

BOCC – Board of County Commissioners.

Conservation Easement – a legal agreement between a landowner and a qualified organization that restricts future activities on the land to protect its conservation values.

Environmentally Sensitive Lands (ESL) – include creek, stream or river banks, major drainage ways, beaches, shorelines, viable wetlands, floodplains, water resource lands, poor soil areas not suitable for development, wellhead protection areas, prime groundwater recharge areas, parks and recreation areas, and natural systems that contribute to greenway corridors and wildlife habitat.

Fee Simple Ownership – full and unconditional ownership of land, with the right to use and sell during the owners lifetime, and then to pass on to one's heirs.

Land Acquisition Committee (LAC) – an advisory board to the Board of County Commissioners on issues involving the acquisition and management of environmentally sensitive lands.

Land Acquisition Manual – the single document which consolidates and combines the various policies, standards, and procedures relating to environmentally sensitive land acquisition activities. It is the policy document for the implementation of the environmentally sensitive lands program and implements the Flagler County Code for environmental land acquisitions.

Market Value – the price that a willing buyer would pay a willing seller for a property offered for sale on the open market, when both have reasonable knowledge of all relevant facts and are not under pressure to buy or sell.

Maximum Allowable Offer – the maximum offer the Negotiation Team may forward for the acquisition of a parcel.

Negotiation Team - shall consist of the County Administrator or his/her designee, County Attorney or his/her designee, and the staff LAC liaison. The Team may invite other parties that are financially participating on the project or representatives of a municipality if the project falls within their boundary.

Option – a temporary interest in real estate that a landowner grants to a buyer, giving the buyer the right to purchase real estate at a specified price by a specified date, but which the buyer has no obligation to exercise.

Primary Objectives – the paramount priorities for the use of ESL funds. A project application must be found to have met three of these objectives to be placed on the A or B lists.

Project – a defined area considered for the ESL program. It may consist of an individual or multiple parcels.

Public Access and Stewardship Funds - authorized via Resolution 2008-53. Allows the equivalent of up to 10% of the purchase price of a property to be utilized for public access improvements, passive recreational site improvements, natural community restoration and habitat enhancement.

Secondary Objectives – utilized as part of the LAC's decision making process in its duty to determine if a project should be listed on the A or B lists, and where a project placed on the A list should be ranked.

Title report – a report prepared by a title company or attorney that contains documentation of the quality of ownership held by a particular person or entity. It identifies any encumbrances on the property and any partial ownership interests.

Aerial View of Lake Disston

CHAPTER TWO
INTRODUCTION

A proper balance of development and the conservation of land has the potential to provide positive economic impacts and improve a community's quality of life. In addition to the intangible quality of life factors, studies have shown that taxable properties that are adjacent to open space, greenways, and trails often increase in value and generate greater overall revenue for a community. According to surveys, homes and properties located near open space, greenways and trails commonly sell for more than similar homes or properties in other areas.

Greenways and trails, in particular, often attract new business and help retain existing businesses based in part on the environmental, recreational and cultural/historic amenities that are provided. In addition, greenways and open spaces often attract new residential and commercial investors who find it profitable to incorporate environmentally sensitive characteristics that are "in sync" with the surrounding conservation and recreation land uses.

Those who use and enjoy open spaces, parks and trails create a demand for services such as overnight accommodations, rental facilities, restaurants, outfitters, and other enterprises benefiting the local economy. In addition, these sensitive lands perform free services for local residents in the form of flood control, filtering our water resources, recharging our aquifer, cleaning our air, and providing open space and recreational opportunities which are generally seen as improvements to the "quality of life' that enhances a community.

Over the years, Flagler County's Environmentally Sensitive Lands (ESL) program has acquired outright over 4,500 acres of environmentally sensitive land. In addition, this program has played a vital role in the over 4,500 acres of public land in Flagler County by steering outside state and federal funds into Flagler County. The majority of the County's acquisitions has been leveraging funds from other state acquisition programs. Funding from state acquisition programs has brought new money into the County and made it possible to purchase many of the lands now protected and used for conservation and recreation in the County. As a result of these efforts, up to the year 2009, Flagler County has succeeded in more than doubling every dollar spent on ESL acquisitions from these alternative funding sources.

This sets the stage for the continued evolution of the ESL land acquisition program.

CHAPTER THREE
BACKGROUND

The Environmentally Sensitive Lands program has existed in Flagler County since 1988 to use funding from voter approved ad valorem taxes to acquire environmentally sensitive lands, recreation areas and water recharge areas. The term environmentally sensitive lands means different things to different agencies and people.

> Florida Administrative Code 9J-5.003 defines the term as follows:
>
> (41) "Environmentally Sensitive Lands" means areas of land or water which are determined necessary by the local government, based on locally determined criteria, to conserve or protect natural habitats and ecological systems. Nothing in this definition shall be construed to prohibit silvicultural operations which employ the Florida Department of Agriculture and Consumer Affairs Best Management Practices as revised in 1993.

Flagler County has composed and modified a local definition in various documents. The term is first defined in Resolution 88-46 as including but not limited to water recharge areas and lands for parks and recreation. It was expanded in Resolution 2008-53 to include water resource lands, parks and recreation areas, and the preservation of wildlife habitat. Finally the Flagler County Comprehensive Plan's Conservation Element contains the following:

> Policy 11-3: Flagler County's environmentally sensitive lands shall include creek, stream or river banks, major drainage ways, beaches, shorelines, viable wetlands, floodplains, poor soil areas not suitable for development, wellhead protection areas, prime groundwater recharge areas, and natural systems that contribute to greenway corridors. The prime groundwater recharge areas are to be determined by the SJRWMD per Chapter 373.0395 (3) Florida Statutes.

With an understanding of the basis for the County's Environmentally Sensitive Lands Program the County has identified four primary elements necessary to carry out a transparent and effective ESL land acquisition program. The four elements are:

- Roles (Chapter 4, page 8)
- Program objectives (Chapter 5, page 9)
- Processes (Chapter 6, page 12)
- Applications (Appendix 4, page 32)

CHAPTER FOUR
COMMITTEE ROLE

The Land Acquisition Committee (LAC) serves as an advisory board to the Board of County Commissioners on issues involving the acquisition and management of environmentally sensitive lands.

The LAC is composed of seven members serving three year, staggered terms. Members are appointed by the BOCC after a review of the applicant's experience and geographic residence. When selecting members the BOCC will strive to balance the LAC's membership experience. Preferred consideration will be given to the applicants with relevant experience and expertise in planning, real estate and biology or geo-sciences. The BOCC will also consider an applicant's geographic residence in Flagler County in order to ensure the Committee represents all areas of the County.

The LAC duties are generally summarized as follows:

- Receive and review projects nominated for purchase to determine whether they comply with the standards and criteria for acquisition. Upon determination by the Committee that nominated lands meet the criteria for acquisition, it shall rank specific parcels for priority purchase based upon the standards and criteria as approved by the County Commission.
- Receive and review planned improvements proposed to be funded with Public Access and Stewardship funds on previously acquired ESL properties.

The LAC makes recommendations to the BOCC regarding projects that should be acquired and the use of the Public Access and Stewardship funds.

<u>Scope of review/recommendation</u>

The LAC has five decision points throughout a land acquisition project.

1. Determine if a project meets the objectives for acquisition by the ESL program.
2. Rank the project in order of priority for acquisition. (A list is for projects recommended for acquisition, B list is for projects that meet minimal ESL criteria but not recommended for acquisition at this time.)
3. Recommend to the BOCC authorize the Negotiation Team to negotiate the purchase of a project (placing projects on the A list).
4. Recommend to the BOCC a position of for or against a purchase after the Negotiation Team has reached agreement with a property owner.
5. Recommend to the BOCC a position of for or against the proposed use of Public Access and Stewardship Funds to the BOCC.

CHAPTER FIVE

PROGRAM OBJECTIVES

Over the years Flagler County has provided a variety of guidance for the use of ESL funds via the Comprehensive Plan, previous program manuals, and the County's Strategic Plan. In order to apply this guidance for implementation, the Board of County Commissioners, by adoption of this manual, establishes one set of program objectives to be utilized by the Land Acquisition Committee and Staff in the implementation of program tasks. The ESL program through these objectives will also serve an important role in implementing the BOCC's vision for Flagler County.

These program objectives implement the Comprehensive Plan's Goals, Objectives and Policies and promote the County's current policies for sustainable patterns of development. They also support the County's efforts to further the Coastal Greenway program, implement Low Impact Development in sensitive environmental areas and the provision of environmental infrastructure for eco-tourism and a higher quality of life. Together, with sustainable development policies, these objectives will serve to ensure that Flagler County continues to grow in a manner that respects the importance of both urban and rural communities within the County by designating suitable locations for urban development, agricultural pursuits, public parks and natural communities. Appendix 8 contains a series of excerpted policies from the various source documents that are applicable to the ESL program.

Shell Bluff Park

In an effort to consolidate the ESL guidance from a variety of sources into one usable set of program objectives, the Board of County Commissioners has adopted the program objectives on the following two pages.

Primary Program Objectives

a) Preserve wildlife habitats and protect the health and diversity of wildlife, especially threatened and endangered species of plants and animals.

b) Promote improved water quality and protect the Floridan aquifer and preserve water recharge areas.

c) Preserve rare natural communities and wildlife habitats/ecosystems.

d) Preserve unique cultural, historic, scenic, and significant geologic features.

e) Promote economic development through the creation of nature tourism property, infrastructure, and opportunities.

f) Promote appropriate public use and enjoyment of acquired lands including public access to water bodies for recreation activities that are consistent with ESL stewardship principles.

Secondary Program Objectives

a) Preserve green space as passive recreation in close proximity to development to provide refuge for residents, visitors and wildlife, in coordination with the Land Development Code and Comprehensive Plan where possible.

b) Reduce capital acquisition and land management costs by partnering with other agencies.

c) Enhance existing recreation facilities and natural reserve areas throughout the County by acquiring adjoining properties.

d) Establish wildlife corridors throughout the county promoting wildlife protection, habitat preservation and migration, in coordination with the Land Development Code and Comprehensive Plan where possible.

e) Establish recreational trail corridors throughout the County promoting alternative transportation modes, nature viewing, and fitness/exercise recreation opportunities.

f) Restore damaged habitats that can have substantial positive environmental impacts with restoration. Higher weight will be given if this action can produce a tangible financial return to offset purchase or land management costs.

CHAPTER SIX
ACQUISITION PROCESS

In order to effectuate an open, fair, and financially sound land acquisition program the County has developed a series of systematic steps. These steps are specifically designed to give specific direction to the LAC, staff, the public and future Commissions about this process. The process consists of the following steps:

1. Project Application
2. Preliminary Staff Report on Application
3. LAC Review
4. Approval/Disapproval of the Project for Acquisition
5. Staff negotiation of a Price
6. Final Staff Report
7. Review and Recommendation by LAC
8. Approval/Disapproval by the Board of County Commissioners

A flow chart is provided on Page 3 that illustrates the process and each step is explained in greater detail below.

Step 1: Project Application

This process starts with an application to the County's Land Management Division. Potential land acquisitions may be requested by any member of the public, the LAC, BOCC, or County staff and are not required to be owned by the applicant.

Upon receipt of an application, staff will contact the property owner to determine a willingness to sell. If the owner is willing to consider a sale, staff will request permission to enter the property and, if the owner chooses, work with a representative selected and authorized by the owner to negotiate should the project be approved by the BOCC for acquisition. The owner's willingness to sell and permission to enter the land will be documented.

If the owner elects to utilize a representative a copy of the exclusive option agreement, contract or agreement identifying the owner/representative relationship, the role of the representative, and any financial relationship between the parties must be provided. This includes any real estate commissions, attorney's or consultant's fees or any other fees or other benefits due to the representative as a result of a sale to the County. This is in accord with state procedures. This documentation will be part of a complete application package and the application will not be presented to the LAC for review until this documentation is received.

When the above items are completed the application can move forward to Step 2. If the owner is unwilling to sell, or refuses to grant permission to enter the property, the process for this project ends. However, this does not prevent future consideration of this property should the situation change.

A standard application has been created and is included as Appendix 4. This form may be revised from time to time by staff as necessary to carry out the objectives of this manual.

Step 2: Preliminary Staff Report on Application

Upon receipt of an application and completion of the initial requirements in Step 1, applications will be processed as staff time permits. It is important to note that there is no mandatory staff review time. Some applications may move more quickly through the system based on staff's opinion of importance and project viability relative to program objectives and processes. Multiple projects/applications from the same applicant will generally be given individual priorities for each application based on the criteria above.

In preparing the preliminary staff report, staff will collect appropriate maps, data, a Florida Natural Areas Inventory Report (official state biological assessment), and provide any additional relevant information. The staff's preliminary assessment report will provide the LAC an initial evaluation of the program objectives that appear to have been met and notify them of any significant features on the property. Once it has been assembled, staff will submit the project packet to the LAC for consideration:

Required Project Application items:

1. Project Application
2. Staff Preliminary Assessment Report
3. Aerial photograph, Location Map and/or USGS Quadrangle Map
4. Location Map on latest Public Lands, Conservation and Easement Map layers
5. Future Land Use Map/Description and Zoning Map/Description
6. FEMA (Federal Emergency Management Agency) Floodplain Maps and National Wetlands Inventory Map
7. FNAI (Florida Natural Areas Inventory) report
8. Property Appraiser's parcel information (from webpage)
9. Additional information determined of importance (for example, specific historical information)

Step 3: LAC Project Review

The first part of the LAC project review is to compare the application to program objectives. The LAC is charged with making a preliminary determination based on the information provided as to what program objectives the project meets. At least three primary program objectives must be met for the acquisition to be placed on either the A or B list.

Following the determination of what program objectives have been met, one of the following actions shall be taken:

1. Determine the project meets at least three primary ESL program objectives. Accept the application for ranking subject to field verification by County staff. Staff will confirm specific site attributes related to meeting program objectives.
2. Determine the project does not meet at least three primary ESL program objectives and reject/deny the application.
3. Request additional information/time and review the project packet at a later meeting.

Field verification must be performed before the project may be ranked and/or passed on for recommendation to the BOCC. County staff and/or a professional secured by staff will be responsible for the field verification. Additional information may be gathered by the LAC, either individually or as a group to assist members with ranking of the project. The LAC may also request comment on the project from a municipality or civic organization.

Once field verified, the project comes back to the LAC to be comparatively ranked as the second part of Step 3. The LAC is now responsible for placing the project on the A or B list. The A list is limited to 8 projects and the B list is limited to 20 projects of a lesser priority. These limitations are based on administrative capacity. The A and B list will be reviewed and maintained by the LAC as projects are added or at least twice a year. When the LAC schedules a review of the A list and maintenance activities, staff will provide the LAC with A list project status updates. These updates will include information on the status of negotiations and the period of time that has transpired since the effective date of value in the appraisals. If greater than four months from the effective date of value (as discussed in Step 5) has transpired and a purchase offer has not been accepted by the property owner, the LAC may consider making a recommendation to remove this project from the A list. Staff may have a project or projects retained on the A list if, in their opinion, terms for purchase will be accepted in the near future.

Betty Steflik Memorial Preserve

The A list is reserved for the projects found to be the highest priority of the LAC. Listing on the A list should be based on:

1. Comparing the project to other listed projects based upon the number of project objectives the project meets,
2. Availability of matching funds,
3. Urgency of purchase based on imminent threat of loss,
4. The "weight" or significance of the program objectives met, and
5. Other factors deemed appropriate by the LAC.

The LAC shall rank projects on the A list. Projects on the A list will be ranked and forwarded to the BOCC and recommended for acquisition. The LAC may also consider as part of their recommendation, or County staff may recommend, that the BOCC authorize the Negotiation Team to negotiate an option agreement with the seller as soon as possible to ensure the property is not sold while due diligence is being conducted.

Haw Creek Preserve

The B list is reserved for projects that are found to meet, at minimum, three primary ESL program objectives. B list projects are not ranked. When compared to the body of projects the LAC is considering, a B list project is not a project that requires immediate action by the LAC and BOCC.

Projects placed on the B list by the LAC will not be forwarded to the BOCC unless that application includes a viable outside financial participation commitment from a government agency of at least 25% of the anticipated acquisition costs. These projects will be forwarded to the BOCC for consideration, with the LAC recommendation included as an exhibit. Those projects that have less than the 25% of outside funding or are subject to a grant shall follow the normal process.

Step 4: Approval / Disapproval of the Project for Acquisition

At the completion of Step 3, a project on the A list and recommended for purchase will be placed on the agenda of the next available regularly scheduled BOCC meeting following normal agenda submission request processes. These projects should follow normal agenda submission request timelines and will not be "fast tracked".

The same packet submitted to the LAC shall be provided for BOCC consideration plus the following additional items:

1. Copy of LAC minutes recommending the BOCC acquire the property.
2. LAC recommended priority list.

The BOCC shall review the project application package and take one of the following actions:

a) Accept the recommendation of the LAC and authorize the Negotiation Team to attempt to pursue an agreement for purchase with the property owner.

b) Reject/deny the application.

c) Request additional project information/time and review the project application at a later meeting.

River to Sea Preserve

Step 5: Staff Negotiation of a Price

When the BOCC has authorized the Negotiation Team to pursue acquisition of the property the Negotiation Team shall have a title report performed to determine who has salable interest in the property and if there are any encumbrances that may restrict use of or lower the value of the property.

The Negotiation Team shall utilize the following procedures for formulating offers: Negotiations shall be pursuant to Florida Statute 125.355 or its successor. All lands under consideration shall be appraised to determine market value. If the property is $500,000 or less, only one appraisal is required. If a property is valued at greater than $500,000, two appraisals are required. The Negotiation Team will review the acquisition goals the property would fulfill based on the program objectives the property has been determined to meet. In consideration of these objectives, the Negotiation Team may direct the appraiser to identify separate or "breakout" values for structures, individual lots, conservation easement value, entitlements, and/or "bulk purchase value". In addition, the appraiser may be directed to follow Negotiation Team instructions regarding upland/wetland breakdown, sovereign submerged lands, and/or development potential. Appraisal instruction decisions are in the discretion of the Negotiation Team.

Bull Creek Campground

Concurrent with the appraisal(s), an appraisal review will be performed by a review appraiser. For both primary and review appraisers Flagler County shall utilize St. Johns River Water Management District appraisers already under contract with SJRWMD until or unless the County has established it own continuing services contracts for such appraisals. All appraisals and review appraisals shall be kept confidential by the Negotiating Team in accordance with Florida Statute 125.355 or its successor.

The review appraiser must certify to Flagler County that the appraisals have been conducted substantially in accordance with good appraisal practice and the Uniform Standards of Professional Appraisal Practice, and must approve the appraised value(s) of the subject real property before Flagler County will use the appraisal for negotiation purposes. The review appraiser guidelines are found in Appendix 9. The review appraiser's certification is to be delivered at the same time as the final review report and the reviewed final appraisal report(s).

All appraisal reviews shall be performed in accordance with Standard 3 for Review of Appraisals of the most current edition of the Uniform Standards of Professional Appraisal Practice developed by the Appraisal Foundations (USPAP).

If two appraisals are required they shall be considered to differ significantly if the higher of the two values exceeds 120 percent of the lower value. When two appraisals differ significantly the following steps shall be taken:

1. The review appraiser shall request that the two appraisers review the differences in their respective reports to attempt to rectify their value conclusions so that the two value conclusions are not significantly different.
2. A third appraisal shall be obtained if the two appraisals differ significantly and cannot be rectified, unless a decision is made by the Negotiation Team to negotiate an acquisition price of no more than 120 percent of the lower of the two reviewed and approved appraisals.
3. If a third appraisal is obtained and reviewed and approved, the maximum acquisition price shall be the value contained in the higher of the two closest appraisals, so long as the two closest appraisals do not differ significantly. If the two closest appraisals still differ significantly, 120 percent of the lower of the two closest appraisals shall be the maximum allowable offer.

The maximum allowable offer is defined as:

- If one appraisal is obtained – the value contained within that appraisal as certified by the review appraiser.
- If two appraisals are obtained –
    - o The value of the higher appraisal if their values do not differ significantly.
    - o The value resulting from application of 2 or 3 from the preceding paragraph.

Princess Place Preserve

The resulting maximum allowable offer shall be the maximum offer the Negotiation Team may forward for acquisition of a parcel. The Negotiation Team may only utilize appraisals obtained by Flagler County, or an acquisition partner if the partner's appraisal meets County standards, in formulating the maximum allowable offer. Appraisals supplied by the property owner or other parties may not be utilized for this purpose.

An appraisal's conclusion of value represents a professional's estimation of value for a given moment in time. The real estate market can be highly volatile and prices can fluctuate drastically in relatively short periods of time. Based on this premise, the Negotiation Team shall consider an appraisal reviewer's approval of the appraisal values and the resulting maximum allowable offer valid for a limited period of time. The Negotiation Team shall use appraisals for offer and counteroffer purposes for a maximum of four months from the effective date of value contained in the most recent appraisal report. If this four month period expires without an offer being agreed to by seller and the Negotiation Team, and the project remains on the A list (in accordance with Step 3), the Negotiation Team may obtain new appraisals and continue the process. Once a tentative agreement of an offer has been reached by the Negotiation Team and the sellers, the appraisals shall be considered valid for up to an additional 4 months to allow time for a purchase agreement and processing through the Land Acquisition Committee and Board of Commissioners.

It shall be the goal of the Negotiation Team to acquire property at the best price and terms that can be negotiated in the interest of the project's purpose. The Negotiation

Team will review the appraisal information and LAC designated purpose of acquisition and determine if the purpose for property acquisition is economically viable. The Negotiation Team may determine at any point in the negotiation process that the desired interest in the property cannot be reached at a reasonable value and may terminate the negotiation process. If found to be the case, County staff shall inform the Board of County Commissioners (BOCC) and the Land Acquisition Committee (LAC) that negotiations have terminated.

It is recognized that appraising is a professional practice that involves judgment. To this extent, nothing in this section is intended to substitute for reasonable judgment with respect to the appraisal and/or the appraisal review process. Notwithstanding the mandates of applicable statutes and administrative rules, appraisers may substitute reasonably prudent procedures with appropriate reasoning and support, when necessary, provided the public's interest is reasonably protected.

