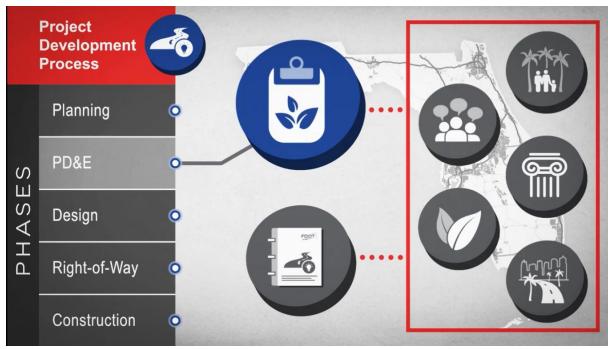


Environmental Training for Florida Turnpike Enterprise

Acquisition and Restoration Council (ARC) Coordination







The environmental review, consultation, and other actions required by applicable federal environmental laws described in this training are carried out by FDOT pursuant to 23 U.S.C. § 327 and a Memorandum of Understanding dated December 14, 2016, executed by FHWA and FDOT.



NEW Part 2, Chapter 23 of the PD&E Manual



Topic No. 650-000-001
Project Development and Environment Manual
Acquisition and Restoration Council (ARC) Coordinatio

Effective: July 1, 2020

PART 2 CHAPTER 23

ACQUISITION AND RESTORATION COUNCIL (ARC) COORDINATION

TABLE OF CONTENTS

23.1 OVERVIEW23-1						
23.1.1 Programs, Statutes, and Policies23-2						
23.1.1.1 Land Acquisition Funds23-2						
23.1.1.2 Specific Programs23-2						
23.1.1.3 Statutory Authority23-3						
23.1.1.4 Policies						
23.2 PROCEDURE	j					
23.2.1 Identification of State-Owned Conservation Lands and Applicability23-6						
23.2.2 Coordination						
23.2.2.1 Coordination Between FDOT and the Land Management Agency23-6						
23.2.2.2 Coordination between FDOT, Land Management Agency, and Bureau						
of Public Lands Administration23-7						
23.2.2.3 District Coordinates with OEM Director23-8						
23.2.2.4 Mitigation23-8						
23.2.3 Upland Easement Application, ARC Agenda Item Package and						
Memorandum of Agreement23-8						
23.2.3.1 ARC Agenda Item Package						
23.2.3.1.1 Upland Easement Application						

Acquisition and Restoration Council (ARC) Coordination

Table of Contents





State-owned Upland Conservation Lands

- Projects requiring the use of state-owned upland conservation lands which are managed for:
 - Conservation
 - Outdoor resource-based recreation, or
 - Archaeological or historic preservation
- Lands held by the Board of Trustees of the Internal Improvement Trust Fund, or Board of Trustees
- The Acquisition and Restoration Council (ARC)
 - Administratively supported by the Florida Department of Environmental Protection (FDEP)
 - Administers the review and approval of management plans and land uses for all state-owned conservation lands
 - Oversees the process of review of acquisition interests
 - Recommends approvals to the BOT
 - Acts on FDOT's applications for easements on these lands

Acquisition and Restoration Council Responsibilities

The Acquisition and Restoration Council (ARC) is a 10-member group with representatives from four state agencies, four appointees of the Governor, one appointee by the Fish and Wildlife Conservation Commission, and one appointee by the Commissioner of Agriculture and Consumer Services. ARC has responsibility for the evaluation, selection and ranking of state land acquisition projects on the Florida Forever priority list, as well as the review of management plans and land uses for all state-owned conservation lands.