When negotiating an acquisition, and after receipt of approved values, the Negotiation Team shall meet to determine an appropriate offer on the property. The objective of all purchase negotiations shall be to obtain the property, at the lowest possible price. The appropriate interest in real property free of encumbrances, conditions, restrictions and reservations that would impede the purposes or management of the site will generally be sought, with fee simple being the preferred interest. The Negotiation Team shall have the authority to forward any offer amount determined appropriate by the team and in compliance with the maximum allowable offer as previously defined. Any counter offers may be rejected if determined unacceptable and the Negotiation Team shall have authorization to end all negotiations at any time.

If a purchase price offer is accepted that amount shall be forwarded to the LAC for a recommendation for or against purchase to the BOCC.

If the Negotiation Team is unable to reach agreement on a purchase price at or less than the maximum allowable offer, the Negotiation Team may terminate negotiations. In lieu of termination of negotiations, the Negotiation Team may prepare a report to the BOCC outlining the status of negotiations and asking the BOCC if they wish to authorize the Negotiation Team to negotiate a purchase price in excess of the maximum allowable offer. The Negotiation Team is under no obligation to make this request to the BOCC and should utilize this option only for the most highly ranked parcels. Authorization to negotitate above the maximum allowable offer must be approved by BOCC supermajority, i.e. four out of five members.

If Flagler County is partnering with another organization in the acquisition of a project the county's participation is bound by the above processes, however, the overall purchase price may exceed the maximum allowable offer when combined with the partnering organization's participation.

Step 6: Final Staff Report on Application

When the Negotiation Team reaches an acceptable agreement for purchase, staff will prepare a package for the LAC for its recommendation to the Board of County Commissioners. The purchase agreement may be in the form of an option agreement.

Staff will submit the packet to the LAC for consideration. It will contain:

1. Staff report.
2. Purchase Agreement signed by Seller.
3. Title report.
4. Appraisal(s) executive summary.
5. Pertinent information from the preliminary package.
6. Other information deemed relevant by staff.
7. A report on the availability of funds.

Step 7: Review and Recommendation by LAC

The LAC shall make a recommendation to the Board of County Commissioners for or against the purchase based upon the package supplied within 45 days of receipt of the package.

Step 8: Approval/Disapproval by the BOCC

The final package will be forwarded to the BOCC for approval or denial. The package containing the LAC recommendation will be placed on the next reasonable meeting following standard Flagler County BOCC agenda request procedures. The package to the BOCC will consist of the same final project package given to the Land Acquisition Committee plus its recommendation and applicable minutes from the Land Acquisition Committee. The BOCC has the right to reject any purchase price. Purchases must be approved by majority vote. Purchases above the maximum allowable offer must be approved by supermajority, i.e. four out of five members. If a purchase is rejected the BOCC may assign the Negotiation Team with continued pursuit. The BOCC shall not make offers or receive counteroffers.

Upon BOCC approval of a Purchase Agreement staff will move forward with all activities necessary to finalize the transaction and close on the property in accordance with the terms of the Agreement.

CHAPTER SEVEN
PUBLIC ACCESS & STEWARDSHIP FUNDS

The acquisition of environmentally sensitive lands presents many opportunities, challenges, and responsibilities. After a property is acquired, responsibilities shift to the long-term maintenance/management as well as public access and capital site improvements. To assist in this goal, Resolution 2008-53, which authorized the November 4, 2008 referendum to continue the ESL program for an additional 20 years, contained a provision allowing a limited amount of these funds to be used for these purposes. The Resolution contained the following language in Section II(K) outlining the use of Public Access and Stewardship Funds (PASF):

> (K) It is in the public interest that there is adequate funding made available for appropriate public access and proper stewardship through land management of all properties acquired under the program. To facilitate these goals, there shall be set aside an amount of up to ten percent (10%) of the purchase price for each new property acquisition for improvements to the acquired property. The improvements may include public access improvements, passive recreational site improvements, natural community restoration and habitat enhancement. Such fund utilization shall be made on a one time basis for each newly acquired property and must be consistent with the above stated purposes. Whenever possible, such amount shall be utilized as a matching source for grant applications for the above purposes.

"One time basis", when used in (K) above, does not create a timeframe for use of the funds, but insures that the up to 10% allocation of the purchase price is not used multiple times in the same project (i.e. "a one time basis").

Improvements are defined as:

- Improvements may consist of survey, design, permitting, management plans, environmental reports, archeological studies, and/or construction of park development features that meet the intention of this section.

- Public access improvements generally include improvements necessary for the public to access and utilize the acquisition property. Such improvements include but are not limited to: access roads and parking areas (to include required stormwater features), restroom facilities, camping facilities, caretaker residence, ranger station, and kayak or canoe launches.

- Passive recreational site improvements may include trail system construction, observation platforms, fishing piers, signage, boundary marking signage, interpretive exhibits, and other improvements that would generally be found in state and national parks and campgrounds.

- Natural community restoration and habitat enhancement may consist of but is not limited to the creation of a management plan for the site, wildfire mitigation activities (including prescribed burning), invasive or exotic species control, non-landscape oriented vegetative plantings, or natural community modifications intended to benefit a species or community type.

Public Access and Stewardship Funds may be requested on an "as available" basis up to a maximum of 10% of the purchase price. This means an ESL acquired property will not have the approved percentage of the purchase price automatically reserved for uses in compliance with this section. Available ESL funds will be used as outlined in the Process section below. If monies are determined not to be available when an application is approved, future monies may be set aside from the ESL program as funding permits and as part of the County's normal budgeting process to fund the request.

An application may be made by any Flagler County department or a municipality within the County if title to the ESL acquired property is held by that municipality. If a municipality is the applicant, the Public Access and Stewardship Funds will be limited to a maximum 10% of the municpality's ESL financial participation in a project. The funds must be utilized within one year of the date of BOCC approval of a Public Access and Stewardship Funds project. Unused funds at the completion of the project must be returned to an ESL account. Unused funds will not count toward the total 10% maximum allotment per the project.

Process:

1. A complete application shall be made to the LAC for the use of such funds. The application is in Appendix 5.

2. The LAC shall review the application to ensure the proposed uses conform to the standards outlined in Resolution 2008-53. The LAC shall either:

   a. Recommend to the Board of County Commissioners the use of funds either in whole or in part;

   b. Request additional information necessary to make this determination;

   c. Recommend the Board of County Commissioners deny the use of funds, in whole or in part, due to uses incompatible with the program objectives.

3. The Board of County Commissioners shall approve or deny the application in whole or in part.

CHAPTER EIGHT
AMENDMENTS TO THE MANUAL

In order to carry out the responsibilities to maintain the Land Acquisition Manual in a correct and up-to-date manner, the LAC or its Chairperson shall coordinate all manual issues with staff to ensure that the manual is kept up-to-date.

The LAM may be amended or modified in two ways:

- If the changes are minor, they may be made by issuing a memorandum containing instructions for making pen and ink changes. The memorandum with the minor changes will be prepared by staff and approved by the LAC.

- If the changes to be made are substantial, e.g., complete rewriting of one or more paragraphs or additions of new material, the affected pages containing the changes will be reissued. Each re-issuance will bear a release number or date of issuance. Substantial changes must be prepared by staff and approved by the BOCC.

Moody Trees

APPENDIX ONE
PROGRAM HISTORY

Flagler County is located along the eastern coast of Florida, midway between Daytona Beach and the City of St. Augustine. The County possesses uncrowded beaches, historic ruins, tranquil waterways, subtropic forests, the Atlantic Ocean, the Intracoastal Waterway and fresh water lakes. The County has instituted policies and programs intended to protect these resources from urban sprawl and to provide appropriate recreation and open space opportunities for citizens and visitors.

The County's comprehensive plan expresses an intent to expand eco-tourism through the provision, maintenance and expansion of natural open space and greenway connectors, as well as to promote outdoor recreation opportunities for the growing population in Flagler County. These policies, in conjunction with land acquisition programs, will allow the County to meet the recreational demands while conserving environmentally sensitive lands.

The Flagler County Environmentally Sensitive Lands (ESL) program was adopted in 1988 and uses voter-approved ad valorem taxes to acquire and manage environmentally sensitive lands, recreation areas and water recharge areas. The Land Acquisition Committee (LAC) was formed in 1989 to implement this land acquisition program. Since the inception of the ESL program, the County has directly acquired 4,200 acres of land costing a total of $29.5 million, of which 40% came from the County's land acquisition fund and the remaining 60% from grants and other non-county funding. The decrease in outside participation is in part attributed to the fact that Flagler County no longer qualifies as a small county under the Florida Communities Trust guidelines and as such is no longer eligible for 100% FCT funding. Additionally, there has been a major shift in the FCT program which forced rural, greenway types of acquisitions to a balanced rural/urban progression in which it is more difficult to compete.

1988 Referendum

Realizing the need to protect adequate green space, the citizens of Flagler County approved the referendum by a 70% vote. This referendum was designed to provide for the levy of ad valorem taxes not to exceed one-third of one mil (0.3333 mil) for twenty years to fund a County land acquisition program. The purpose was to use the funds to acquire environmentally sensitive lands, recreation areas and water recharge areas. One of the catalysts for the referendum came from the publics' desire for preservation and conservation of the Princess Place Preserve, a site of historic and ecological significance, that was under development pressure and whose acquisition was initially thwarted by the County's inability to pledge matching funds to obstain state grants.

1998 Re-evaluation

Bing's Landing

After ten years of program acquisition, the LAC recognized that ESL funds were not adequate to continue the acquisition program. Therefore, the LAC requested that the Board of County Commissioners (BOCC) authorize funds to prepare financial data relevant to determining the best method for maximizing ESL funds, including a possible 1998 referendum. In addition, the LAC requested that the BOCC approve the development of a land acquisition plan that would include an analysis of existing public lands, identify acquisition needs and potential acquisition, develop recommended land management strategies, outline related costs and design a public information program. This request was approved in February 1998 and Herbert Halback, Inc. (HHI) was hired to prepare the requested information.

The following draft referendum language was presented to the BOCC in July 1998:

PROPOSTION NO. 000, BROADENING AND EXTENDING FLAGLER COUNTY'S ENVIRONMENTALLY SENSITIVE LANDS PROGRAM

> "Shall Flagler County be authorized to broaden and extend the annual levy of ad valorem taxes for an additional ten years from the year 2009 to the year 2019 on all taxable property at a rate of one-third mil to acquire, improve and enhance environmentally sensitive lands and interests in land, including, but not limited to water recharge areas and lands for parks and recreation, and to finance such acquisitions and activities with up to ___ Dollars in general obligation bonds made payable from such ad valorem taxes, provided that no more than ten percent of such funds may be used for capital improvements?"

After review of recommendations from the committee, the County Administrator, the consultant and other county planning and legal staff, the BOCC decided to refinance the current bond issue without a referendum and secure monies with the ESL millage cap. During Fiscal Year 1998/1999 budget process the Board set the debt service millage at 0.2667. Following this decision, the County refinanced the bond issue by awarding SunTrust the bid for $5,105,000 in ESL bonds at a 3.97% fixed interest rate. Of this amount, $3,575,000 was used to cover the refunding of the Series 1989 bonds and $1,521,000 represented net additional funding for land acquisition. Due to the decision to not pursue a referendum Herbert Halback reduced their services to focus on identifying potential land acquisitions, developing management strategies and related costs, updating the original land acquisition manual and developing a public information program.

2002 Referendum

In September of 2002 the Board passed Resolution 2002-97. This Resolution authorized a referendum for additional ESL funding. In November of 2002 over 74% of voters reaffirmed their support for the ESL program by passing this referendum for the issuance of Environmentally Sensitive Lands bonds. This referendum authorized the County to issue general obligation bonds in an amount not to exceed $6,700,000.00 payable from annual ad valorem taxes levied at a rate not exceeding 0.163 mill for a term not exceeding 14 years.

2008 Referendum

On November 4, 2008 Flagler County citizens again demonstrated their support for this program. Resolution 2008-53 placed the future of the program back in the hands of voters asking them if they desired to continue the program for an additional 20 years at a fixed millage of 0.25. This referendum also contained language allowing up to 10% of program funds to be utilized toward public access, natural community restoration and enhancement, and passive recreational site improvements. This question received a 65% approval on the November 4th ballot.

BALLOT LANGUAGE:

> CLEAN WATER AND ENVIRONMENTALLY SENSITIVE LAND PRESERVATION
>
> To continue to acquire and improve land to protect drinking water sources, preserve wildlife habitat and environmentally sensitive lands, reduce risk of wildfires, improve water quality of lakes, streams and the Intracoastal Waterway, and seek matching funds, shall Flagler County be authorized to levy 0.25 mill ad valorem tax for twenty years and issue bonds not exceeding $40 Million at interest rates not exceeding the legal maximum, subject to an annual independent audit?
>
> _____ Yes = For Ad Valorem Levy and Bonds
>
> _____ No = Against Ad Valorem Levy and Bonds

APPENDIX TWO

ENVIRONMENTAL LAND ACQUISTIONS

Since the inception of the land acquisition program, Flagler County has directly acquired over 4,500 acres of land costing $52.5 million, of which $23 million came from the County's land acquisition fund and the remainder from Florida Communities Trust, St. Johns River Water Management District (SJRWMD), Florida Department of Environmental Protection (FDEP), and other non-county funding. Additionally, the County's acquistions toward greenway development was matched by other funding agencies which acquired adjoining or related lands. This includes acquisitions such as Graham Swamp, Faver Dykes Addition, Pellicer Creek Conservation Corridor, and the Matanzas River Estuary Corridor.

Table 1: Flagler County Environmental Land Acquisitions

Property	Year	ESL Funds Spent	Other Funding	Source	Acreage
Bings Landing Park	1989	$1,005,024			7
Lake Disston Access	1990	$50,729			2
Haw Creek Preserve	1990	$1,121,194	$436,925	SJRWMD	1,015
Betty Stelik Preserve Phase 1	1990	$808,967			218
Washington Oaks Addition	1993	$49,900	$586,900	FDEP	11
Princess Place Preserve	1993	$1,738,647	$2,909,736	P-2000 / SJRWMD	1,500
River to Sea Preserve	1999	$0	$8,383,473	P-2000	90
Betty Steflik Preserve Phase 2	1999	$0	$83,626	P-2000 / SJRWMD	105
Lehigh Rail Trail	2001	$0	$282,800	FDEP	200
Palm Coast Linear Park	2001	$1,465,000	$5,935,000	City of Palm Coast	51
Palm Coast Linear Park Addition	2002	$192,000	$768,000	City of Palm Coast	5

- continued on next page -

Property	Year	ESL Funds Spent	Other Funding	Source	Acreage
Shell Bluff	2005	$1,000,000			90
Mala Compra Oceanfront Addition	2006	$0	$3,414,500	Florida Forever	5
Mulberry Branch	2007	$1,200,000	$800,000	City of Palm Coast	60
Bull Creek Fish Camp	2007	$1,800,000			28
Public Lands "D"	2007	$0		negotiated donation from Ginn Corporation	1,000
Long's Landing	2008	$1,365,000	$3,135,000	City of Palm Coast and Florida Forever	9
Moody Homesite	2008	$950,000	$2,350,000	Charitable Land Donation	3.5
Harbor Island	2008	$425,000	$425,000	FDEP	60
Bay Drive Park Addition	2009	$5,850,000			13
Bings Landing Addition	2009	$1,500,000			2.5
Bulow Park	2009	$2,498,430			97
TOTAL		**$23,019,891**	**$29,510,960**		**4,572**

APPENDIX THREE
NATURAL COMMUNITY TYPES

Basin Marsh - (synonyms: prairie, freshwater marsh)

Basin Marsh is characterized as an herbaceous or shrubby wetland situated in a relatively large and irregular shaped basin. Typical plants include common reed, panicum, cutgrass, southern watergrass, pennywort, Spanish needle, redroot, soft rush, American lotus, water primrose, arrowhead, coastal plain willow, saltbush, elderberry, spikerush, knotweed, buttonbush, and dog fennel. Typical animals include two-toed amphiuma, lesser siren, greater siren, cricket frog, green treefrog, bull frog, pig frog, leopard frog, alligator, eastern mud snake, green water snake, banded water snake, striped swamp snake, black swamp snake, great blue heron, great egret, snowy egret, little blue heron, tricolored heron, bald eagle, and northern harrier.

Basin Marshes usually develop in large solution depressions that were formerly shallow lakes. The lake bottom has slowly filled with sediments from the surrounding uplands and with peat derived from plants. Thus, the soils are usually acidic peats. The hydroperiod is generally around 200 days per year. Open areas of relatively permanent water within the marsh, with or without floating aquatic vegetation, are considered to be Marsh Lakes (See Lacustrine Natural Communities).

Fire maintains the open herbaceous community by restricting shrub invasion. The normal interval between fires is 1 to 10 years, with strictly herbaceous marshes burning about every 1 to 3 years, and those with substantial willow and buttonbush having gone 3 to 10 years without fire. Fires during drought periods will often burn the mucky peat and will convert the marsh into a Marsh Lake.

Basin Marshes are associated with and often grade into Wet Prairie or Lake communities. They may eventually succeed to Bog, if succession is not reversed by a muck fire. Many of the plants and animals occurring in Basin Marshes also occur in Floodplain Marsh, Slough, Swale and Depression Marsh. Large examples of the Depression Marsh, in fact, may be very difficult to distinguish from small examples of Basin Marsh.

Normal hydroperiods must be maintained, or Basin Marsh vegetation will change. Shortened hydroperiods will permit the invasion of mesophytic species, while longer hydroperiods will convert marsh into lake. Fire is also necessary to control hardwood encroachment. However, fires during droughts should be avoided to reduce the possibility of a muck fire. Many sites have been degraded by pollution or drained for agricultural uses.

Basin Swamp - (synonyms: gum swamp, bay, bayhead, swamp)

Basin Swamp is generally characterized as a relatively large and irregularly shaped basin that is not associated with rivers, but is vegetated with hydrophytic trees and shrubs that can withstand an extended hydroperiod. Dominant plants include blackgum, cypress, and slash pine. Other typical plants include red maple, swamp redbay, sweetbay magnolia, loblolly bay, Virginia willow, fetterbush, laurel greenbrier, Spanish moss, wax myrtle, titi, sphagnum moss, and buttonbush. Typical animals include southern dusky salamander, cricket frog, little grass frog, chicken turtle, striped mud turtle, ringneck snake, scarlet kingsnake, crayfish snake, cottonmouth, wood duck, hawks, turkey, great horned owl, barred owl, pileated woodpecker, songbirds, gray squirrel, black bear, raccoon, mink, river otter, bobcat, and white-tailed deer.

Soils in Basin Swamps are generally acidic, nutrient poor peats, often overlying a clay lens or other impervious layer. The resulting perched water table may act as a reservoir releasing groundwater as adjacent upland water tables drop during drought periods. The typical hydroperiod is approximately 200-300 days. Basin Swamps are thought to have developed in oxbows of former rivers or in ancient coastal swales and lagoons that existed during higher sea levels.

Infrequent fire is essential for the maintenance of cypress dominated Basin Swamps. Blackgum and hardwood dominated Basin Swamps burn less often, while pine dominated Basin Swamps burn more frequently. Without fire, hardwood invasion and peat accumulation will eventually create a Bottomland Forest or Bog. Typical fire intervals in Basin Swamps may be anywhere from 5 to 150 years. Cypress and pines are very tolerant of light surface fires, but muck fires burning into the peat can kill the trees, lower the ground surface, and transform a swamp into a pond or lake.

Small Basin Swamps may be difficult to distinguish from large Dome Swamps. Basin Swamps are often associated with and may grade into Wet Flatwoods, Hydric Hammock, or Bottomland Forest. The species composition of Basin Swamps frequently overlaps with Floodplain Swamp, Strand Swamp, and Baygall.

Like other wetland communities, normal hydroperiods must be maintained in Basin Swamps. If water levels must be artificially manipulated, somewhat deeper than normal water is not likely to do much harm, but extended hydroperiods will limit tree growth and prevent reproduction. Shortened hydroperiods will permit invasion of mesophytic species and change the character of the understory or will allow a devastating fire to enter which would drastically alter the community. Occasional fires are necessary to maintain the cypress and pine components.

Basin Swamps are unsuitable for construction because of their extended hydroperiods and peaty soils. Most have been degraded by timber harvests, and many have been drained or polluted. Thus, very few pristine examples of Basin Swamp communities exist. Those that remain should be adequately protected and properly managed.

Baygall - (synonyms: seepage swamp, bayhead, bay swamp)

Baygalls are generally characterized as densely forested, peat-filled seepage depressions often at the base of sandy slopes. The canopy is composed of tall, densely packed, generally straight-boled evergreen hardwoods dominated by sweetbay, swamp red bay, and loblolly bay. A more or less open understory of shrubs and ferns commonly occurs, while sphagnum mats are often interlaced with the convoluted tree roots. Other typical plants include dahoon holly, Atlantic white cedar, fetterbush, male-berry, myrtle-leaved holly, large gallberry, wax myrtle, odorless wax myrtle, hurrah-bush, dog-hobble, white alder, possumhaw, red chokeberry, Virginia willow, laurel greenbrier, poison ivy, cinnamon fern, chain fern, wild grape, netted chain fern, sweetgum, cypress, lizard's tail, and needle palm. Typical animals include mole salamander, southern dusky salamander, southern mud salamander, opossum, southeastern shrew, short-tailed shrew, marsh rabbit, black bear, raccoon, southern mink, and bobcat.

Baygalls typically develop at the base of a slope where seepage usually maintains a saturated peat substrate. They may also be located at the edges of floodplains or in other flat areas where high lowland water tables help maintain soil moisture. Baygall soils are generally composed of peat with an acidic pH (3.5 - 4.5).

Since Baygalls rarely dry out enough to burn, the normal fire interval in these communities is probably 50-100 years or more. After a fire, bay trees usually resprout from the roots and replace themselves, but severe fires may change a Baygall into a different community.

If only a small amount of surface peat is removed, a Baygall may be replaced by a Wet Flatwoods community. If the ground surface is lowered considerably, willows may invade, followed by a cypress-gum community. With recurrent fire, the site will become a shrub bog. If the subsurface peat does not burn and fire and hydrological regimes are undisturbed, a burned out bay forest may be replaced by a stand of white cedar.

Baygall is often associated with and may grade into Seepage Slope, Floodplain Forest or Floodplain Swamp. The species composition of Baygalls frequently overlaps with Bog, Dome Swamp, Basin Swamp, Strand Swamp, Bottomland Forest, Wet Flatwoods, and Hydric Hammock.