Policies and Applicability

- Land Acquisition Funds, Specific Programs, and Statutory Authority
- Policies established by the TIITF
 - Policy for Incompatible Use of Natural Resource Lands
 - Use of Natural Resource Lands by Linear Facilities As Approved by The Board of Trustees of the Internal Improvement Trust Fund on January 23, 1996
- Identify the applicability and potential use of state-owned conservation lands
 - Area of Interest Tool- EST
 - Coordination
 - Land Management Agency or
 - ◆ FDEP Bureau of Public Lands Administration

23.1.1.3 Statutory Authority

- Section 253.001, F.S., reaffirms the BOT's existence and its duty to hold lands in trust for the use and benefit of the people of the state pursuant to the Florida Constitution.
- Section 253.02, F.S., establishes a board of four trustees, consisting of the Governor, the Attorney General, the Chief Financial Officer, and the Commissioner of Agriculture, to manage the lands and administer the funds associated with the sale and management of the lands. This statute authorizes the BOT to grant easements on state-owned conservation lands for electric transmission and distribution facilities, and to set up a provision for fee simple title exchange to manage impacts. This statute was the basis for BOT developing its policy for all linear facilities, which includes transportation projects.
- Section 259.035, F.S., created the ARC, an entity that maintains review and advisory authority over lands designated as conservation land and/or land acquired under the land acquisition programs described above. The ARC is



Coordination

- Explains Coordination
 - Between FDOT and Land Management Agency
 - Between FDOT, Land Management Agency, and Bureau of Public Lands Administration
 - Coordination with the OEM Director
 - Includes mitigation

COORDINATION BETWEEN FOOT AND STATE LAND MANAGEMENT AGENCY

District contacts Land Management Agency to go through process of avoidance, minimization, and mitigation to achieve "net positive benefit" to state-owned conservation land. District notifies Central Office of this involvement. Once that process is finalized, Land Management Agency issues official letter to FDOT outlining the above steps to achieve "net positive benefit" to State Conservation Lands.

COORDINATION BETWEEN FDOT, STATE LAND MANAGEMENT AGENCY, AND BUREAU OF PUBLIC LANDS ADMINISTRATION

District and Land Management Agency coordinate with Bureau of Public Lands Administration. Public Lands Administration requests Upland Easement Application and supplemental information to support ARC Agenda Item Package.

DISTRICT COORDINATES WITH OEM DIRECTOR

District coordinates with OEM Director notifying of impact to state-owned conservation lands and need for ARC Agenda Item Package with Upland Easement Application.





ARC Agenda Item Package and ARC Meeting

- Explains preparation of:
 - ARC Agenda Item Package
 - Upland Easement Application
 - Supplemental Information for the Upland Easement Application
 - State Lands Impact Report
- Process of scheduling ARC Meeting Agenda Item
- ARC review of the ARC Agenda Item Package
- ARC determination and development of an MOA
- Signing of MOA and FDEP preparation of easement document for FDOT approval
- Other applicable laws and regulations



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

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION









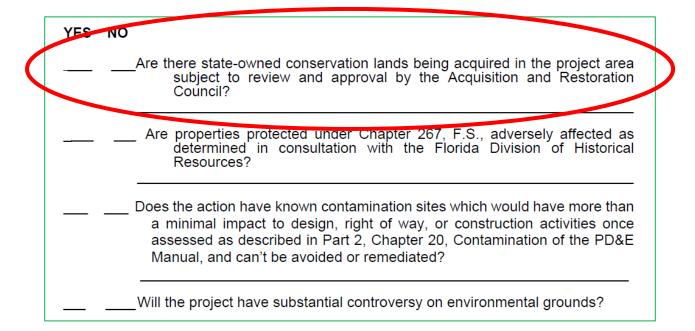






Documentation in a NMSA Checklist

- Identifies if there are state-owned conservation lands being acquired in the project area that are subject to review and approval by the ARC
- Includes a summary of impacts and coordination (as appropriate) and includes correspondence in the project file
- Final decisions by the Council and MOA if applicable, are referenced and included in the project file







Documentation in a State Environmental Impact Report Form

- Recreational Areas and Protected Lands subsection
 - Summary of the identification of and impact to state-owned conservation land
 - Discussion of the ARC review process
- Correspondence in the SWEPT project file

• If final decisions by the ARC are made and the MOA is completed at finalization of the SEIR, they

should be attached

2.	ENVIRONMENTAL ANALYSIS						
	Issues/Resources	*Sı Yes		tial Impa Enhand	acts? e Nolnv	**Supporting Information	
	A. SOCIAL and ECONOM	ИС					
	 Social Economic Land Use Changes Mobility Aesthetic Effects Relocation Potential 	[] [] [] []	[] [] [] []	[] [] [] []	[] [] [] [] []		
	B. CULTURAL 1. Historic Sites/Districts	r 1	r 1	r 1	r 1		
_	Archaeological Sites Recreational Areas and	[]	-	+			
	Protected Lands	[]	[]	[]	[]		





See Figure 23-1

IDENTIFICATION OF STATE CONSERVATION LAND & List of potential state-owned DETERMINATION OF IMPACT conservation lands affected. District identifies state-owned conservation land (program funds under Land Management Agency, EEL, LATF, CARL, P-2000, Florida Forever Act, etc.) and Land Origin of Purchase (i.e., does it Management Agency. District determines if there is an impact to these qualify for ARC review?) COORDINATION BETWEEN FOOT AND STATE LAND MANAGEMENT District contacts Land Management Agency to go through process of Quantified Impacts, Effect avoidance, minimization, and mitigation to achieve "net positive benefit" to Determination, Documented state-owned conservation land. District notifies Central Office of this Coordination, Letter from Land involvement. Once that process is finalized, Land Management Agency Management Agency to FDOT issues official letter to FDOT outlining the above steps to achieve "net positive benefit* to State Conservation Lands. COORDINATION BETWEEN FOOT, STATE LAND MANAGEMENT AGENCY, AND BUREAU OF PUBLIC LANDS ADMINISTRATION District and Land Management Agency coordinate with Bureau of Public Documented coordination. Lands Administration. Public Lands Administration requests Upland _____ Easement Application and supplemental information to support ARC Agenda Item Package. DISTRICT COORDINATES WITH OEM DIRECTOR District coordinates with OEM Director notifying of impact to state-owned Documented coordination. conservation lands and need for ARC Agenda Item Package with Upland Easement Application. DISTRCIT SUBMITS UPLAND EASEMENT APPLICATION District submits Upland Easement Application with supplemental Upland Easement Application, information from the Land Management Agency, and State Lands Impact State Lands Impact Report (if Report (SLIR) (as needed) to Bureau of Public Lands Administration for needed). review. 1_____ SCHEDULING ARC MEETING AGENDA ITEM ARC Agenda Item Package The Bureau of Public Lands Administration assembles and submits ARC submittal to ARC Staff Director. Agenda Item Package to the ARC Staff Director. ARC REVIEW OF ARC AGENDA ITEM PACKAGE _____ ARC Staff Director schedules the agenda for the next available ARC ARC review of ARC Agenda meeting for review and concurrence with proposed impact to state-owned Item Package. conservation lands. ARC DETERMINES WHETHER FDOT EASEMENT REQUEST IS CONSISTENT WITH BOT LINEAR FACILITIES POLICY, DISTRICT



FDOT presents to ARC who makes Linear Facilities Policy Determination,

as needed additional coordination takes place between FDOT District, the

Land Management Agency and Bureau of Public Lands Administration

obtain agency approvals of a Memorandum of Agreement (MOA) which

PREPARES MOA (if needed)

outlines the mitigation.

Agencies sign MOA if needed. Mitigation commitments are adhered to as part of the final MOA. Bureau of Public Lands Administration prepares Easement document and submits it to FDOT for review and signature. FDOT signs and records easement document with Clerk of Courts. Signed MOA (if applicable); Bureau of Public Lands prepares easement document; FDOT approval/recordation of easement document with Clerk of Courts.

FDOT presents to ARC; ARC

makes determination/Draft

MOA.

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Questions?