Baygalls are dependent upon seepage flow and a high water table. Alterations in the local or regional hydrology could impact Baygall communities. They may also need fire protection during droughts, especially if water tables are lowered. Baygalls are vulnerable to logging, peat mining, and conversion to agricultural land. When drained, the peat soils are valued for farming, although they then begin to oxidize and disappear. The renewed interest in mining peat as fuel may place greater pressure on these wetlands.

Beach Dune - (synonyms: sand dunes, pioneer zone, upper beach, sea oats zone, coastal strand)

Beach Dune is characterized as a wind-deposited, foredune and wave-deposited upper beach that are sparsely to densely vegetated with pioneer species, especially sea oats. Other typical pioneer species include beach cordgrass, sand spur, dune or bitter panic grass, railroad vine, beach morning glory, seashore paspalum, beach elder, dune sunflower, sea purslane, and sea rocket. Typical animals include ghost crab, six-lined racerunner, kestrel, red-winged blackbird, savannah sparrows, beach mouse, and raccoon. Beach dune, especially along its ecotone with the unvegetated beach, is also the primary nesting habitat for numerous shorebirds and marine turtles, including many rare and endangered species.

Beach Dune communities are found along shorelines subject to high energy waves which deposit sand-sized grains to form the open beach. Onshore winds move the sand grains inland until slowed by an obstacle, usually plant stems, causing the grains to drop. As the plants grow upward and burial continues, a foredune is built. Dune height is largely determined by the strength and the directional constancy of winds and by the growth habits of dune-forming plants.

As a cape or barrier island grows seaward, new beaches are deposited seaward of the old ones and a characteristic ridge and swale topography develops.

Beach Dunes are very dynamic communities and mobile environments. The wind continually moves the sand inland from the beach until trapped by vegetation. Beach Dunes are subject to drastic topographic alterations during winter storms and hurricanes. Taking the brunt of storm surge, intact Beach Dunes are essential for protection of inland biological communities. The soils of Beach Dunes are composed of sands that are similar to those washed onto the adjacent beach, except that the wind selectively lifts out the smaller sand particles, blows them inshore, and deposits them around plant stems. These deep siliceous or calcareous sands drain rapidly, creating decidedly xeric conditions.

Beach Dunes occur in an extremely harsh environment. The dune vegetation must be able to tolerate loose, dry, unstable, nutrient poor soils, as well as exposure to wind, salt spray, sand abrasion, intense sunlight, and storms. Thus, dune species have evolved several morphological adaptations to survive in this harsh environment. Many of them root easily from fragments washed ashore in storm debris, or they produce large floating seeds that can be transported by ocean currents. Some have thickened cuticles and succulent foliage to better retain water and to reduce the effects of salt spray and sand abrasion. Some spread by subterranean or surface runners that creep across the barren sands. Many readily reroot from higher up their stems when buried by blowing sand and consequently develop a matted or wiry root system. Some have become so dependent on the dune habitat that they lose vigor without shifting sands constantly stimulating

them to send out new shoots and reroot. These characteristics are the primary reasons for their unique ability to stabilize aeolian sand into nearly static beach dunes.

In spite of their ability to withstand the harsh maritime environment, plants of the Beach Dunes are extremely vulnerable to human impacts. A footpath or off-road vehicle trail over the beach dunes can damage the vegetation, giving wind and water the leverage needed to begin erosional processes. A gap, or blowout, forms and continually widens until it is slowly revegetated and stabilized. The sand from the gap moves inland, and rapidly buries vegetation, destabilizing the beach dunes and often disturbing adjacent communities. When a storm ensues, the unvegetated gap allows storm surges easy access to these communities for further disruption.

Because of their vulnerability, Beach Dunes require protection from trampling (i.e., boardwalks for beach access) and off-road vehicles. Coastal developments which affect the sand sources that are necessary for Beach Dune replenishment should be strongly discouraged.

Blackwater Stream - (synonyms: blackwater river, blackwater creek)

Blackwater Streams are characterized as perennial or intermittent seasonal watercourses originating deep in sandy lowlands where extensive wetlands with organic soils function as reservoirs, collecting rainfall and discharging it slowly to the stream. The tea-colored waters of Blackwater Streams are laden with tannins, particulates, and dissolved organic matter and iron derived from drainage through swamps and marshes. They generally are acidic (pH = 4.0 - 6.0), but may become circumneutral or slightly alkaline during low-flow stages when influenced by alkaline groundwater. Water temperatures may fluctuate substantially and are generally correlated with seasonal fluctuations in air temperature. The dark-colored water reduces light penetration and, thus, inhibits photosynthesis and the growth of submerged aquatic plants. Emergent and floating aquatic vegetation may occur along shallower and slower moving sections, but their presence is often reduced because of typically steep banks and considerable seasonal fluctuations in water level. Typical plants include golden club, smartweed, sedges, and grasses. Typical animals include river longnose gar, gizzard shad, threadfin shad, redfin pickerel, chain pickerel, ironcolor shiner, Ohooppee shiner, weed shiner, blacktail shiner, chubsucker, channel catfish, banded topminnow, pygmy killifish mosquitofish, mud sunfish, flier, everglades pygmy sunfish, banded sunfish, redbreast sunfish, dollar sunfish, stumpknocker, spotted bass, black crappie, darters, Alabama waterdog, river frog, alligator, snapping turtle, alligator snapping turtle,river cooter, Florida cooter, peninsula cooter, stinkpot, spiny softshell, red-belly watersnake, brown watersnake, beaver, and river otter.

Blackwater Streams have sandy bottoms overlain by organics and frequently underlain by limestone. Limestone outcrops may also occur. Blackwater Streams generally lack the continuous extensive floodplains and natural levees of Alluvial Streams. Instead, they

typically have high, steep banks alternating with Floodplain Swamps. High banks confine water movement except during major floods. The absence of significant quantities of suspended sediments reduces their ability to construct natural levees.

Blackwater Streams are the most widely distributed and numerous Riverine systems in the southeast Coastal Plain. Very few, however, have escaped major disturbances and alteration. Clearcutting adjacent forested lands is one of the more devastating alterations for this community. Additionally, the limited buffering capacity of Blackwater Streams intensifies the detrimental impacts of agricultural and industrial effluents.

Coastal Strand - (synonyms: shrub zone, maritime thicket, coastal scrub)

Coastal Strand is characterized as stabilized, wind-deposited coastal dunes that are vegetated with a dense thicket of salt-tolerant shrubs, especially saw palmetto. Other typical plants include sand live oak, cabbage palm, myrtle oak, yaupon, sea grape, cat's claw, nakedwood, lantana, greenbrier, buckthorn, cocoplum, nickerbean, coin vine, beach jacquemontia, pinweed, bay cedar, necklace pod, sea lavender, Spanish bayonet, woody goldenrod and Florida rosemary. Typical animals include gopher tortoise, six-lined racerunner, southern hognose snake, coachwhip snake, diamondback rattlesnake, and beach mouse.

Coastal Strand occurs on deep, wind-deposited sands which have been wind- sorted and wave-washed. There is usually some shell admixed with quartz grains on the beach, but this is rapidly leached out in the course of only a few hundred years. Coastal Strand dunes are generally quite stable but are susceptible to severe damage if the vegetation is disturbed. Shrubs in the Coastal Strand are frequently dwarfed and pruned as a result of the salt spray-laden winds that kill twigs on the seaward side, producing a smooth, dense upward-slanting canopy resembling a sheared hedge.

Coastal Strand is actually an ecotonal community that generally lies between Beach Dune and Maritime hammock. It may also grade into Scrub, and it often shares many of the same species that occur in Coastal Berm. Fire may reduce succession towards Maritime Hammock.

However, maritime influences alone will often suffice to inhibit succession to forest. Coastal Strand is probably the most rapidly disappearing community in Florida. It is most extensive along the Atlantic Coast where, being elevated and next to the coast, it is prime resort or residential property. Coastal Strand originally occurred as a nearly continuous band along the Atlantic shorelines. Now it occurs largely as broken and isolated small stretches. In south Florida, it has also been disturbed by invasions of exotic species, principally Brazilian pepper and Australian pine. Along with other coastal communities, Coastal Strand protects inland communities from the severe effects of storms.

Depression Marsh - (synonyms: isolated wetland, flatwoods pond, St. John's wort pond, pineland depression, ephemeral pond, seasonal marsh)

Depression Marsh is characterized as a shallow, usually rounded depression in sand substrate with herbaceous vegetation often in concentric bands. Depression Marshes are similar in vegetation and physical features to, but are generally smaller than, Basin Marshes. Typical plants include St. John's wort, spikerush, yelloweyed grass, chain fern, willows, maidencane, wax myrtle, swamp primrose, bloodroot, buttonbush, fire flag, pickerelweed, arrowheads, and bladderwort.

Larger and more permanent Depression Marshes may have many of the same plants and animals listed as typical of Basin Marshes. However, because of their isolation and small size, many Depression Marshes support a very different assemblage of species than that found in larger, more permanent wetlands. Depression Marshes are considered extremely important in providing breeding or foraging habitat for such species as the flatwoods salamander, mole salamander, tiger salamander, dwarf salamander, striped newt, oak toad, cricket frog, pinewoods treefrog, barking treefrog, squirrel treefrog, little grass frog, southern chorus frog, ornate chorus frog, narrowmouth toad, eastern spadefoot toad, gopher frog, white ibis, wood stork and sandhill crane. Depression Marshes occurring as isolated wetlands within larger upland ecosystems are of critical importance to many additional wetland and upland animals.

Depression Marshes are typical of karst regions where sand has slumped around or over a sinkhole and thereby created a conical depression subsequently filled by direct rain fall, runoff, or seepage from surrounding uplands. The substrate is usually acid sand with deepening peat toward the center. Some depressions may have developed or be maintained by a subsurface hardpan. Hydrological conditions vary, with most Depression Marshes drying in most years.

Hydroperiods range widely from as few as 50 days or less to more than 200 days per year. Fire is important to maintaining this community type by restricting invasion of shrubs and trees and the formation of peat. Fire frequency is often greatest around the periphery of the marsh and least toward the center. A severe peat fire can lower the ground surface and create a pond at the center of the marsh.

Depression Marshes are often associated with and grade into Wet Prairie, Seepage Slope, Wet Flatwoods, Mesic Flatwoods, Dome Swamp or Bog. They also may occur in association with various types of lakes, such as Sandhill Lake or Flatwoods Lake. Depression Marshes are threatened by drainage, agriculture, pollution, fire suppression, and invasion of exotic species. Depression Marshes may be filled and converted to other uses. A regional lowering of the water table as a result of overuse may eliminate many Depression Marshes. Depression Marshes on some public lands have been deepened by explosives to allow for stocking with game fish. By preying upon the eggs and larvae of

frogs and salamanders, these fish may eliminate the amphibians that depend on such seasonal wetlands for successful reproduction. Likewise, many species of invertebrates not adapted to predation by fishes may be eliminated.

Dome Swamp - (synonyms: isolated wetland cypress dome, cypress pond, gum pond, bayhead, cypress gall, pine barrens pond)

Dome Swamps are characterized as shallow, forested, usually circular depressions that generally present a domed profile because smaller trees grow in the shallower waters at the outer edge, while bigger trees grow in the deeper water in the interior. Pond cypress, swamp tupelo, and slash pine are common plants. Other typical plants include red maple, dahoon holly, swamp bay, sweetbay, loblolly bay, pond apple, Virginia willow, fetterbush, chain fern, netted chain fern, poison ivy, laurel greenbrier, Spanish moss, wild pine, royal fern, cinnamon fern, coastal plain willow, maidencane, orchids, wax myrtle, swamp titi, St. John's wort, sawgrass, lizard's tail, swamp primrose, water hyssop, redroot, sphagnum moss, floating heart, buttonbush, arum, and fire flag. Typical animals include flatwoods salamander, mole salamander, dwarf salamander, oak toad, southern cricket frog, pinewoods treefrog, little grass frog, narrowmouth toad, alligator, snapping turtle, striped mud turtle, mud turtle, eastern mud snake, cottonmouth, woodstork, wood duck, swallow-tailed kite, barred owl, pileated woodpecker, great-crested flycatcher, prothonotory warbler, and rusty blackbird.

Dome Swamps typically develop in sandy flatwoods and in karst areas where sand has slumped around or over a sinkhole, creating a conical depression. Soils are composed of peat, which becomes thickest toward the center of the dome, and are generally underlain with acidic sands and then limestone, although other subsoils may also occur. Some domes have a clay lens that helps retain water levels.

Dome Swamps often derive much of their water through runoff from surrounding uplands, but they may also be connected with underground channels, in which case subterranean flows would dominate the hydrological regime. Dome Swamps generally function as reservoirs that recharge the aquifer when adjacent water tables drop during drought periods. The normal hydroperiod for Dome Swamps is 200 to 300 days per year with water being deepest and remaining longest near the center of the dome.

Fire is essential for the maintenance of a cypress dome community. Without periodic fires, hardwood invasion and peat accumulation would convert the dome to Bottomland Forest or Bog. Dome Swamps dominated by bays are close to this transition. Fire frequency is greatest at the periphery of the dome and least in the interior where long hydroperiods and deep peat maintain high moisture levels for most of the year. The normal fire cycle might be as short as 3 to 5 years along the outer edge and as long as 100 to 150 years towards the center. The profile of a Dome Swamp (i.e., smaller trees at the periphery and largest trees near the center) is largely attributable to this fire regime. The shorter hydroperiods

along the periphery permit fires to burn into the edge more often, occasionally killing the outer trees. Cypress is very tolerant of light surface fires, but muck fires burning into the peat can kill them, lower the ground surface, and transform a dome into a pond.

Dome Swamps may have a Depression Marsh or pond in their center, creating a doughnut appearance when viewed from above. Dome Swamps typically grade into Wet Prairie or Marl Prairie around the periphery, but they may also be bordered by Bottomland Forest or Swale. The species composition of Dome Swamps frequently overlaps with Strand Swamp, Wet Flatwoods, Basin Swamp, Baygall, Floodplain Swamp, and Freshwater Tidal Swamp.

Normal hydroperiods must be maintained. Somewhat deeper than normal water levels are not likely to do much harm, but extended hydroperiods will limit tree growth and prevent reproduction. Shortened hydroperiods will permit the invasion of mesophytic species, which will change the character of the understory and eventually allow hardwoods to replace cypress. Dome Swamps may also be degraded by pollution and the invasion of exotic plants.

Floodplain Swamp - (synonyms: river swamp, bottomland hardwoods, seasonally flooded basins or flats, oak-gum-cypress, cypress-tupelo, slough, oxbow, back swamp)

Floodplain Swamps occur on flooded soils along stream channels and in low spots and oxbows within river floodplains. Dominant trees are usually buttressed hydrophytic trees such as cypress and tupelo; the understory and ground cover are generally very sparse. Other typical plants include ogeechee tupelo, water tupelo, swamp titi, wax myrtle, dahoon holly, myrtle-leaved holly, large gallberry, possumhaw, hurrah-bush, white alder, lizard's tail, leather fern, royal fern, marsh fern, soft rush, laurel greenbrier, hazel alder, hawthorn, and swamp privet.

Floodplain Swamps harbor a diverse array of animals including both temporary and permanent residents. Typical animals include marbled salamander, mole salamander, amphiuma, Alabama waterdog, Southern dusky salamander, two-lined salamander, three-lined salamander, dwarf salamander, slimy salamander, rusty mud salamander, southern toad, cricket frog, birdvoiced treefrog, gray treefrog, bullfrog, river frog, Southern leopard frog, alligator, river cooter, stinkpot, Southeastern five-lined skink, broadhead skink, mud snake, rainbow snake, redbelly water snake, brown water snake, glossy crayfish snake, black swamp snake, cottonmouth, yellow-crowned night-heron, wood duck, swallowtail kite, Mississippi kite, red-shouldered hawk, woodcock, barred owl, chimney swift, hairy woodpecker, pileated woodpecker, Acadian flycatcher, Carolina wren, veery, white-eyed vireo, red-eyed vireo, parula warbler, prothonotary warbler, hooded warbler, Swainson's warbler, cardinal, towhee, opossum, southeastern shrew, short-tailed shrew, beaver, wood rat, rice rat, cotton mouse, golden mouse, bear, raccoon, and bobcat.

Soils of Floodplain Swamps are highly variable mixtures of sand, organic, and alluvial materials, although some sites, especially within sloughs or on smaller streams, may have considerable peat accumulation. Floodplain Swamps are flooded for most of the year, with sites along channels inundated by aerobic flowing water while those of sloughs and backswamps are flooded with anerobic water for extensive periods of time. Soils and hydroperiods determine species composition and community structure. Seasonal and often prolonged inundations restrict the growth of most shrubs and herbs, leaving most of the ground surface open or thinly mantled with leaf litter. Floods redistribute detrital accumulations to other portions of the floodplain or into the main river channel. This rich organic debris is essential to the functional integrity of downriver ecosystems such as estuaries. These swamps are usually too wet to support fire.

Floodplain Swamps are often associated with and grade into Floodplain Forest or Hydric hammock, and occasionally Baygall. The species composition of Floodplain Swamps is frequently similar to the Slough, Strand Swamp, Dome Swamp, and Basin Swamp communities. Alteration of the hydroperiod by impoundments or river diversions and the disruption of floodplain communities by forestry or agriculture have devastating consequences to entire river and bay systems. Many plant and animal species, both onsite and down river, depend upon the presence and natural fluctuations of these swamps for survival and reproduction.

Hydric Hammock - (synonyms: wetland hardwood hammock, wet hammock)

Hydric Hammock is characterized as a well developed hardwood and cabbage palm forest with a variable understory often dominated by palms and ferns. Typical plants include cabbage palm, diamond-leaf oak, red cedar, red maple, swamp bay, sweetbay, water oak, southern magnolia, wax myrtle, saw palmetto, bluestem palmetto, needle palm, poison ivy, dahoon holly, myrsine, hackberry, sweetgum, loblolly pine, Florida elm, swamp chestnut oak, American hornbeam, Walter viburnum, royal fern, peppervine, rattanvine, yellow jessamine, and Virginia creeper.

Typical animals include green anole, flycatchers, warblers, and gray squirrel. Hydric Hammock occurs on low, flat, wet sites where limestone may be near the surface and frequently outcrops. Soils are sands with considerable organic material that, although generally saturated, are inundated only for short periods following heavy rains. The normal hydroperiod is seldom over 60 days per year. Because of their generally saturated soils and the sparsity of herbaceous ground cover, Hydric Hammocks rarely burn.

Hydric Hammock occurs as patches in a variety of lowland situations, often in association with springs or karst seepage, and in extensive forests covering lowlands just inland of coastal communities. Hydric Hammock generally grades into Floodplain Swamp, Strand Swamp, Basin Swamp, Baygall, Wet Flatwoods, Coastal Berm, Maritime Hammock, Slope Forest, Upland Mixed Forest, or Upland Hardwood Forest. Hydric Hammock is often difficult to differentiate from Bottomland Forest, Prairie Hammock, and Floodplain Forest.

The normal hydrological regime must be maintained in Hydric Hammock. If the water table is lowered, Hydric Hammock will gradually change to mesic conditions. If the hammock is flooded, many trees will die and eventually be replaced by more hydrophytic species.

Maritime Hammock - (synonyms: coastal hammock, maritime forest, tropical hammock). Maritime Hammock is characterized as a narrow band of hardwood forest lying justinland of the Coastal Strand community. Live oak, cabbage palm, and redbay generally combine to form a dense, wind-pruned canopy whose streamlined profile deflects winds and generally prevents hurricanes from uprooting the trees. Other typical plants include American holly, southern magnolia, red cedar, sea grape, false mastic, paradise tree, lancewood, gumbo- limbo, strangler fig, poisonwood, wild olive, saw palmetto, beautyberry, poison ivy, coral bean, coontie, prickly ash, wild coffee, snowberry, myrsine, caper tree, marlberry, rouge-plant, and ferns.

Typical animals include squirrel treefrogs, ring-necked snake, rat snakes, and gray squirrel. Migrating birds rely on these forests for food and shelter following trans-oceanic or trans-gulf migrations.

Maritime Hammock occurs on old coastal dunes that have been stabilized long enough for the growth of a forest. Tree growth often begins in swales between old dune ridges where a higher moisture gradient exists. The isolated strips of tree growth gradually coalesce into a continuous forest. Humus buildup contributes to moisture retention, while the dense canopy minimizes temperature fluctuations by reducing soil warming during the day and heat loss at night. Soils of Maritime Hammock are generally well-drained because of the underlying deep sands.

The generally mesic conditions and insular locations of well-developed Maritime Hammock communities inhibit natural fires, which occur no more frequently than once every 26 to 100 years. In mature Maritime Hammock, fire may alter the original appearance, obscuring former beach ridge vegetation patterns and creating a diversity of plant sub-associations.

Nutrient recycling is generally accomplished by detrital organisms instead of by fire. Maritime Hammock is closely associated with and often grades into Coastal Strand, Scrub, Hydric Hammock, or Prairie Hammock. Because of species overlap, Maritime Hammock may also be confused with Shell Mound, Coastal Berm, Xeric Hammock, and Rockland Hammock. Maritime Hammock is the terminal stage of succession in coastal areas.

Maritime Hammock is prime resort and residential property because of its relatively protected location along the coast. Although it originally occurred in virtually continuous bands with Coastal Strand, Maritime Hammock is now dissected into short strips by development and is rapidly disappearing. Maritime Hammock is reasonably resilient so long as the canopy remains intact and the landform stable. Removal of large exotic species should be conducted in phases to minimize canopy disruptions.

Flatwoods/Prairie/Marsh Lake - (synonyms: Flatwoods pond, ephemeral pond, grass pond, St. John's wort pond, freshwater lake, pineland depression, swale, prairie pond)

The distinctions between these communities, and from Depression Marsh, are often quite subtle, because of their successional interrelationships. Depression Marsh is characterized as a shallow, generally round or elliptical depression vegetated with concentric bands of hydrophytic herbaceous plants. Depending upon the depth and slope of the depression, an open water zone with or without floating plants may occur at the center. The open water zone is considered to be a Marsh Lake if it is small in comparison to the surrounding marsh. Otherwise, the system is considered to be a Flatwoods Lake or a Prairie Lake, depending upon the surrounding community.

Both Flatwoods Lake and Prairie Lake are surrounded by either a sparse, Wet Prairie-like zone or a dense ring of saw palmetto and other shrubs. Typical plants include spikerush, yelloweyed grasses, St. John's wort, chain fern, coastal plain willow, maidencane, wax myrtle, water primrose, floating heart, buttonbush, fire flag, pickerelweed, arrowhead, bladderworts, bottlebrush threeawn, toothache grass, star rush, bulrushes, sawgrass, and nut sedge. Many animals utilize marshes primarily for feeding and breeding areas but spend most of their time in other habitats. Other animals are more dependent on marshes, spending most of their time within them. Typical animals include amphiuma, lesser siren, greater siren, cricket frog, green treefrog, bullfrog, pig frog, leopard frog, alligator, eastern mud snake, banded water snake, green water snake, striped crayfish snake, black swamp snake, American bittern, least bittern, great blue heron, great egret, snowy egret, little blue heron, tricolored heron, green-backed heron, black-crowned night-heron, white ibis, glossy ibis, bald eagle, northern harrier, king rail, Virginia rail, sora, limpkin, long-billed marsh wren, yellowthroat, red-winged blackbird, boat tailed grackle, and Florida water rat.

The depressions in which these communities develop are typically formed by one of two geological processes: (1) solution holes form in the underlying limestone, causing surface sands to slump into a circular depression; or (2) during higher sea levels, offshore currents, waves, and winds scoured depressions that became seasonally or permanently inundated after the seas regressed. Soils in these depressions generally consist of acidic sands with some peat and occasionally a clay lens.

Water is derived mostly from runoff from the immediately surrounding uplands. These NC's function as aquifer recharge areas by acting as reservoirs which release groundwater when adjacent water tables drop during drought periods. Water generally remains throughout the year in a Flatwoods/Prairie Lake or a Marsh Lake, although water levels may fluctuate substantially.

Mesic Flatwoods - (synonyms: pine flatwoods, pine savannahs, pine barrens)

Mesic Flatwoods are characterized as an open canopy forest of widely spaced pine trees with little or no understory but a dense ground cover of herbs and shrubs. Several variations of Mesic Flatwoods are recognized, the most common associations being longleaf pine - wiregrass - runner oak and slash pine - gallberry - saw palmetto. Other typical plants include: St. Johns-wort, dwarf huckleberry, fetterbush, dwarf wax myrtle, stagger bush, blueberry, gopher apple, tar flower, bog buttons, blackroot, false foxglove, white-topped aster, yellow-eyed grass, and cutthroat grass.

Typical animals of Mesic Flatwoods include: oak toad, little grass frog, narrowmouth toad, black racer, red rat snake, southeastern kestrel, brown-headed nuthatch, pine warbler, Bachman's sparrow, cotton rat, cotton mouse, black bear, raccoon, gray fox, bobcat, and white-tailed deer.

Mesic Flatwoods occur on relatively flat, moderately to poorly drained terrain. The soils typically consist of 1-3 feet of acidic sands generally overlying an organic hardpan or clayey subsoil. The hardpan substantially reduces the percolation of water below and above its surface.

During the rainy seasons, water frequently stands on the hardpan's surface and briefly inundates much of the flatwoods; while during the drier seasons, ground water is unobtainable for many plants whose roots fail to penetrate the hardpan. Thus, many plants are under the stress of water saturation during the wet seasons and under the stress of dehydration during the dry seasons.

Another important physical factor in Mesic Flatwoods is fire, which probably occurred every 1 to 8 years during pre-Columbian times. Nearly all plants and animals inhabiting this community are adapted to periodic fires; several species depend on fire for their continued existence. Without relatively frequent fires, Mesic Flatwoods succeed into hardwood-dominated forests whose closed canopy can essentially eliminate the ground cover herbs and shrubs.

Additionally, the dense layer of litter that accumulates on unburned sites can eliminate the reproduction of pines which require a mineral soil substrate for proper germination. Thus, the integrity of the Mesic Flatwoods community is dependent on periodic fires. However, fires that are too frequent or too hot would eliminate pine recruitment and eventually transform Mesic Flatwoods into Dry Prairie.

Mesic Flatwoods are closely associated with and often grade into Wet Flatwoods, Dry Prairie, or Scrubby Flatwoods. The differences between these communities are generally related to minor topographic changes. Wet Flatwoods occupy the lower wetter areas, while Scrubby Flatwoods occupy the higher drier areas.

Mesic Flatwoods are the most widespread biological community in Florida, occupying an estimated 30 to 50% of the state's uplands. However, very few undisturbed areas of

Mesic Flatwoods exist because of habitat mismanagement and silvicultural, agricultural, or residential development. Mesic Flatwoods are often fairly resilient, and with proper management they can generally be restored.

Sandhill - (synonyms: longleaf pine - turkey oak, longleaf pine - xerophytic oak, longleaf pine - deciduous oak, high pine)

Sandhills are characterized as a forest of widely spaced pine trees with a sparse understory of deciduous oaks and a fairly dense ground cover of grasses and herbs on rolling hills of sand. The most typical associations are dominated by longleaf pine, turkey oak, and wiregrass. Other typical plants include bluejack oak, sand post oak, sparkleberry, persimmon, winged sumac, pinewoods dropseed, Indian grass, wild buckwheat, queen's delight, yellow foxglove, bracken fern, runner oak, goats rue, partridge pea, milk pea, dollarweeds, wild indigo, gopher apple, and golden-aster. Typical animals include tiger salamander, barking treefrog, spadefoot toad, gopher frog, gopher tortoise, worm lizard, fence lizard, mole skink, indigo snake, coachwhip snake, pine snake, short-tailed snake, crowned snake, eastern diamondback rattlesnake, bobwhite, ground dove, red-headed woodpecker, rufous-sided towhee, fox squirrel and pocket gopher.

Sandhills occur on hilltops and slopes of gently rolling hills. Their soils are composed of deep, marine-deposited, yellowish sands that are well-drained and relatively sterile. The easily leached soil nutrients are brought back to the surface by the burrowing habits of some sandhill animals. Sandhills are important aquifer recharge areas because the porous sands allow water to move rapidly through with little runoff and minimal evaporation. The deep sandy soils help create a xeric environment that is accentuated by the scattered overstory, which allows more sunlight to penetrate and warm the ground. The absence of a closed canopy also allows Sandhills to cool more rapidly at night and to retain less air moisture. Thus, temperature and humidity fluctuations are generally greater in Sandhills than in nearby closed canopy forests.

Fire is a dominant factor in the ecology of this community. Sandhills are a fire climax community, being dependent on frequent ground fires to reduce hardwood competition and to perpetuate pines and grasses. The natural fire frequency appears to be every 2 to 5 years. Without frequent fires, Sandhills may eventually succeed to Xeric Hammock. Unburned or cutover Sandhills may be dominated by turkey oak.

Sandhills are often associated with and grade into Scrub, Scrubby Flatwoods, Mesic Flatwoods, Upland Pine Forest, or Xeric Hammock. Sandhills were widespread throughout the Coastal Plain, but most have been degraded by timbering, overgrazing, plowing, fire exclusion, and other disturbances. Much of Florida's Sandhill communities have been converted to citrus groves, pastures, pine plantations, or residential and commercial developments. Thus, the importance of properly managing the remaining tracts is accentuated.

Scrub - (synonyms: sand pine scrub, Florida scrub, sand scrub, rosemary scrub, oak scrub)

Scrub occurs in many forms, but is often characterized as a closed to open canopy forest of sand pines with dense clumps or vast thickets of scrub oaks and other shrubs dominating the understory. The ground cover is generally very sparse, being dominated by ground lichens or, rarely, herbs. Open patches of barren sand are common. Where the overstory of sand pines is widely scattered or absent altogether, the understory and barren sands are exposed to more intense sunlight. Typical plants include sand pine, sand live oak, myrtle oak, Chapman's oak, scrub oak, saw palmetto, rosemary, rusty lyonia, ground lichens, scrub hickory, scrub palmetto, hog plum, silk bay, beak rush, milk peas, and stagger bush. Typical animals include red widow spider, scrub wolf spider, oak toad, Florida scrub lizard, blue-tailed mole skink, sand skink, sixlined racerunner, coachwhip, ground dove, scrub jay, loggerhead shrike, yellow-rumped warbler, rufous-sided towhee, Florida mouse, and spotted skunk. Scrubs of the Lake Wales Ridge are notable for the large number of narrowly endemic plants and animals that occur in them.

Scrub occurs on sand ridges along former shorelines. Some of the sand ridges originated as wind-deposited dunes, others as wave-washed sand bars. Some Scrub soils are composed of well-washed, deep sands that are brilliant white at the surface; some Scrubs occur on yellow sands. The loose sands drain rapidly, creating very xeric conditions for which the plants appear to have evolved several water conservation strategies.

Scrub is essentially a fire maintained community. Ground vegetation is extremely sparse and leaf fall is minimal, thus reducing the chance of frequent ground fires. As the sand pines mature, however, they retain most of their branches and build up large fuel supplies in their crowns. When a fire does occur, this fuel supply, in combination with the resinous needles and high stand density, ensures a hot, fast burning fire. Such fires allow for the regeneration of the Scrub community which might otherwise succeed to Xeric Hammock. The minerals in the vegetation are deposited on the bare sand as ashes, and the heat of the fire generally facilitates the release of pine seeds. As discerned from the life histories of the dominant plants, scrub probably burns catastrophically once every 20 to 80 years or longer.

Scrub is associated with and often grades into Sandhill, Scrubby Flatwoods, Coastal Strand, and Xeric Hammock. Some Xeric Hammocks are advanced successional stages of Scrub, making intermediate stages difficult to classify. Scrub occurs almost exclusively in Florida, although coastal scrubs extend into adjacent Alabama and Georgia.

Because Scrub occurs on high dry ground and is not an aesthetically pleasing habitat, at least to the uninitiated, this ecosystem and its many endangered and threatened species

are rapidly being lost to development. Scrub is also readily damaged by off-road vehicle traffic or even foot traffic, which destroys the delicate ground cover and allows the loose sand to erode. Ground lichens may require 50 years or more to recover.

Scrubby Flatwoods - (synonyms: xeric flatwoods, dry flatwoods)

Scrubby Flatwoods are characterized as an open canopy forest of widely scattered pine trees with a sparse shrubby understory and numerous areas of barren white sand. The vegetation is a combination of Scrub and Mesic Flatwoods species; Scrubby Flatwoods often occupy broad transitions or ecotones between these communities. Typical plants include longleaf pine, slash pine, sand live oak, Chapman's oak, myrtle oak, scrub oak, saw palmetto, staggerbush, wiregrass, dwarf blueberry, gopher apple, rusty lyonia, tarflower, golden-aster, lichens, silkbay, garberia, huckleberry, goldenrod, runner oak, pinweeds, and frostweed.

Scrubby Flatwoods generally occur intermingled with Mesic Flatwoods along slightly elevated relictual sandbars and dunes. The white sandy soil is several feet deep and drains rapidly. However, the water table is unlikely to be very deep. Scrubby Flatwoods normally do not flood even under extremely wet conditions. Temperatures and humidities of air and soil in Scrubby Flatwoods fluctuate substantially more than in most other communities because the scattered overstory, sparse understory, and barren sands of Scrubby Flatwoods do not ameliorate daily and seasonal changes very well.

Although the elevated, deeper sandy soils of scrubby flatwoods engender a drier environment than the surrounding mesic flatwoods, the general sparsity of ground vegetation and the greater proportion of relatively incombustible scrub-oak leaf litter reduces the frequency of naturally occurring fires. Only after a long absence of fire and during periods of drought does the leaf litter become sufficiently combustible and concentrated enough to support an ecological burn. Several species of plants in Scrubby Flatwoods are typical scrub plants which endure only when long intervals between fires occur. Thus, a periodicity of approximately 8 to 25 years between fires appears to be natural for this community.

Scrubby Flatwoods are associated with and often grade into Mesic Flatwoods, Scrub, Dry Prairie or Sandhills. This community is essentially a Mesic Flatwoods with a Scrub understory.

River Floodplain Lake and Swamp Lake - (synonyms: cypress pond, gum pond, oxbow lake, backwater, blackwater lake or pond)

Swamp Lakes and River Floodplain Lakes are generally characterized as shallow open water zones, with or without floating and submerged aquatic plants, that are surrounded by Basin Swamp or Floodplain Swamp. They are generally permanent water bodies,

although water levels often fluctuate substantially and they may become completely dry during extreme droughts. They are typically lentic water bodies occurring in confined basins or depressions. However, during floods or following heavy rains, they may exhibit decidedly lotic characteristics, flowing with the flood water or overflowing their banks into lower topographic areas. Some may even exhibit a slow perennial sheet flow, but water movement is generally so slow that lentic conditions prevail.

Except for the fringe of hydrophytic trees, shrubs and scattered emergents, plants may be absent altogether, or they may almost completely cover the water surface. When present, typical plants include fragrant water lily, banana lily, American lotus, spatterdock, duckweed, water meal, bog mat, water fern, dollar bonnet, frog's bit, water hyssop, water pennywort, coontail, milfoil, bladderwort, bog moss, and fanworts. Several exotic plants may also occur, including water lettuce, water hyacinth, salvinia, alligator weed, water spinach, parrot's feather, water chestnut, water sprite, hydrilla, and elodea. Scattered emergent plants such as lizard's tail, pickerelweed, slender spikerush and golden club may also occur, but the community will more appropriately be called Depression Marsh or Floodplain Marsh if emergents dominate the water body.

Typical animals include Florida gar, bowfin, redfin pickerel, golden shiner, taillight shiner, lake chubsucker, brown bullhead, tadpole madtom, pirate perch, golden topminnow, pygmy killifish, mosquito fish, flier, blue spotted sunfish, bluegill, largemouth bass, swamp darter, mole salamander, two-toed amphiuma, Alabama waterdog, sirens, cricket frog, bullfrog, pig frog, river frog, leopard frog, alligator, snapping turtle, Florida cooter, yellow-belly turtle, eastern mud turtle, stinkpot, Florida softshell turtle, mud snake, redbelly water snake, banded water snake, brown water snake, cottonmouth, great blue heron, great egret, snowy egret, little blue heron, green-backed heron, white ibis, wood stork, kingfisher, beaver, and river otter.

The substrates of Swamp Lakes and River Floodplain Lakes are variable and may be composed primarily of peats, sands, alluvial clays, or any combination of these. Swamp Lakes characteristically have highly colored, acidic, soft water with moderate mineral content, while River Floodplain Lakes characteristically have colored, alkaline or slightly acidic, hard or moderately hard water with high mineral content (sulfate, chloride, calcium, magnesium). Both types are generally mesotrophic to eutrophic (i.e., have moderate to high nutrient levels and primary productivity), although they sometimes exhibit partial oligotrophic characteristics, with low nutrient levels and primary productivity, because their darkly stained, acidic waters and surrounding tree canopy limit their productivity.

Swamp Lakes may have originated from one or more of the following geological processes: (1) solution of the underlying limestone and subsequent collapse of the surface to form a depression; (2) lowering of sea levels to isolate ancient coastal features, such as lagoons or dune swales; or (3) isolation of ancient river systems within relatively confined basins. River Floodplain Lakes generally originate along former stream channels as oxbows that

have been isolated when new channels cut across a meander loop in the river, or along erosion scours formed by the tremendous forces of floodstage waters. They may also have been influenced by some of the processes that developed Swamp Lakes, or be the result of "nature's engineer", the beaver.

Swamp Lakes and River Floodplain Lakes are important breeding areas for many terrestrial and semi-aquatic amphibians. They are frequently very important feeding areas for many wading birds, ducks, and reptiles. They are also important nursery grounds and habitats for several species of fish. Swamp Lakes and Floodplain Lakes are extremely vulnerable to hydrological manipulations which lower the water levels and hasten successional processes.

They are also vulnerable to land clearing and timber harvest operations within the surrounding swamps or adjacent uplands. Upland activities generally increase sedimentation, while activities within the swamp may increase insolation levels, alter nutrient levels and, in the case of Floodplain Lakes, increase the effects of flood scouring.

Tidal Marsh - (synonyms: saltmarsh, brackish marsh, coastal wetlands, coastal marshes, tidal wetlands)

Marine and Estuarine Tidal Marshes are Floral Based Natural Communities generally characterized as expanses of grasses, rushes and sedges along coastlines of low waveenergy and river mouths. They are most abundant and most extensive in Florida north of the normal freeze line, being largely displaced by and interspersed among Tidal Swamps below this line. Black needlerush and smooth cordgrass are indicator species which usually form dense, uniform stands. The stands may be arranged in well-defined zones according to tide levels or may grade subtly over a broad area, with elevation as the primary determining factor. In the upper reaches of river mouths, where Estuarine Tidal Marsh begins to blend with Freshwater Tidal Swamp and Marsh, sawgrass may occur in dense stands. Sawgrass is the least salt tolerant of these Tidal Marsh species. Other typical plants include saltgrass, saltmeadow cordgrass (marsh hay), gulf cordgrass, soft rush and other rushes, salt myrtle, marsh elder, saltwort, sea oxeye, cattail, big cordgrass, bulrushes, seashore dropseed, seashore paspalum, shoregrass, glassworts, seablight, seaside heliotrope, saltmarsh boltonia, and marsh fleabane. Typical animals include marsh snail, periwinkle, mud snail, spiders, fiddler crabs, marsh crab, green crab, isopods, amphipods, diamondback terrapin, saltmarsh snake, wading birds, waterfowl, osprey, rails, marsh wrens, seaside sparrows, muskrat and raccoon.

Fishes frequently found in this community include blacktip shark, lemon shark, bonnethead shark, hammerhead shark, southern stingray, yellow spotted ray, tarpon, ladyfish, bonefish, menhaden, sardines, anchovy, catfish, needlefish, killifish, bluefish, blue runner, lookdown, permit, snapper, grunts, sheepshead, porgies, pinfish, seatrout, red drum, mullet, barracuda, blenny, goby, trigger fish, filefish, and puffers.

Tidal Marsh soils are generally very poorly drained muck or sandy clay loams with substantial organic components and often a high sulfur content. The elevation of Tidal Marshes range from just below sea level to slightly above sea level with vegetation occupying the intertidal and supratidal zones. The frequently high density of plant stems and roots effectively traps sediments derived from upland runoff or from littoral and storm currents. The decaying, dead marsh plants and the transported detritus which the living plants trap, accumulate to form peat deposits. Together, these accretion processes may build land.

Tidal Marsh plants live under conditions which would stress most plants. High salt content in the soil, poor soil aeration, frequent submersion and exposure, intense sunlight, and occasional fires make the Tidal Marsh community inhospitable to most plants and require a wide tolerance limit for its inhabitants. The landward extent of Tidal Marsh along the shoreline is directly related to the degree of bottom slope; the more gradual the slope the broader the community band. Typical zonation in this community includes smooth cordgrass in the deeper edges, grading to salt tolerant plants such as black needlerush that withstand less inundation.

Tidal fluctuation is the most important ecological factor in Tidal Marsh communities, cycling nutrients and allowing marine and estuarine fauna access to the marsh. This exchange helps to make Tidal Marsh one of the most biologically productive Natural Communities in the world. In fact, primary productivity in Tidal Marshes surpasses that of most intensive agricultural practices. The former operates at no cost because of free energy subsidies from tides, while the latter requires costly energy subsidies in the form of fuels, chemicals, and labor.

A myriad of invertebrates and fish, including most of the commercially and recreationally important species such as shrimp, blue crab, oysters, sharks, grouper, snapper and mullet, also use Tidal Marshes throughout part or all of their life cycles. Tidal Marshes are also extremely important because of their storm buffering capacity and their pollutant filtering actions. The dense roots and stems hold the unstabilized soils together, reducing the impact of storm wave surge. The plants, animals, and soils filter, absorb, and neutralize many pollutants before they can reach adjacent marine and estuarine communities.

These factors make Tidal Marshes extremely valuable as a Natural Community. Adverse impacts of urban development of Tidal Marshes include degradation of water quality, filling of marshes, increased erosion, and other alterations such as bulkheading and beach renourishment. The most attractive coastal areas for development activities frequently are the most ecologically fragile and are extremely vulnerable to development of any kind. Offshore pollution in the form of oil spills and various forms of litter jettisoned from shipping traffic also impact Tidal Marsh.

Wet Flatwoods - (synonyms: low flatwoods, moist pine barren, hydric flatwoods,

pondpine flatwoods, pocosin, cabbage palm/pine savannah or flatwoods). Wet Flatwoods are characterized as relatively open-canopy forests of scattered pine trees or cabbage palms with either thick shrubby understory and very sparse ground cover, or a sparse understory and a dense ground cover of hydrophytic herbs and shrubs. Several variations exist between these extremes

Typical plants include pond pine, slash pine, sweetbay, spikerush, beakrush, sedges, dwarf wax myrtle, gallberry, titi, saw palmetto, creeping beggarweed, deer tongue, gay feather, greenbrier, bluestem, and pitcher plants. Typical animals include oak toad, cricket frog, chorus frog, black racer, yellow rat snake, diamondback rattlesnake, pygmy rattlesnake, red-shouldered hawk, bobwhite, opossum, cottontail rabbit, cotton rat, cotton mouse, raccoon, striped skunk, bobcat, and white-tailed deer.

Wet Flatwoods occur on relatively flat, poorly drained terrain. The soils typically consist of 1 to 3 feet of acidic sands generally overlying an organic hardpan or clay layer. Cabbage palm flatwoods tend to occur on more circumneutral sands (pH 6.0 - 7.5) underlain by marl or shell beds. The hardpan substantially reduces the percolation of water below and above its surface.

During the rainy season, water frequently stands on the surface, inundating the flatwoods for 1 or more months per year. During the drier seasons, ground water is less accessible for many plants whose roots fail to penetrate the hardpan. Thus, many plants are under the stress of water saturation during the wet seasons, and under the stress of dehydration during the dry seasons.

Another important physical factor in Wet Flatwoods is fire. Natural fires probably occurred every 3 to 10 years during pre-Columbian times. Nearly all plants and animals inhabiting this community are adapted to periodic fires, and several species depend on fires for their continued existence. Without relatively frequent fires, Wet Flatwoods succeed into hardwood dominated forests whose closed canopy would essentially eliminate the ground cover herbs and shrubs. In fact, much of the variation in community structure is probably associated with fire frequency. Thus, the longer the period of time since the last fire, the more developed will be the understory shrubs. If the understory is allowed to grow for too long, the accumulation of needle drape and the height of flammable understory shrubs will increase the probability of a catastrophic canopy fire.

Wet Flatwoods are closely associated with and often grade into Hydric Hammock, Mesic Flatwoods, Wet Prairie, or Basin Swamp. Wet Flatwoods may also grade into Dome Swamp or Strand Swamp, but the absence of a Wet Prairie ecotone suggests that the hydrology has been disturbed.

Although Wet Flatwoods may have been an abundant biological community of the

Coastal Plain at one time, examples with an intact overstory and understory, without exotics, and with the potential for future maintenance by fire are rare. They are relatively resilient to overstory damage but recover poorly when the ground cover or hydrology has been disturbed.

Wet Flatwoods are vulnerable to disruptions of fire and hydrological regimes. Exotic plants readily invade Wet Flatwoods in south Florida and must be controlled promptly.

The coastal dune system is a dynamic and threatened ecosystem ranked G4, which is defined as globally rare in the Florida Natural Areas Inventory. This system is important to beach stabilization and protection from storm events. Coastal vegetation occurs in zones parallel to the coast. These zones are frontal dune zone, backdune zone and forest zone. The frontal dune zone consists of mainly grasses and other herbaceous plants and has the most exposure of salt spray. The backdune zone supports trees, shrubs and vines as well as grasses and other herbaceous plants. The forest zone is composed of primarily woody vegetation such as low growing saw palmetto, cabbage palm and live oak forests. Typical animals include ghost crab, kestrel, red-winged blackbird, savannah sparrows, beach mouse and raccoon.

Haw Creek Preserve

APPENDIX FOUR
PROJECT APPLICATION

Washington Oaks State Park

Flagler County Land Acquisition Committee (LAC)
Environmentally Sensitive Lands Acquisition Program
Application Form

Site Name:_____

Submitted by:_____Date Submitted:_____

Contact (email/phone):_____

Property Owner:_____

Contact (email/phone):_____

---

1. Property Size:_____

2. Flagler County Tax Parcel Identification Number:_____

3. Site Location (*Please attach a location map delineating the site and describe it's location)*:_____

4. Provide additional comments the LAC should know regarding this potential acquisition. Please consider the program objectives attached to this form when providing comments. (*Please attach extra pages if necessary)*:_____
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Flagler County Land Acquisition Committee (LAC)
Environmentally Sensitive Lands Acquisition Program
Application Form

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Please return this form to:

Tim Telfer
Flagler County Board of County Commissioners
1769 E. Moody Blvd.
Bunnell, Fl 32110
(386) 313-4066
FAX (386) 313-4109

Owner's Authorized Representative
To the Flagler County Board of County Commissioners
for the Environmentally Sensitive Lands Program

In accordance with CH. 253, Florida Statute, this is to advise that the individual named below is the authorized representative of the owner(s) for the real property described below, which is located in Flagler County, Florida, for any negotiations concerning conveyance of the property to the Flagler County Board of County Commissioners.

AUTHORIZED REPRESENTATIVE(S):

Name(s) and Title_____

_____

Address: _____

_____

Telephone: _____ Fax: _____ Email: _____

Owner Name (Please Print): _____

Owner Signature: _____

Date Signed: _____

Owner Name (Please Print): _____

Owner Signature: _____

Date Signed: _____

Owner Name (Please Print): _____

Owner Signature: _____

Date Signed: _____

Owner Name (Please Print): _____

Owner Signature: _____

Date Signed: _____

AUTHORIZATION TO ENTER PROPERTY

Regarding: Land submitted to the Flagler County Environmentally Sensitive Lands Program (ESL)

I, _____, the Owner or Owner's Representative of the property described below agree that from the date this Agreement is executed, the members of the Land Acquisition Selection Advisory Committee and County staff, upon reasonable notice, shall have the right to enter the property located at

_____

for the purposes of environmental site review and for all lawful purposes associated with the evaluation of the property for acquisition consideration under the Environmentally Sensitive Lands Program.

This permission is to be used for the following activities which may be performed by Flagler County, its agents, representatives, or contractors:

Survey of the natural community types on-site and/or property boundary survey prior to closing.

Nondestructive surveys of the flora and fauna on-site, including the identification and survey of rare, threatened, or endangered plants and animals.

The collection of written and photographic data required for comprehensive site review during the ESL site selection process or property appraisal review.

_____
Authorized Representative Signature

_____
Owners Signature

_____
Date

Primary Program Objectives

a) Preserve wildlife habitats and protect the health and diversity of wildlife, especially threatened and endangered species of plants and animals.

b) Promote improved water quality and preserve the Floridan aquifer and water recharge areas.

c) Preserve rare natural communities or wildlife habitats/ecosystems.

d) Preserve unique cultural, historic, scenic and significant geologic features.

e) Promote economic development through the creation of nature tourism property, infrastructure; and opportunities.

f) Promote public use and enjoyment of, acquired lands including public access to water bodies for recreation activities.

g) The area specific or need specific objectives listed on the following page.

Note: Only one Primary Area Specific or Need Specific Program Objective may be counted towards the minimum of three Primary Objectives that must be met to be listed as an A or B Project.

Secondary Program Objectives

a) Preserve green space as passive recreation in close proximity to development to provide refuge for residents, visitors and wildlife.

b) Reduce capital acquisition and land management costs by partnering with other agencies.

c) Enhance existing recreation facilities throughout the County by acquiring adjoining properties.

d) Establish wildlife corridors throughout the county promoting wildlife protection, habitat preservation and migration.

e) Establish recreational trail corridors throughout the County promoting alternative transportation modes, nature viewing, and fitness/exercise opportunities.

f) Restore damaged habitats that can have substantial positive environmental impacts upon being restored.

APPENDIX FIVE

ADDITIONAL APPLICATION FORMS

Mala Compra Oceanfront Addition

Flagler County Environmentally Sensitive Lands Program

1769 East Moody Boulevard, Suite 309
Bunnell, Florida 32110
(386) 313-4066

Public Access and Stewardship Funds - Request for Funding

Organization Information

Organization Name _____

Contact Person _____

Email Address _____

Mailing Address _____

Phone _____ Fax _____

Organization (City or County): _____

Project Description

Project Name _____

Est. Project Start Date _____ **Est. Project Completion Date** _____

Brief Description of Project

Please attach a typed sheet and answer the following questions: (No longer than one page)

1. What is the intended use of funds requested for Project?
2. How will the project enhance Flagler County Environmentally Sensitive Lands?
3. What grant or other outside funding is being utilized for this project?

Funding

Amount of PASF funding Requested $ _____

What is the total budget amount for the Project? $ _____

***A line item budget must be submitted together with this application showing all funding sources and expenditures.**

If the entire request cannot be funded, can the project be phased for less funding? Yes No

If yes please indicate minimum amount necessary for next phase $ _____

If the project cannot be phased, please explain.

List past ESL funding in last five (5) years:

Year	Project	Requested Amt	Award Amt	

Provide all additional outside contributors, sponsors, and sources of funding for this project. (If not applicable, please explain.)

What funding and in kind service is your ogranization providing?

What additional sources of funding has your organization sought?

How will ESL funding help this project?

I am the Authorized Agent of the organization requesting ESL PASF funds.
I have reviewed this Application for Funds from the Flagler County's Environmentally Sensitive Lands manual and concur with the information submitted herein. To the best of my knowledge and belief, the information contained in this Application and its attachments is accurate and complete. If funds are awarded, I agree to follow all policies of the Flagler County Enivronmentally Sensitive Lands program relative to this grant.

_____ _____

_____ _____

Authorized Agent Signature ***Date***

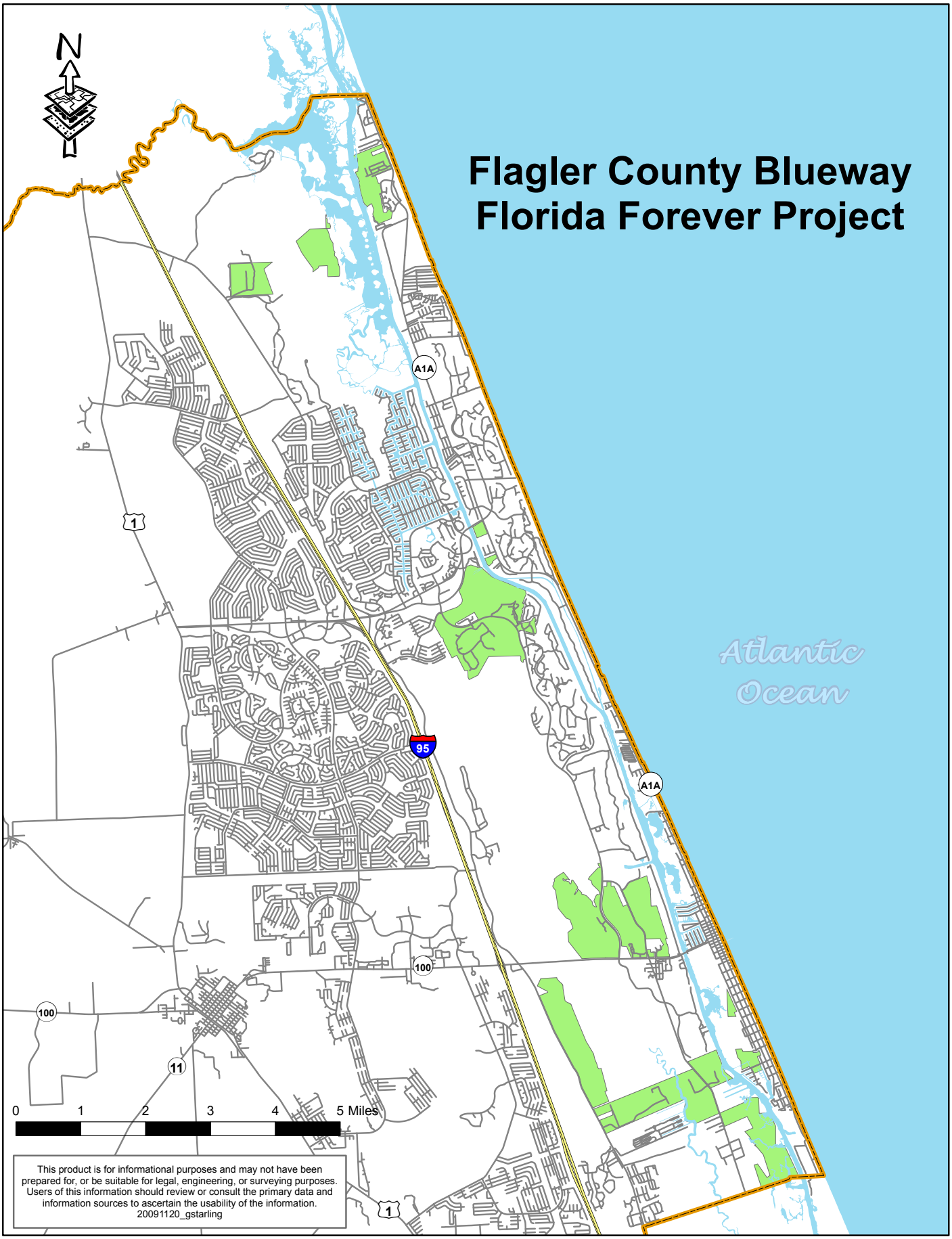
Print Name: _____

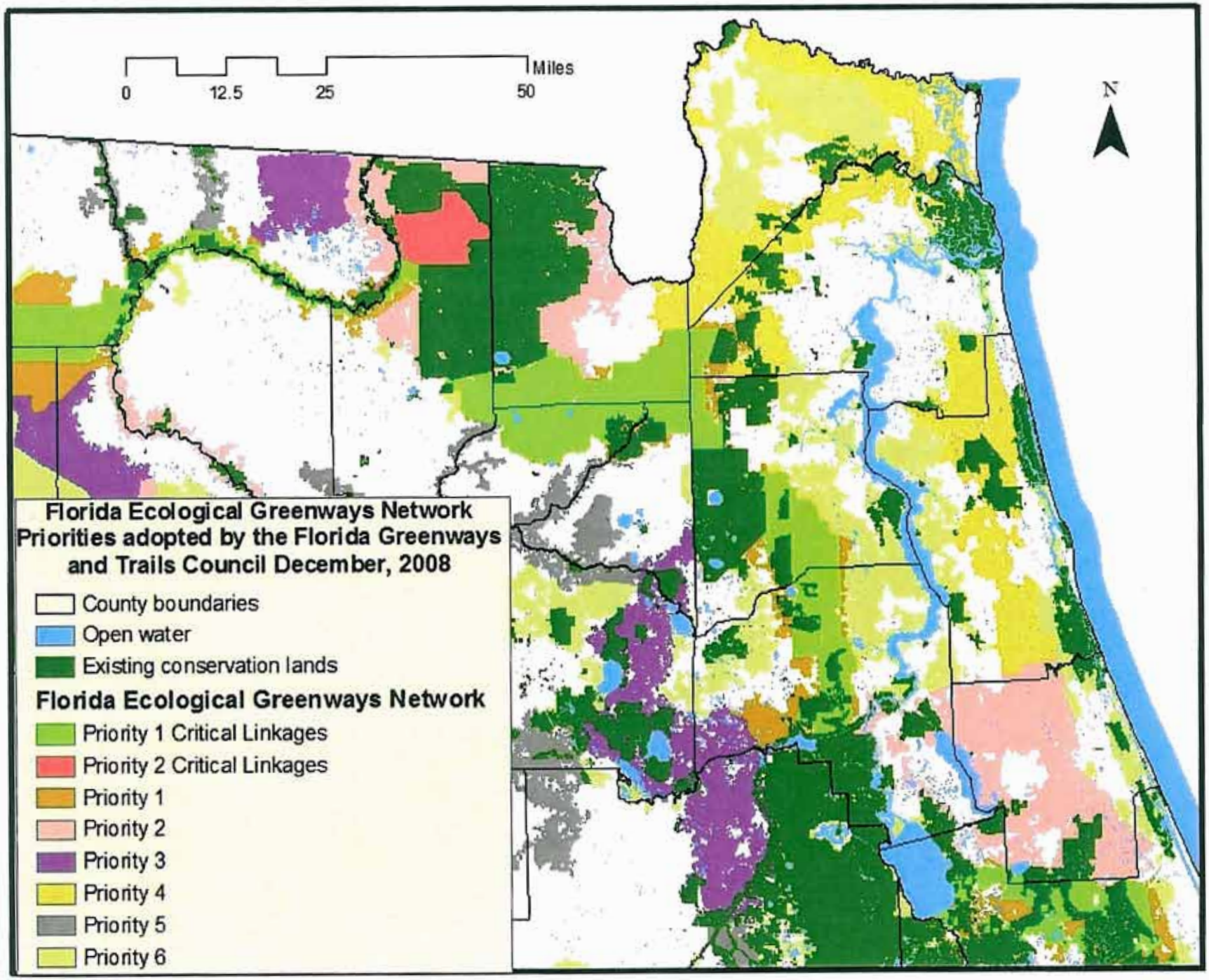
Title: _____

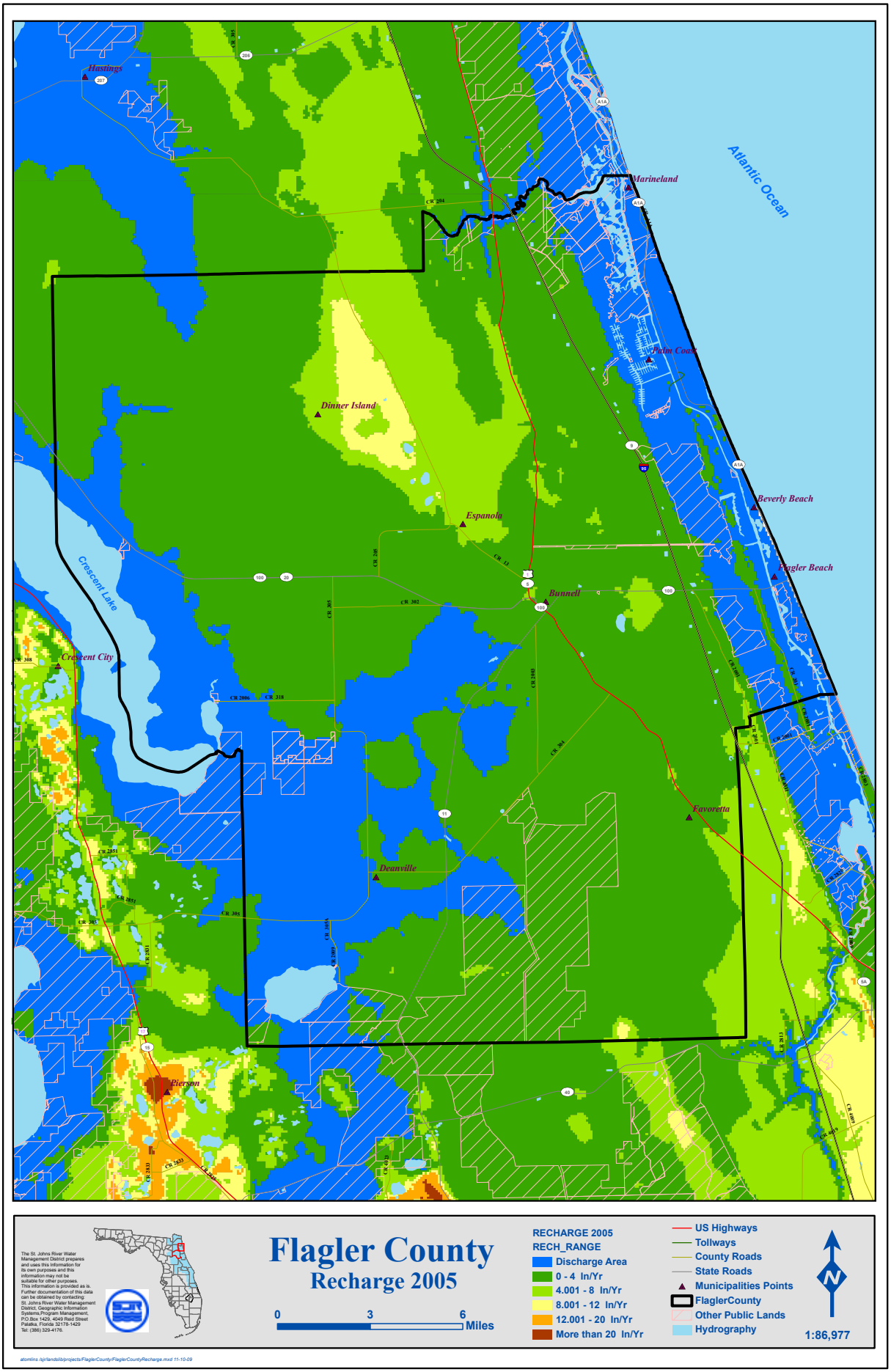
***Attach authorizing action from the elected body giving the authorized agent authority to apply for this grant and to enter into this agreement.**

APPENDIX SIX
MAPS

Lehigh Trail


N
Flagler County Blueway
Florida Forever Project
A1A
1
95
A1A
Atlantic
Ocean
100
100
11
1
0 1 2 3 4 5 Miles
This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.
20091120_gstarling


0
12.5
25
50
Miles
N
Florida Ecological Greenways Network
Priorities adopted by the Florida Greenways and Trails Council December, 2008
County boundaries
Open water
Existing conservation lands
Florida Ecological Greenways Network
Priority 1 Critical Linkages
Priority 2 Critical Linkages
Priority 1
Priority 2
Priority 3
Priority 4
Priority 5
Priority 6


Hastings
Marineland
Atlantic Ocean
Palm Coast
Dinner Island
Beverly Beach
Espanola
Flagler Beach
Crescent Lake
Bunnell
Crescent City
Favoretta
Deanville
Pierson
Flagler County
Recharge 2005
0
3
6
Miles
RECHARGE 2005
RECH_RANGE
Discharge Area
0 - 4 In/Yr
4.001 - 8 In/Yr
8.001 - 12 In/Yr
12.001 - 20 In/Yr
More than 20 In/Yr
US Highways
Tollways
County Roads
State Roads
Municipalities Points
FlaglerCounty
Other Public Lands
Hydrography
N
1:86,977
The St. Johns River Water Management District prepares and uses this information for its own purposes and this information may not be suitable for other purposes. This information is provided as is. Further documentation of this data can be obtained by contacting: St. Johns River Water Management District, Geographic Information Systems Program Management, P.O.Box 1429, 4049 Reid Street Palatka, Florida 32178-1429 Tel: (386) 329-4176.
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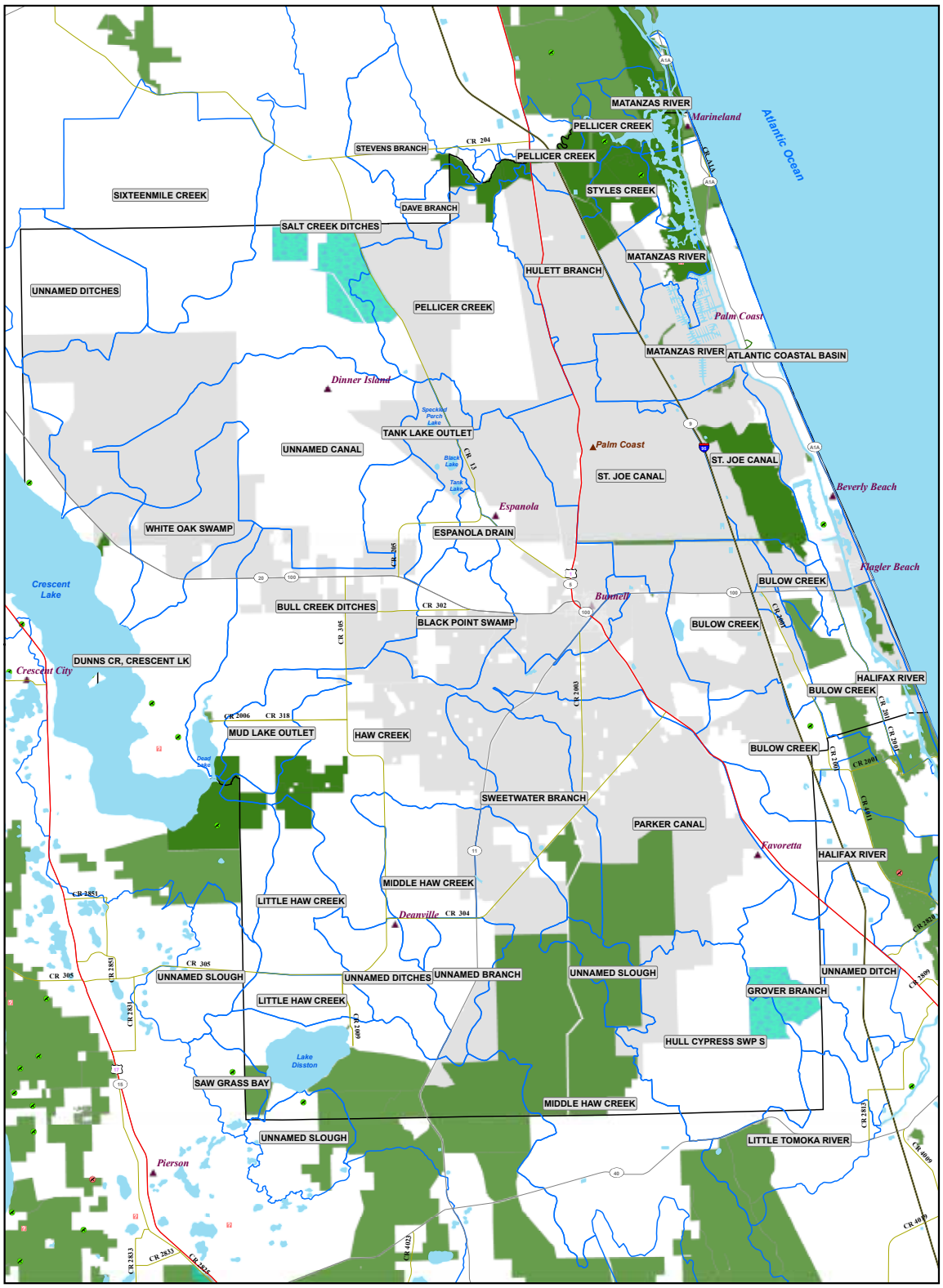

The St. Johns River Water Management District prepares and uses this information for its own purposes and this information may not be suitable for other purposes. This information is provided as is. Further documentation of this data can be obtained by contacting: St. Johns River Water Management District, Geographic Information Systems,Program Management, P.O.Box 1429, 4049 Reid Street Palatka, Florida 32178-1429 Tel. (386) 329-4176.

Flagler County
Surface Water Basins

0 3 6 Miles

Bald Eagle Nest Sites
Nest Activity 2008 (FL FWCC)
- active
- inactive
- unknown/unobserved

FlaglerCountyWatersheds
Flagler County
Mitigation Banks
Other Public Lands
Municipalities Points
Hydrography

1:81,421

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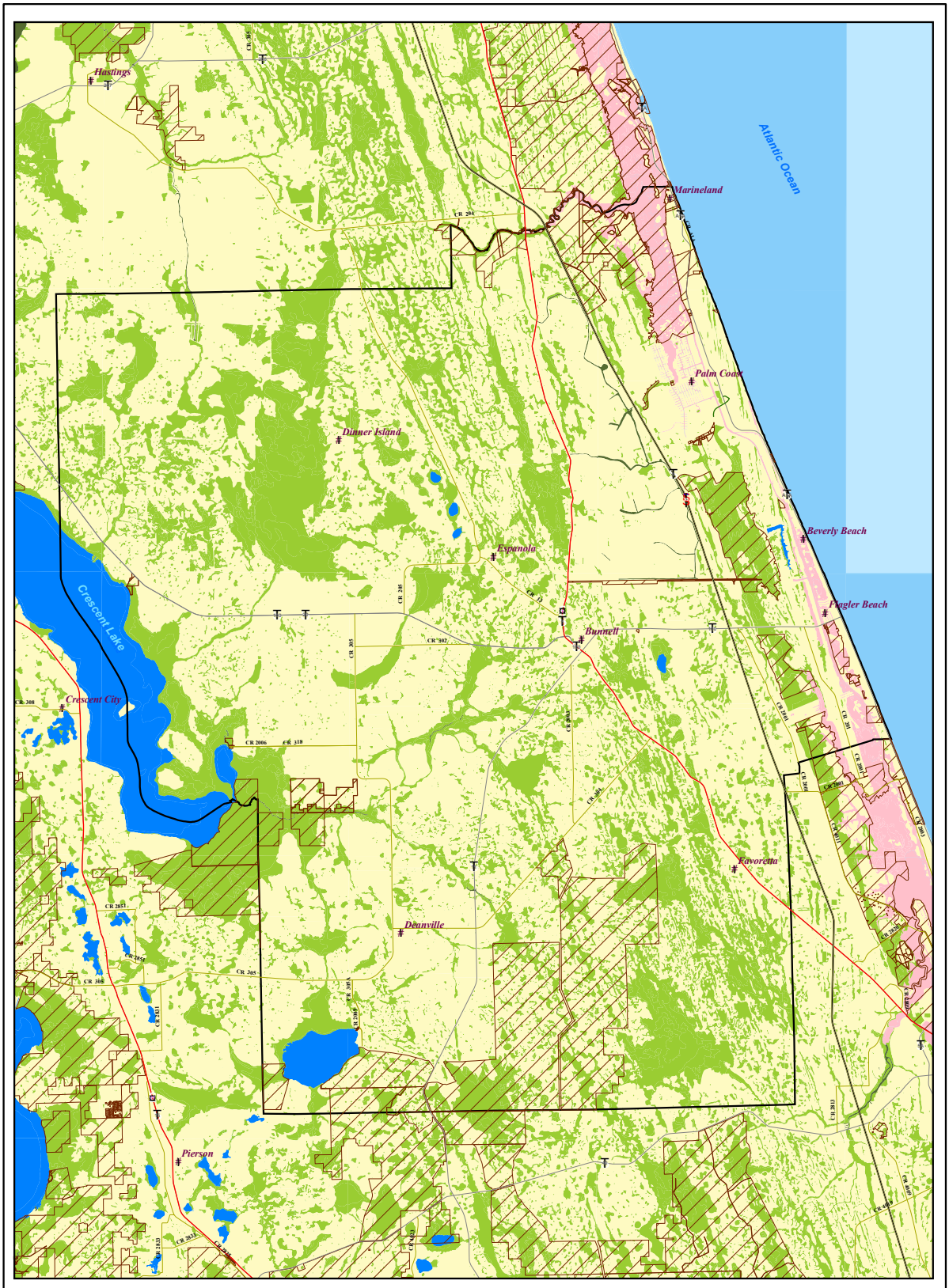

The St. Johns River Water Management District prepares and uses this information for its own purposes and this information may not be suitable for other purposes. This information is provided as is. Further documentation of this data can be obtained by contacting: St. Johns River Water Management District, Geographic Information Systems,Program Management, P.O.Box 1429, 4049 Reid Street Palatka, Florida 32178-1429 Tel: (386) 329-4176.

Flagler County

NWI Wetlands

0 3 6 Miles

Wetlands NWI
- Estuarine
- Lacustrine
- Marine
- Palustrine
- Riverine
- Uplands
- Flagler County
- Other Public Lands

K

1:86,977

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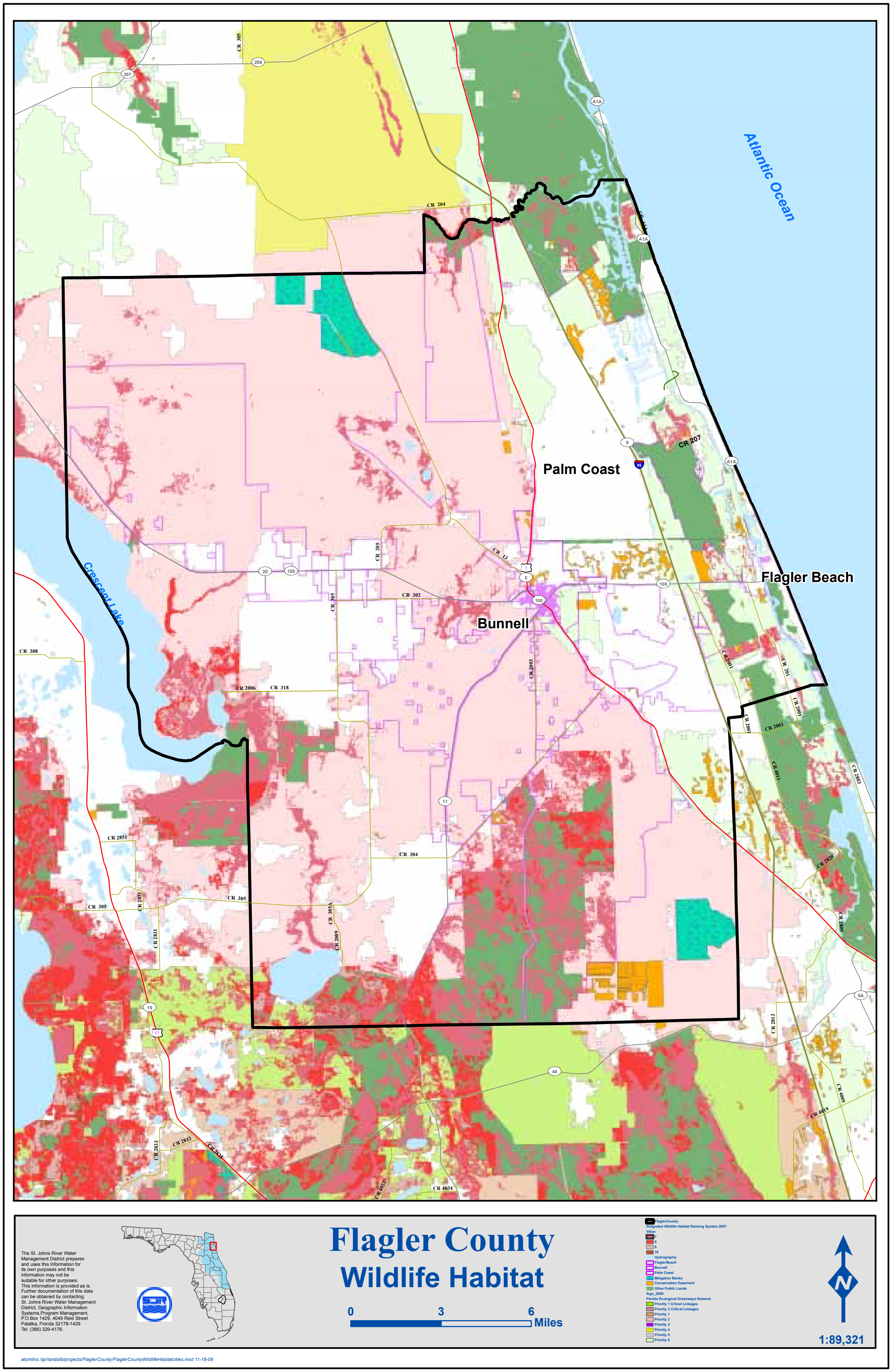

Atlantic Ocean
Crescent Lake
Palm Coast
Flagler Beach
Bunnell
CR 204
CR 207
CR 305
CR 302
CR 318
CR 2006
CR 304
CR 308
CR 2851
CR 2853
CR 2831
CR 2833
CR 2003
CR 2001
CR 201
CR 4011
CR 2803
CR 2820
CR 2809
CR 2813
CR 4009
CR 4019
CR 4034
CR 305A
CR 2009
CR 205
CR 13
A1A
Flagler County
Wildlife Habitat
0
3
6
Miles
1:89,321
FlaglerCounty
Integrated Wildlife Habitat Ranking System 2007
Value
7
8
9
10
Hydrography
FlaglerBeach
Bunnell
Palm Coast
Mitigation Banks
Conservation Easement
Other Public Lands
fegn_2008
Florida Ecological Greenways Network
Priority 1 Crtical Linkages
Priority 2 Critical Linkages
Priority 1
Priority 2
Priority 3
Priority 4
Priority 5
Priority 6
The St. Johns River Water Management District prepares and uses this Information for its own purposes and this information may not be suitable for other purposes. This information is provided as is. Further documentation of this data can be obtained by contacting: St. Johns River Water Management District, Geographic Information Systems,Program Management, P.O.Box 1429, 4049 Reid Street Palatka, Florida 32178-1429 Tel: (386) 329-4176.
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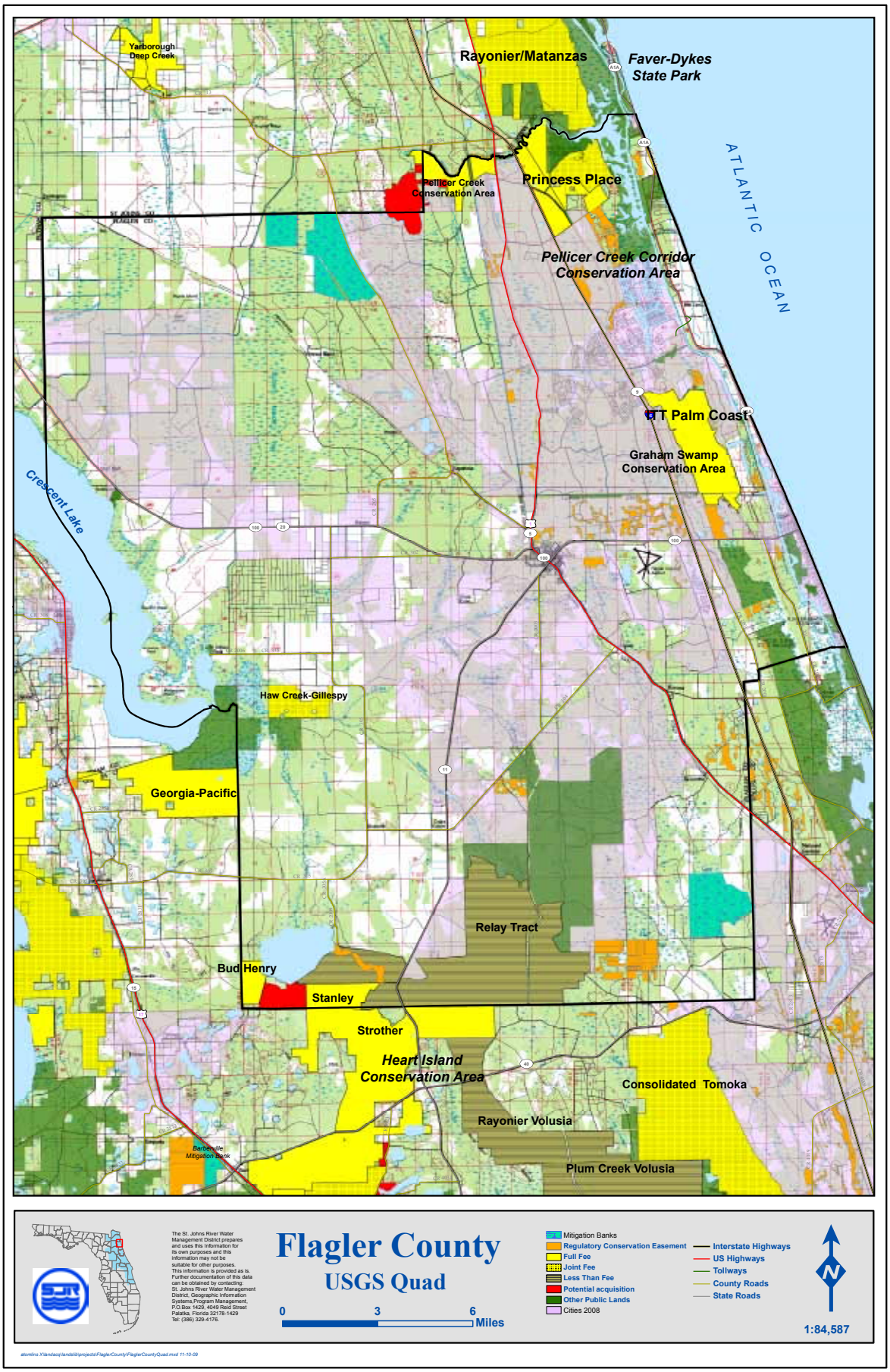
Yarborough Deep Creek
Rayonier/Matanzas
Faver-Dykes State Park
ATLANTIC OCEAN
Pellicer Creek Conservation Area
Princess Place
Pellicer Creek Corridor Conservation Area
Palm Coast
Graham Swamp Conservation Area
Crescent Lake
Haw Creek-Gillespy
Georgia-Pacific
Relay Tract
Bud Henry
Stanley
Strother
Heart Island Conservation Area
Consolidated Tomoka
Rayonier Volusia
Barberville Mitigation Bank
Plum Creek Volusia
Flagler County
USGS Quad
0 3 6 Miles
Mitigation Banks
Regulatory Conservation Easement
Full Fee
Joint Fee
Less Than Fee
Potential acquisition
Other Public Lands
Cities 2008
Interstate Highways
US Highways
Tollways
County Roads
State Roads
N
1:84,587
The St. Johns River Water Management District prepares and uses this information for its own purposes and this information may not be suitable for other purposes. This information is provided as is. Further documentation of this data can be obtained by contacting: St. Johns River Water Management District, Geographic Information Systems,Program Management, P.O.Box 1429, 4049 Reid Street Palatka, Florida 32178-1429 Tel: (386) 329-4176.
atomlins X:\landacq\lands\lib\projects\Flagler\County\FlaglerCountyQuad.mxd 11-10-09

APPENDIX SEVEN

COMPREHENSIVE PLAN FACILITIES TABLES

Beach Access Parks

Flagler County Comprehensive Plan Facilities Tables

Existing Preservation and Recreation Facilities: Acquisitions Supported by ESL Program

Name of Facility/ Site	Management Entity	Acreage & Location	Classification of Site	General Description	Operations & Management Activities
Princess Place Preserve	Flagler County	1,366 acres (ESL, WMD & P-2000 Funds) 137 Acres South of Pellicer Creek	Resource-Based Park, Utilitarian, Environmentally Sensitive Open Space and Special Facility	Historic Lodge, out buildings and barn, Education Center (Legacy Program), Island House (temporary use by Florida Agricultural Museum), Island Guest House , group camp site, primitive camp sites, picnic tables, barbecue grills, boat launch, hiking trails, tow caretaker residential facilities, parking	Open to public Wednesday to Sunday from 9 AM to 5 PM Available for special reservations through parks department. Primitive camping available with permit. Two caretakers (one for main park and the other for Island House). Management Activities include mowing, landscaping, land clearing, repairing and maintenance on an as needed basis (daily, weekly and monthly). Prescribed burning is also conducted.
Bings Landing Park	Flagler County	7 Acres West of A1A to ICW opposite Malacompra Road	Resource-Based Park and Special Facility	Boat Launch, fishing, docks, large picnic pavilion, barbecue grills, gazebo, restrooms, air-conditioned building with restrooms, playground equipment, historical site, one caretaker residential facility, parking	Building and pavilion available for special reservations through parks department. Caretakers providing security, improvements and public assistant. Management activities include custodial mowing, land clearing, repairing and maintenance on an as need basis (daily weekly and monthly)
Flagship Harbor now Betty Steflik Memorial Preserve	Flagler County	Phase I – 218 Acres Phase II – 105 Acres South of SR 100 between ICW & South Flagler Ave	Resource-Based Park, Utilitarian Open Space and Special Facility	Education/Picnic Pavilion with restrooms, barbecue grills, hiking trail, boardwalk, parking	Available (pavilion) for special reservations through Parks Dept. Management activities include mowing, landscaping, land clearing, repairing and maintenance on an as need basis (daily, weekly, monthly) City of Flagler Beach proves Police & fire services

-Continued on Next Page -

Existing Preservation and Recreation Facilities: Acquisitions Supported by ESL Program

Name of Facility/ Site	Management Entity	Acreage & Location	Classification of Site	General Description	Operations & Management Activities
Haw Creek Preserve	Flagler County	1,015 Acres (ESL & WMD Funds) South of CR 2006 between Dead Lake and CR 305	Resource-Based Park, Utilitarian and Environmentally Sensitive Open Space, Local Supplemental Park with Community Center and Special Facility	Boat Launch (at Russell Landing) picnic pavilions, barbecue grills, horse arena, hiking trails, Pellicer Community Center (meeting facility with restrooms), playground equipment, parking, mile long boardwalk	Pellicer Community Center available for reservations. Management activities include mowing, land clearing, repairing custodial and maintenance on an as need basis (daily, weekly, monthly). Prescribed burning and timber management activities are also conducted.
Lake Disston Boat Launch	Flagler County	2 Acres South of CR 305 & East of Lake Disston	Resource-Based Park and Special Facility only	Boat Launch,	Management activities include custodial mowing, land clearing, repairing and maintenance on an as need basis (daily weekly and monthly)
Washington Oaks State Gardens Addition	State of Florida	11 Acres (County & State Funds) Northeast Sector between A1A and Atlantic ocean	Resource-Based Park, Utilitarian and Environmentally Sensitive Open Space	Addition to Washington Oaks State Gardens ocean front park facilities	Managed by Department of Environmental Protection.
River to Sea Preserve at Marineland	Flagler County	90 Acres (P-2000 Funds	Resource-Based Park and Environmentally Sensitive Open Space	acquired property, management plan implementation in process, facilities include a building with restrooms, additional restrooms, utility buildings, parking and picnic areas, future trails	Management activities include land clearing, repairing and maintenance on an as need basis (daily, weekly and monthly).
	TOTAL ACREAGE	2951 ACRES			

Existing Preservation and Recreation Facilities: Other County Facilities

Name of Facility/ Site	Management Entity	Acreage & Location	Classification of Site	General Description	Operations & Management Activities
Bay Drive County Park	Flagler County	3 Acres East of A1A on Bay Drive adjacent to the Beach	Resource-Based Park and Special Facility (oceanfront Beach Access only)	No improvements: Oceanfront	None at this time
Malacompra Road Park	Flagler County	117 Acres East of A1A both sides of Malacompra Road adjacent to the beach. Five acres added in 2005.	Resource-Based Park, Utilitarian Open Space, Comprehensive County Park with Community Center and Special Facility	Oceanfront Area: dune walk over, restrooms; outdoor shower, hiking trail, parking; Hammock Community Center: Air conditioned building with restrooms, picnic pavilion; barbecue grill, playground equipment, basketball court, volleyball court, ball field, hiking trails, parking	Management activities include custodial mowing, lawn maintenance, repairing and improvements on an as need basis (daily, weekly and monthly)
Malacompra Plantation Greenway	Flagler County	309 Acres on A1A from Sea Colony to Vam Park	Greenway	No Improvements	None at this time
Beach Access Easement, portion of former Old Salt Rd. Park	Privately Owned	1.65 Acres 16th Road east of A1A	Resource-Based Park and Special Facility (oceanfront beach access only)	Parking Restrooms will be provided	County owned
Jungle Hut Road Park	Flagler County	2 Acres East of A1A on Jungle Hut Road adjacent to the beach	Resource-Based Park and Special Facility (oceanfront beach access only)	Restrooms, outdoor shower and dune walkovers, parking	Management activities include custodial mowing, lawn maintenance, repairing and improvements on an as need basis (daily, weekly and monthly).
Vam Park	Flagler County	6 Acres East of A1A south of Mariner's Drive adjacent to the Atlantic Ocean	Resource-Based Park and Special Facility (oceanfront beach access only)	Restrooms, outdoor shower, and dune walkovers, parking	Management activities include custodial mowing, lawn maintenance, repairing and improvements on as need basis (daily, weekly and monthly).
Moody Boat Launch	Flagler County	8 Acres South of SR 100 adjacent to Betty Steflik Preserve	Resource-Based Park and Special Facility	Boat launch, restrooms, picnic tables, barbecue grills, hiking trail, parking	Management activities include custodial mowing, lawn maintenance, repairs and improvements on an as need basis (daily, weekly and monthly). City of Flagler Beach provides police and fire services

-Continued on Next Page -

Existing Preservation and Recreation Facilities: Other County Facilities

Name of Facility/ Site	Management Entity	Acreage & Location	Classification of Site	General Description	Operations & Management Activities
Wadsworth Park	Flagler County	40 Acres North of SR 100 and west of ICW	Comprehensive County Park	Tennis courts, racquetball courts, basketball courts, volleyball court, horseshoe area, picnic pavilions, grills, play equipment, ball fields, soccer fields, boardwalk/nature trail, restrooms, parking	Pavilions available for reservations through parks department. Management activities include custodial mowing, field/lawn maintenance, repairing and improvements on an as need basis (daily, weekly, and monthly). City of Flagler Beach provides police and fire services.
Wadsworth Park Addition	Flagler County	14 Acres Land abuts easterly side of Wadsworth Park	Comprehensive County Park	No Improvements	None at this time.
Grand Haven North Park	City of Palm Coast	11.5 acres Northwest of ICW on North Colbert Lane	Resource-Based Park, Utilitarian Open Space and Special Facility	No Improvements	None at this time.
Palm Coast Community Center	City of Palm Coast	3 Acres North of Palm Coast Parkway East and east of Clubhouse Drive	Local Supplemental Park	Air-conditioned building with restrooms and offices; picnic tables, grills, basketball court, play equipment, parking	¾ rooms available for rental through Parks Department. Also houses PCSD Advisory Council Office (Secretary). Management activities include custodial, mowing, lawn maintenance, repairing and improvements on an as need basis (daily, weekly and monthly).

-Continued on Next Page -

Existing Preservation and Recreation Facilities: Other County Facilities

Name of Facility/ Site	Management Entity	Acreage & Location	Classification of Site	General Description	Operations & Management Activities
Palm Coast Community Park	City of Palm Coast	26.75 Acres North of Palm Coast Parkway. Between Florida Park Drive and Old Kings Road	Comprehensive County Park	Tennis courts, racquetball courts, basketball courts, volleyball court, shuffleboard courts, bocce ball courts, concrete bocce ball courts, horseshoe area, picnic pavilions, barbeque grills, large pavilion with restrooms, play equipment, ball fields, parking	Three pavilions available for reservations through the parks department. Management activities include custodial, mowing, lawn maintenance, repairing and improvements on an as need basis (daily, weekly and monthly).
Belle Terre Community Park	City of Palm Coast	11 Acres East of Belle Terre Parkway and south of Parkview Drive	Comprehensive County Park	Tennis courts, ball fields, track field, exercise equipment, play equipment, parking	Management activities include custodial, mowing, lawn maintenance, repairing and improvements on as need basis (daily, weekly and monthly)
Frieda Zamba Pool	City of Palm Coast	12 Acres East of Belle Terre Parkway and south of Parkview Drive	Special Facility	Pool with changing area and weight facilities, parking	Operated by Flagler County School Board/Adult Education
Flagler County Fair Grounds	Flagler County	25 Acres East of CR 13	Special Facility	Building with barbecue area (not air-conditioned); pavilion, arena with seating; restrooms, livestock buildings, large metal building, additional metal building, parking	Arena and pavilion available for reservations through the Parks Department. Management activities include custodial, mowing, lawn maintenance, new construction, repairing and improvements on an as need basis (daily, weekly and monthly).
Flagler County Recreation Area	Flagler County	25 Acres East of CR 13	Special Facility	Ball fields, restrooms, concession buildings, parking	Softball/baseball tournaments coordinated through the parks department. Management activities include custodial, mowing, lawn', field maintenance, repairing and improvements on an as need basis (daily, weekly and monthly).
Old Dixie Community Park	Flagler County	20 Acres South of Old Dixie Highway and west of I-95	Comprehensive County Park	No Improvements	None at this time.

-Continued on Next Page -

Existing Preservation and Recreation Facilities: Other County Facilities

Name of Facility/ Site	Management Entity	Acreage & Location	Classification of Site	General Description	Operations & Management Activities
Korona Playground	Flagler County	1 Acre Near Intersection of US1 and Old Dixie Highway	Neighborhood Park	Half Court basketball	Management activities include custodial mowing, own/field maintenance, repairing and improvements on an as need basis (daily, weekly and monthly).
Shell Bluff Launch	Flagler County	2 Acres On CR67, south of SR 100 and east of Crescent Lake	Resource –Based Park (Special facility only).	Boat Launch	Management activities include custodial , lawn maintenance on an as need basis (daily, weekly and monthly)
Hidden Trails Park	Flagler County	20 Acres West of CR 305 between Canal Avenue and Mahogany Avenue	Comprehensive County Park	Future improvements being planned for 10 acres: multipurpose field, sand volleyball court, basketball court, shuffleboard court, horseshoe pits, racquetball court, picnic areas, playground and an exercise/jogging trail	None at this time
Haw Creek Community Center	Flagler County	1 Acre on CR 304	Local Supplemental Park	Air-conditioned building with restrooms; picnic pavilion, grills, playground equipment, fenced basketball court	Available for special reservations through the parks department. Management activities include custodial, mowing, lawn maintenance, repairing and improvements on an as need basis (daily, weekly and monthly).
St. Johns Park Community Center	Flagler County	1 Acre East of CR 305 adjacent to CR 2006	Local Supplemental Park	Air-conditioned building with restrooms, half court basketball	Available for special reservations through the parks department. Management activities include custodial, mowing, lawn maintenance, repairing and improvements on an as need basis (daily, weekly and monthly).
Espanola Park	Flagler County	10 Acres South of CR 205 and west of CR 13	Neighborhood Park	Volleyball, basketball court, one ball field, play equipment, small pavilion with picnic tables and barbecue grills New restrooms planned	Management activities include custodial mowing, lawn maintenance, repairing and improvements on an as need basis (daily, weekly and monthly).

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Name of Facility/Site	Management Entity	Acreage and Location Classification of Site	Classification of Site	General Description	Operations and Management Activities
Lehigh Rail Trail	Flagler County	200 acres. From Colbert Lane to US1 north of SR 100.	Resource Based Park, Utilitarian and Special Facility	Hiking/ biking trail nine acres in length	Custodial mowing, repair and maintenance on an as needed basis (daily, weekly, and monthly).
Palm Coast Linear Park and Park Addition	City of Palm Coast	56 acres. Located between Palm Coast Parkway North and South East of Old Kings Road.	Resource Based Park, Utilitarian, Environmentally Sensitive Open Space and Special Facility	Hiking/ biking trail, playground and natural habitat	Custodial mowing, repair and maintenance on an as needed basis (daily, weekly, and monthly).
Shell Bluff	Flagler County	90 acres. Located off SR 100 on Crescent Lake.	Resource Based Park, Utilitarian, Environmentally Sensitive Open Space.	Boat launch, fishing and picnic facilities	Repair and maintenance on an as needed basis (daily, weekly, and monthly).
Mala Compra Oceanfront Addition	Flagler County	5 acres. Terminus of Mala Compra Road.	Resource Based Park, Environmentally Sensitive Open Space.	Beach access and picnic facilities.	Repair and maintenance on an as needed basis (daily, weekly, and monthly).
Mulberry Branch	City of Palm Coast	60 acres. Fulton and Furness	Environmentally Sensitive Open Space.	Environmental habitat and hiking trails.	Repair and maintenance on an as needed basis (daily, weekly, and monthly).
Bull Creek Fish Camp	Flagler County	28 acres. Located at western terminus of CR 2006 on Dead Lake.	Resource Based Park, Environmentally Sensitive Open Space.	R/V park facility.	Custodial, repair and maintenance on an as needed basis (daily, weekly, and monthly).
Public Lands “D”	Flagler County	1000+ acres. Located south of SR 100 and east of Old Kings Road.	Environmentally Sensitive Open Space and wildlife habitat.	Hiking trails and gopher tortoise relocation site.	Repair and maintenance on an as needed basis (daily, weekly, and monthly).
Longs Landing	City of Palm Coast	9 acres. Located north of Palm Harbor Parkway.	Environmentally Sensitive Open Space.	Wildlife habitat and archaeological site.	Repair and maintenance on an as needed basis (daily, weekly, and monthly).
Moody Homesite	Flagler County	3.5 acres. Briarwood Drive and SR 100.	Environmentally Sensitive Open Space.	Wildlife habitat and historic site.	Custodial mowing, repair and maintenance on an as needed basis (daily, weekly, and monthly).

Harbor Island	Flagler County	60 acres. South of Betty Steflik Park	Environmentally Sensitive Open Space.	Wildlife habitat.	Habitat management as needed.
Bay Drive Park Addition	Flagler County	13 acres. Eastern terminus of Bay Drive	Resource Based Park, Environmentally Sensitive Open Space.	Beach access and picnic facilities.	Repair and maintenance on an as needed basis (daily, weekly, and monthly).
Bings Landing Addition	Flagler County	2.5 acres. SR A1A.	Resource Based Park.	Intracoastal access and picnic facilities.	Custodial mowing, repair and maintenance on an as needed basis (daily, weekly, and monthly).
Bulow Park	Flagler County	97 acres. South of SR 100 east of Old Kings Road.	Resource Based Park, Environmentally Sensitive Open Space.	Addition to Public Lands D. Picnic facilities and access to Bulow Creek.	Custodial mowing, repair and maintenance on an as needed basis (daily, weekly, and monthly).

Existing Preservation and Recreation Facilities: Other County Facilities

Name of Facility/ Site	Management Entity	Acreage & Location	Classification of Site	General Description	Operations & Management Activities
Smoke Rise Playground	Flagler County	1 Acre Southeast corner of county boundary	Neighborhood Park	No Improvements	None at this time.
Graham Swamp/ Indian Mound	Flagler County	44 Acres West of Colbert Lane	Resource –Based Park, Utilitarian and Environmentally Sensitive Open Space	No Improvements	None at this time.
Carver Gym	Flagler County	3 Acres Southeast Bunnell, East of US 1	Special Facility	Gym with office and small classroom facilities, outdoor basketball court, play equipment, small pavilion with barbecue grill and picnic tables	Pavilion available for reservations through the parks department. Management activities include custodial, mowing lawn maintenance repairing, improvements and public assistance on an as need basis (daily, weekly and monthly).
Indian Trails Community Park (name is not official)	City of Palm Coast	28.7 Acres East of Belle Terre Parkway between Burroughs Drive and Bud Hollow Drive	Comprehensive County Park	Future Improvements being planned	None at this time.
Belle Terre Softball Complex (Name is not official)	City of Palm Coast	171.5 Acres West of Belle Terre Parkway south of Indian Trails K-8 School	Special Facility	Future use for Softball facility	None at this time.
Lehigh Woods Park (Name is not official)	City of Palm Coast	13 Acres East of Rhymfire Drive ½ mile north of Royal Palms Drive	Neighborhood Park	No Improvements	None at this time.
Cypress Knoll Park (name is not official)	City of Palm Coast	14.6 Acres East of Easthampton Boulevard and south of Eric Drive	Neighborhood Park	No Improvements	None at this time.

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Existing Preservation and Recreation Facilities: Other County Facilities

Name of Facility/ Site	Management Entity	Acreage & Location	Classification of Site	General Description	Operations & Management Activities
Belle Terre Soccer Complex (name is not official)	City of Palm Coast	34.85 Acres East of Belle Terre Parkway south of Royal Palm Parkway	Special Facility	Future use of soccer complex	None at this time.
Quail Hollow Park (name is not official)	City of Palm Coast	56 Acres East of Belle Terre Parkway south of Airport	Neighborhood Park	No Improvements.	None at this time.
Seminole Woods Park (name is not official)	City of Palm Coast	12.4 Acres East of Sesame Boulevard and south of Seward Trail West	Neighborhood Park	No Improvements.	None at this time.
TOTAL ACREAGE		602.3			

Existing Preservation and Recreation Facilities: City and State Parks

Name of Facility/ Site	Management Entity	Acreage & Location	Classification of Site	General Description	Operations & Management Activities
Bunnell City Park	City of Bunnell	3.6 Acres	Neighborhood Park	Large Picnic pavilion with restrooms, large grill, playground equipment, soccer field, baseball field, basketball court, volleyball court.	Managed by the City of Bunnell
Silver Lake Preserve	City of Flagler Beach	48 Acres	Resource-Based Park	No improvements at this time: Management plan provides for elevated boardwalk, canoe launch, picnic area	Managed by the City of Flagler Beach
Moody Wickline Park (Owned by County, 100 year lease to City)	City of Flagler Beach	1.8 Acres	Neighborhood Park; Special facility	Air-conditioned building with restrooms, gazebo, picnic shelter, basketball court, tennis courts, play equipment, volley ball court	Managed by the City of Flagler Beach
Veterans Park	City of Flagler Beach	1.1 Acres (200' by 250')	Open Space	Benches, water fountain	Managed by the City of Flagler Beach
Palm Drive Custer Park	City of Flagler Beach	28 Acres	Neighborhood Park	Play equipment, beaches	Managed by the City of Flagler Beach
Palmetto Avenue Park	City of Flagler Beach	.1 Acre (60' x 60')	Neighborhood Park	Play equipment	Managed by the City of Flagler Beach
Santa Maria Catholic Church Park (Owned by Church leased by City)	City of Flagler Beach	1.4 Acres	Neighborhood Park	Play equipment and ball field	Managed by the City of Flagler Beach
TOTAL ACREAGE		84			

Name of Facility/ Site	Management Entity	Acreage & Location	Classification of Site	General Description	Operations & Management Activities
Washington Oaks State Gardens	State of Florida	400 Acres (including 11 acre addition) Northeast Sector between A1A and ICW	Resource-Based Park, Utilitarian and Environmentally Sensitive Open Space	Visitor center, restrooms, picnicking, trails, gardens, dune walkover, parking	Management by Department of Environmental Protection.
Gamble Rogers Memorial Park	State of Florida	145 Acres Southeast Sector between A1A and ICW	Resource –Based Park, Utilitarian Open Space	Oceanfront camping, dune walkovers, boat launch, picnic pavilions, restrooms, parking	Managed by Department of Environmental Protection.
Bulow Ruins State Park	State of Florida	152 Acres Southeast Sector between Bulow Creek and Old Kings Road	Resource-Based Park, Utilitarian Open Space	Historical ruins, boat ramp, canoe rental, interpretative center, picnic pavilion, play equipment, nature trails and primitive campsite	Managed by Department of Environmental Protection
Haw Creek State Preserve	State of Florida	Approximately 1,000 Acres Southwest sector between Dead lake and CR 305	Resource-Based Park, Utilitarian and Environmentally Sensitive Open Space	No Improvements	Managed by Department of Environmental Protection
Relay Wildlife Management Area*	Private (The State of Florida manages the wildlife and the Fish and Wildlife Conservation Commission manages the land).	25,463 Acres South-central County, south of CR 304 between US 1 and SR 11	Utilitarian and Environmentally Sensitive Open Space	Primitive Campsites (during hunting season)	The State of Florida manages the wildlife and the Fish and Wildlife Conservation Commission manages the land.
Bulow Creek State Park	State of Florida	500 Acres in Flagler County 2,645 total acres (both counties) Southeast County between 1-95 and A1A	Utilitarian and Environmentally Sensitive Open Space	4 miles hiking trails	Managed by Department of Environmental Protection.
Graham Swamp	St. Johns River Water Management District / Flagler County	3,790 Acres North of SR 100 between Old Kings Road and Colbert Lane	Environmentally Sensitive Open Space	Approximately 2 miles of hiking trails, outside environmentally sensitive areas	Managed by the St. Johns River Water Management District.
Pellicer Creek Canoe Trail	State of Florida	4miles north of county line, from US 1 to Matanzas River	Corridor/ Greenway, Environmentally Sensitive Open Space (aquatic preserve)	Aquatic Preserve	Managed by Department of Environmental Protection.
TOTAL ACREAGE		5410			

APPENDIX EIGHT
ESL GUIDANCE DOCUMENT EXCERPTS

The following is a list of applicable Comprehensive Plan Policies that provide guidance for the development of program objectives:

Comprehensive Plan - Coastal Management Element

Policy 1.1.07: The priorities for environmental land acquisitions shall be ranked as follows:

1. Marine wetlands,
2. Coastal barrier property containing numerous vegetative communities and shoreline,
3. Shoreline locations with limited habitat diversity,
4. Coastal hammocks,
5. Any other native vegetative community.

Policy 11.3: Flagler County's environmentally sensitive lands shall include creek, stream or river banks, major drainage ways, beaches, shorelines, viable wetlands, floodplains, poor soil areas not suitable for development, wellhead protection areas, prime groundwater recharge areas, and natural systems that contribute to greenway corridors. The prime groundwater recharge areas are to be determined by the SJRWMD per Chapter 373.0395 (3) Florida Statutes.

Policy 4.7: Species of flora and fauna listed in the Conservation Element of the plan as endangered, threatened or species of special concern shall be protected through inclusion of their habitats in designated "Conservation Areas" and lands acquired through the County environmentally sensitive lands acquisition program.

Comprehensive Plan - Recreation and Open Space Element

Objective 2: Lands purchased through the Environmentally Sensitive Lands Program will protect, preserve or restore ecologically significant areas for environmental protection and resource-based recreation.

Policy 2-1: The County shall leverage the purchase of parks, open space and water access through the Environmentally Sensitive Lands Program by seeking grants which may be available for such purposes.

Policy 2-2: The County may consider a referendum to extend or expand the voter-approved millage for the Environmentally Sensitive Lands Program.

Policy 2-3: The County shall continue to explore enhancement opportunities for its Coastal Greenway and Flagler County Blueway in conjunction with State agencies.

Policy 2-4: Conservation corridors should be coordinated with Volusia, St. Johns and Putnam Counties.

Policy 2-5: The County shall provide educational opportunities related to leisure, health/safety, history and the environment including, inter alia, creating bird sanctuaries along the Intracoastal Waterway and spoil islands, provide nature trails to encourage flora and fauna identification and education on wildlife protection.

Linear Park

Policy 2-6: The County shall determine if lands purchased through the Environmentally Sensitive Lands Program are appropriate for the installation of stormwater facilities that will improve the quality of surface waters or alleviate current flooding problems occurring on land in close proximity. Such stormwater facilities shall be designed to provide wildlife habitat and/or open space in a park-like setting.

Policy 2-7: Land acquisitions should include nature, bike and/or equestrian trails that integrate into the Bicycle/Pedestrian Way Master Plan of the Transportation Element.

Policy 2-8: The development of resource-based parks shall include native vegetation.

Policy 2-9: The County, when participating in a public land acquisition of countywide significance, will serve as the managing entity either individually or in conjunction with other public agencies or non-profit organizations.

Policy 2-10: Acquisition of the Moody Homestead will ensure protection of specimen trees and as critical historic resource.

Objective 7: The County shall secure additional access points to open water shorelines.

Policy 7.1: Shoreline access will be provided through development of existing rights-of-way and easements, developer contributions and public land acquisitions.

Policy 7-2: The County shall improve existing, and/or construct new, fresh and salt water fishing piers.

Policy 7-3: The County shall supply ample beach access and public parking, maintain existing public access points and dune walkovers and provide public parks at waterfront locations such as Lake Disston, Crescent Lake, Dead Lake, and the Intracoastal Waterway.

Policy 7-4: The County shall provide canoe and kayak trails with access and landing areas in several locations including Bulow Creek, Bull Creek, Dead Lake, Crescent Lake, and the Matanzas River.

Policy 7-5: The County shall utilize park impact fees and the environmentally sensitive lands program to create, expand, or enhance Greenways, Ecological Corridors, or Recreational Trail Systems.

The following is a list of applicable program objectives from the former 1999 ESL Manual:

- Preserve wildlife habitats and protect the health and diversity of wildlife, especially threatened and endangered species of plants and animals;
- Promote improved water quality and preserve the Floridan aquifer and water recharge areas;
- Preserve environmentally sensitive lands, especially rare natural communities or wildlife habitats;
- Preserve cultural, historic, scenic and significant geologic features;
- Promote sustainable patterns of development that direct urban and suburban development away from environmentally sensitive or high hazard areas;
- Establish natural and recreational corridors throughout the county promoting wildlife migration, alternative transportation modes and fitness/exercise opportunities;
- Preserve green space in close proximity to development to provide refuge for residents, visitors and wildlife;
- Promote economic development through nature tourism; and
- Promote public use and enjoyment of and control access to acquired lands including public access to water bodies for recreation activities.

The following is a list of applicable ESL guidance from the 2008 ESL Ballot Measure and applicable referendum resolution text:

Subject to electoral approval by the citizens of Flagler County, the levy shall be on all taxable property at a fixed rate of 0.25 mills for twenty years to continue to acquire and improve land to protect drinking water sources, preserve wildlife habitat and environmentally sensitive lands, reduce the risk of wildfires, and to improve water quality of lakes, streams and the Intracoastal Waterway.

Applicable Resolution 2008-53 passages:

> "...to fund the acquisition of water resources and environmentally sensitive land for conservation and public use."
>
> "...continue to acquire and improve land to protect drinking water sources, preserve wildlife habitat and environmentally sensitive lands, reduce the risk of wildfires, and to improve water quality of lakes, streams and the Intracoastal Waterway."

"It is in the public interest that there is adequate funding made available for appropriate public access and proper stewardship through land management of all properties acquired under the program. To facilitate these goals, there shall be set aside an amount of up to ten percent (10%) of the purchase price for each new property acquisition for improvements to the acquired property. The improvements may include public access improvements, passive recreational site improvements, natural community restoration and habitat enhancement."

The following is a list of applicable ESL guidance from the Board of County Commissioners recently adopted 2009 Strategic Plan:

B. Effective Land Planning and Growth Management – Comprehensive Plan and Land Development Regulations

Goal B.1 Future development that is "smart-growth" oriented, low impact and "environmentally friendly".

Objective B.1.3: Place greater emphasis in the Environmentally Sensitive Lands Program on acquisition of lands that support smart growth objectives, consistent with the environmental purposes of the program.

C. Protecting the Environment, Preserving Our Natural Resources

Goal C.1 Intact functioning natural systems that contribute to the highest possible quality of life for Flagler residents.

Objective C.1.1: Continue the Environmentally Sensitive Lands Program and create a master County conservation plan that draws together in a single document the relevant components of the comprehensive plan, land development regulations, and Environmentally Sensitive Lands Program, including maps of existing public lands and lands targeted for acquisition. (The master conservation plan is intended as a tool to enhance integration and understanding of County environmental plans and policies, and facilitate access to information about them. It is not intended to be independent of the provisions of the comprehensive plan, land development regulations, or Environmentally Sensitive Lands Program.

The following is a general policy statement from the Board of County Commissioners:

The Development of Regional Impact (DRI) process provides a useful tool for inclusion of wildlife and habitat conservation objectives as the development of an area proceeds. In addition to addressing particular concerns regarding listed species, careful use of the DRI process can foster important wildlife conservation objectives such as maintaining or enhancing habitat connections, variety, shape and size.

APPENDIX NINE
REVIEW APPRAISER GUIDELINES

The certification shall be similar in content to the following:

I certify that, to the best of my knowledge and belief:

- The facts and data reported by the review appraiser and used in the review process are true and correct.
- The analysis, opinions, and conclusions in this review report are limited only by the assumptions and limiting conditions stated in this review report, and are my personal unbiased professional analyses, opinions, and conclusions.
- I have no (or the specific) present or prospective interest in the property that is the subject of this report and I have no personal interest or bias with respect to the parties involved.
- My compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in, or the use of, this review report.
- My analysis, opinions, and conclusions were developed and this review report was prepared in conformity with the Uniform Standards of Professional Appraisal Practice.
- I did (did not) personally inspect the subject property of the report under review.
- No one provided significant professional assistance to the person signing this review report. (If there are exceptions, the names of each individual providing significant professional assistance must be stated).
- The appraisal(s) reviewed are in substantial compliance with the contract terms and USPAP.

The review appraiser shall perform a review of each appraisal report for compliance with contract terms, appropriateness of appraisal technique, accurateness of calculations, adequacy of data, and communication of the appraiser's rationale and analysis in arriving at a supported opinion of value. The review appraiser may request additional data, corrections or reconsideration from the appraiser during field review. A field review shall include investigation of the market to determine if the appraiser has omitted any pertinent data from consideration.

The review appraiser shall personally inspect the property appraised and the pertinent comparable sales or other properties on which the appraiser placed major reliance in arriving at a value estimate. If an inspection did not take place, the appraiser shall provide an explanation acceptable to County staff. The review appraiser may also verify market data, confirm market opinions or assumptions by interviews, and gather other information pertinent to the appraisal. It is the review appraiser's duty to communicate with the appraiser(s) in an attempt to correct deficiencies, inaccuracies or to reconcile differences in appraisal techniques or premise between appraisal reports. The review appraiser shall in no way attempt to direct the value estimate in favor of any party. Although the review appraiser may verbally discuss review questions with the appraiser, all questions, comments, or requests for clarification shall be communicated to the appraiser in writing with a copy to Flagler County. The appraiser shall, upon request, provide a written response to all review questions, comments, or requests for consideration of factors bearing on value with a copy to Flagler County.

Hominy Branch Trail at Princess Place Preserve

APPENDIX TEN
ACQUISITION AGREEMENTS

Princess Place Preserve

INTERLOCAL AGREEMENT

THIS AGREEMENT, made and entered into this 11th day of November 2009, by and between the COUNTY COMMISSIONERS OF FLAGLER COUNTY, FLORIDA, a political subdivision of the State of Florida, hereinafter referred to as "County", having a mailing address of 1769 East Moody Boulevard, Suite 302, Bunnell, Florida 32110 and the ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, a public body existing under Chapter 373, Florida Statutes, hereinafter referred to as "District" and having a mailing address of Post Office Box 1429, Palatka, Florida 32178-1429.

WITNESSETH:

WHEREAS, the County has adopted a program for the purpose of preserving natural resources, wildlife and wilderness resources, and providing for environmental education and public recreational activities through acquisition of environmentally sensitive lands; and

WHEREAS, the District has the authority under Chapter 373, Florida Statutes to acquire the fee or other interest in lands necessary for water management, water supply, and the conservation and protection of water resources; and

WHEREAS, the County and the District, in recognition of the mutual preservation efforts and the responsibilities of the other, each desire to enter into this Agreement to establish a program for the joint acquisition and management of individual parcels of land lying within the geographical boundaries of Flagler County (the "Parcel" or "Parcels") that satisfy the missions of both agencies.

NOW, THEREFORE, the County and the District, for mutual consideration and covenants, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto, do hereby agree as follows:

1. PURPOSE, PARCEL IDENTIFICATION, AND NEGOTIATION STRATEGY: The purpose of this Agreement is to provide for the joint funding, acquisition and management of the Parcels located and situated in Flagler County, Florida and to proceed with the acquisition of any Parcels that may be appropriate and available for purchase. The County and the District shall jointly continue the investigation of the Parcels and related resource evaluation and agree upon Parcels to be subject to acquisition under this Agreement. Once a Parcel has been approved for acquisition by both parties, with each following

their normal approval processes, the District and County shall agree upon an acquisition and negotiation strategy ("Acquisition Strategy") to determine the appropriate party to take the lead in each phase of the acquisition process for that Parcel (the "Lead Agency"). The other party shall be the "Participating Agency" for each phase. The Acquisition Strategy shall also include a description of the manner in which the parcel will be funded, how title will be held by each party, and the general management plan for the parcel.

The District and County may utilize other parties in the Acquisition Strategy and may assign roles accordingly. The District and County also may jointly plan and pursue outside funding requests to increase resources for acquisition or management of Parcels.

The District and County acknowledge that the District did not receive Florida Forever monies for fiscal year 2009-2010, the primary source of funding for its acquisition program. Therefore, the District's opportunities to contribute funding for an acquisition may be limited until such time as the Florida Forever program is re-established.

2. APPRAISALS: The Lead Agency shall secure the appraisals of the appropriate interest in the Parcel in accordance with mutually acceptable appraisal standards and appraiser selection process. Prior to the presentation to the Seller of any offers to purchase, and subject to applicable laws governing appraisals for acquisition of lands, the Lead Agency shall provide the Participating Agency with the appraisal for review and approval. If either party finds the appraisals unacceptable, the parties will determine the necessary action to resolve the objection (the "Objection"). Title, Environmental and Survey Objections shall all be handled in the same manner as Appraisal Objections as set forth in Paragraph 4 (e) below.

3. LAND ACQUISITION AND HOLDING OF TITLE: The Lead Agency will proceed with the acquisition of the Parcel in accordance with the Acquisition Strategy, approved by both District and County. Following approval of appraisals, the Lead Agency will proceed with negotiating an Agreement of Purchase and Sale of the Property or an Option Agreement (hereinafter collectively "Purchase Agreement"). At closing, the District and County will purchase from the Seller of the Parcel, the appropriate interest in the Parcel acquired under this Agreement pursuant to a Closing Statement for each Parcel. The distribution of the purchase price, acquisition related costs and proportionate share of interest held by the parties in the Parcel shall be in accordance with the Acquisition Strategy described in Paragraph 1 above.

4. TITLE INSURANCE, ENVIRONMENTAL ASSESSMENT AND SURVEY: Following execution of a Purchase Agreement and prior to the closing of the Parcel, the designated Lead Agency will obtain a title commitment for an owner's title insurance policy, an environmental assessment (hereinafter

"Assessment"), and signed and sealed boundary surveys in accordance with District and County approved standards and procedures. In the event the Purchase Agreement for the Parcel calls for the title commitment/policy, Assessment or survey to be prepared by the Seller, said Purchase Agreement shall require such to be prepared in accordance with District and County approved standards. The same review and Objection process by District and County will proceed in the same manner as if the title commitment/policy, environmental assessment or survey were obtained by the Lead Agency.

(a) A copy of the title commitment for each Parcel will be provided to each party for review. The District and the County shall review the title commitment and any endorsement(s) thereto and notify each other of any unacceptable encumbrances and determine necessary action to resolve the Objection.

(b) An Assessment for each Parcel will be obtained by the designated Lead Agency and will be prepared by a contractor acceptable to both parties. A copy of the Assessment report will be supplied to both parties. The District and County shall review the Assessment and subsequent investigation(s) and notify each other of any unacceptable findings and/or conditions that will require additional research and/or remediation, and determine necessary action to resolve the Objection.

(c) The designated Lead Agency shall obtain a boundary survey and legal description of the Parcel prepared by a licensed Florida Surveyor, prepared in accordance with procedures approved by both parties, showing the legal boundaries of the Property. The District and County shall review the survey and legal descriptions and notify the other party of any unacceptable encroachments and/or survey defects, and determine necessary action to resolve the objection. The requirement to obtain a survey may be waived upon mutual agreement by both parties.

(d) At any time, the Lead Agency may request the Participating Agency to undertake the obtaining of appraisals, title information, environmental assessment, or survey, and at the sole discretion of the Participating Agency, the Participating Agency may undertake such assignment.

(e) If any appraisal, title, environmental, or survey Objection cannot be resolved by the County, District, or Seller to the reasonable satisfaction of both the District and County prior to closing, either shall have the option not to participate in the acquisition of the Parcel by providing notice of non-participation to the other party, and the non-participating party shall thereafter be relieved of any further responsibility under this Agreement for that particular Parcel.

(f) Payment by the District and County of their respective shares of the purchase price at closing shall be conclusive evidence of acceptance of all closing related matters by both parties.

5. FUNDING: The Lead Agency shall notify the Participating Agency of the closing date for the purchase of each Parcel. Subject to completion of the requirements set forth above and approval by both parties of the closing documents and closing statement, the Lead Agency and the Participating Agency shall pay to the Closing Agent their respective purchase prices for the appropriate interests in the Parcel as set forth in the Acquisition Strategy. All pre-acquisition costs for appraisal, and closing costs attributable to the Buyer under the Purchase Agreement for each parcel, shall be shared by the District and County proportionate to their respective level of participation in the purchase price, unless otherwise agreed.

6. CONTINGENCY FOR COUNTY/DISTRICT APPROVAL: This Agreement and the Purchase Agreement(s) to be entered into by the parties shall be subject to the approval of the Governing Board of the District and the Board of County Commissioners of Flagler County through their own approval process as determined by each. If such approval does not occur, then neither party is obligated to purchase the Parcel and the parties are relieved from all further obligations under this Agreement. This approval contingency and funding participation contingency by both parties shall be set forth in the Purchase Agreement for each Parcel acquisition.

7. USE AND MANAGEMENT OF THE PROPERTY: The proposed Lead Managing Agency and future allowable uses for each Parcel shall be designated as part of the Acquisition Strategy. Allowable recreational activities shall be limited to passive public recreation such as wildlife viewing, hiking, horseback riding, bicycling, primitive camping, fishing, canoeing, boating and hunting. Recreational activities beyond those previously listed will be addressed in the Acquisition Strategy by mutual agreement of both parties. Acceptable management activities on the Parcel shall include fire management (including establishment of firelines), invasive plant management, forest management, and mechanical restoration activities such as mowing and chopping. Within one year of closing, a management plan shall be prepared for the Parcel by the Lead Managing Agency.

8. TECHNICAL ASSISTANCE: As a demonstration of mutual support and in recognition of mutual conservation goals, the District hereby agrees to assist the County with mapping and land analysis needs related to resource identification and potential land acquisitions. The County may hereby make request to the District's Division Director of the Land Acquisition Division or the

Department Director of the Department of Operations and Land Resources for such services. The level of assistance will be determined by the Division Director or Department Director.

9. NOTICES: Any and all notices, requests or other communications hereunder shall be in writing and shall be deemed delivered or received: i) on the date of delivery if transmitted by hand delivery with receipt therefore; or ii) on the date upon which the return receipt is signed or delivery is refused or non-deliverable, if sent by certified mail/return receipt requested; or iii) on the next business day, if mailed by any form of overnight mail service, to the following:

To the County: Flagler County
Board of County Commissioners
1769 E. Moody Blvd. Suite 302
Bunnell, Fl 32110
Attention: County Administrator

To the Director: St. Johns River Water Management District
Post Office Box 1429
Palatka, Florida 32178-1429
Attention: Director, Department of Operations
& Land Resources

10. ENTIRE AGREEMENT: This Agreement constitutes the entire agreement of the parties, and there are no understandings dealing with the subject matter of this Agreement other than those contained herein. This Agreement may not be modified, changed or amended, except in writing signed by the parties hereto.

11. NON-WAIVER OF REGULATORY POWERS: Nothing contained in this Agreement shall be construed as a waiver of or contract with respect to the regulatory and permitting authority of the District or the County as they now or hereafter exist under applicable laws, rules and regulations.

12. NON-WAIVER OF SOVEREIGN IMMUNITY: Nothing contained in this Agreement or in any instruments executed pursuant to the terms of this Agreement shall be construed as a waiver or attempted waiver by the District or the County of their sovereign immunity under the constitution and laws of the State of Florida; provided, however, that this paragraph shall not be construed as an attempt by the District or County to negate any partial waiver of sovereign immunity made by the Legislature under the provisions of The Tort Claims Act, Section 768.28, Florida Statutes or any future statute or Act adopted by the Florida Legislature.

13. GOVERNING LAW: This Agreement shall be construed and interpreted according to the laws of the State of Florida.

14. EFFECTIVE DATE: For all purposes of this Agreement, the Effective Date hereof shall mean the date when the last of the County or the District has executed the same, and that date shall be inserted at the top of the first page hereof.

SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement to become effective as of the date and year first above written.

FLAGLER COUNTY, FLORIDA

By: Milissa Holland
Milissa Holland, Chair

Date: 9-23-09

ATTEST:

Lisa Bell, D.C.
Gail Wadsworth, Clerk and
Ex Officio Clerk to the Board

APPROVED AS TO FORM:

Albert J. Hadeed, County Attorney

ATTEST:

W.H. Congdon
William H. Congdon, Esq.
Deputy General Counsel

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT

By: Kirby B. Green III
KIRBY B. GREEN III
EXECUTIVE DIRECTOR

Date: November 11, 2009

Approved: St. Johns River Water Management District:

William R. Abrams, Office of General Counsel

ACQUISITION AGREEMENT

FLAGER COUNTY BLUEWAY FLORIDA FOREVER PROJECT
FLAGLER COUNTY

THIS AGREEMENT is entered into under the provisions of Rule 18-1.014, Fla. Admin. Code, by and between FLAGLER COUNTY, a political subdivision of the State of Florida, the Division of State Lands ("DSL") of the Florida Department of Environmental Protection ("DEP") as agent for the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida ("Trustees"), as follows:

1. **Parcels.** DSL shall negotiate the acquisition of the parcels described on Exhibit "A" (the "Parcels") in accordance with the provisions of this Agreement. The Parcels are located within the Flagler County Blueway Project (the "Project"). The terms "Parcel" or "Parcels" as used herein shall mean and refer to those parcels described on Exhibit "A", as amended from time to time.

2. **Project funding.** The Project is ranked on the Florida Forever A list and is eligible for negotiation under the DSL land acquisition workplan as a ranked project.

3. **Pre-acquisition requirements.**

a. Appraisal mapping. DSL shall be responsible for providing, at its cost, an appraisal map suitable for use in preparing appraisals in compliance with the procedures and requirements set forth in section 259.041, Fla. Stat., and Rule 18-1.006, Fla. Admin. Code.

b. Appraisals. DSL will acquire at its cost such number of appraisals (including timber cruises as appropriate) as are required under the provisions of section 259.041, Fla. Stat., and Rule 18-1.006, Fla. Admin. Code. All appraisals shall be prepared according to the requirements of section 259.041, Fla. Stat., Rule 18-1.006, Fla. Admin. Code, and the Bureau of Appraisal's Supplemental Appraisal Standards. The appraisers shall be directed to provide copies of the appraisals to Flagler County when copies are delivered to DSL. DSL, or its contract review appraiser, will review appraisals obtained pursuant to this Agreement in accordance with all DSL standards and requirements. No Parcel is eligible for negotiation provided for herein until the appraisal reports are approved by DSL.

c. Confidentiality: Pursuant to Sections 259.041(7)(e) and 259.041(8)(c), F.S. and Chapter 18-1, F.A.C., County, for itself, its agents and its employees, warrants that it will maintain the c confidentiality of all appraisals, offers and counteroffers and other negotiation matters until an option agreement is executed, or if no option is executed, two weeks before a contract or agreement for purchase is considered for approval by the County or Trustees. County may disclose such confidential information only to the individuals who sign the confidentiality agreement, made part of this Agreement as Exhibit "B". Requests to add persons to the disclosure list must be made in writing and County must receive the written consent of DSL. All confidentiality requirements outlined above shall apply to individuals added to the list.

County understands and agrees that all documents, papers, letters, maps and other materials (collectively "records") specifically relating to the acquisition of a Parcel will become public record when an option agreement is executed, or if no option is executed, two weeks before a contract or agreement for purchase is considered for approval by the Trustees and at that time all records of the County relating to the acquisition shall become public record and shall be subject to public access in the same manner as are other public records pursuant to the provisions of Chapter 119, F.S. In addition to other remedies under law, this Agreement may be terminated by DSL if County fails to allow public access to any such records pursuant to Chapter 119, F.S.

However, notwithstanding the confidentiality requirement of section 259.041(7)(e), F.S., DSL or County may release an appraisal report when DSL has determined that the passage of time has rendered the conclusions of value in an appraisal report invalid. Prior to releasing an appraisal report, DSL shall provide written notice to County that DSL will release an appraisal report and DSL shall obtain the consent of County, which shall not be unreasonably withheld, prior to the release of any appraisal report.

4. **Negotiations.** The parties agree that DSL will take the lead in negotiating for the acquisition of the Parcels using a negotiation strategy created by DSL. All contracts or option agreements to acquire the Parcels will be on DSL forms and approved by DSL. The contract or option agreement will name the Trustees as purchaser, and Flagler County agrees to join in the execution of all contracts and option agreements evidencing its agreement to pay a share of the purchase price and closing costs. In the event Flagler County locates a Parcel of interest, Flagler County agrees to notify DSL staff of potential purchase.

5. **Participation.** The Trustee's share of the purchase price is 50% and Flagler County's share of the purchase price is 50%.

6. **Interest to be acquired.** Title to all Parcels acquired under the provisions of this Agreement shall be held solely by the Trustees.

7. **Closing costs.** Flagler County and DSL agree that DSL will obtain the environmental site assessment, survey, and title services (including title searches and examinations, title insurance commitment and policies, and the title agent's closing services) for the closing of any Parcel covered under this Agreement. The survey shall be certified to both the Board of Trustees and Flagler County as well as the title agent and title insurance underwriter. Copies of the survey, environmental site assessment and title services work shall be provided to Flagler County for review. The Trustee's share of the costs for the environmental site assessment, survey, and title services (collectively, "closing costs") will be 50% and Flagler County's share of the closing costs is 50%.

8. **Contacts.** Whenever either party desires or is required to give notice to the other, notice must be given in writing and either delivered personally, transmitted via facsimile transmission, mailed postage prepaid, or sent by overnight courier to the following address or to such other address as is designated by the party:

As to DSL:
Jason Garner
Bureau of Land Acquisition
Department of Environmental Protection
3900 Commonwealth Blvd., MS 115
Tallahassee, FL 32399
(850) 245-2669
(850) 245-2718 -fax
E-mail: Jason.garner@dep.state.fl.us

As to Flagler County:
Tim Telfer
Flagler County
Environmental Planner III
1200 E. Moody Blvd. #2
Bunnell, Florida 32110
(386) 437-7484 ext. 244
(386) 437-7488 -fax
E-mail: ttelfer@fcbcc.org

9. **Applicable Laws.** All conveyances to the Trustees will be subject to all applicable laws, rules and policies in effect at the time, and to the approval of the Trustees. Any duty of the Trustees to perform under the provisions of this Agreement is contingent on an annual appropriation therefor by the Florida Legislature.

10. **Termination.** This Agreement may be terminated by either party giving 30-days' prior written notice to the other party.

11. **Special Conditions.** DSL and Flagler County understand and agree that due to the current status of the availability of funds, neither DSL nor Flagler County is able to commit to when funds may be available to purchase the Parcels. DSL and Flagler County understand and agree that neither party shall have recourse whatsoever for the other's failure to acquire the Parcels due to the status of the ranking of the Parcels or the availability of funds. DSL will inform Flagler County of negotiations and offers. DSL agrees to allow Flagler County the option to withdraw its commitment under the provisions of this agreement before an option agreement with the seller is executed.

DONE AND AGREED the day and year indicated below.

FLAGER COUNTY, a political subdivision of the State of Florida

Attest: _____

BY: 2.20.07 _____
James Darby, Chairman

Date: _____

_____
Witness

_____
Witness

Approved as to Form and Legality:

By: _____

Date: 2/9/07

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA

BY DIVISION OF STATE LANDS OF THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Witness

Witness

BY: Deborah Poppell

NAME: Deborah Poppell

TITLE: Acting Director

DATE: 4/24/07

Approved as to Form and Legality

BY: William C. Robinson

DATE: 4-20-07