



FLORIDA DEPARTMENT OF Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, FL 32399

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

June 27, 2019

Loretta Cranmer, Environmental Services Director
Gulf Power Company
15430 Endeavor Drive
Jupiter Florida, 33478

Dear Ms. Cranmer:

The Florida Department of Environmental Protection, Division of Recreation and Parks (DRP), is issuing our managing agency review letter based on completion of our review of Gulf Power Company's (GRANTEE) request to utilize a certain portion of Torreya State Park (Park), Lease No. 3645, and Tallahassee-St. Marks Historic Railroad State Trail (Trail), Lease No. 4015. This letter replaces my letter dated May 3, 2019, to incorporate your requested revisions to this project.

After reviewing your request, DRP finds the proposed activity does not have any known adverse impacts on the resources of the Park or Trail. DRP has determined that it has no objection to the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (GRANTOR) issuing an easement to Gulf Power Company to install and operate a new transmission line within the boundaries of the Park and Trail, provided that the GRANTEE agrees to employ best management practices, including complying with the following special conditions:

1. By issuance of this easement, GRANTOR acknowledges that GRANTEE has fully satisfied GRANTEE'S "Additional Compensation" obligation to provide in-kind goods and/or services to the respective managers of Torreya State Park and Tallahassee St. Marks Historic Railroad State Trail (Park Managers) in the amount of \$_____, in accordance with the GRANTOR'S Linear Facilities Policy dated January 23, 1996.

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2. GRANTEE shall contact the Florida Department of State, Division of Historical Resources (DHR), at (850) 245-6333 to determine if a certified archaeological monitor is required to be on-site during any ground-disturbing activities. Further, GRANTEE shall provide written confirmation to the Park Managers that the aforementioned determination of DHR has been obtained. Should such a monitor be required to be on site, GRANTEE shall provide one at GRANTEE'S sole cost and expense.
3. GRANTEE shall pay maintenance, repair, and/or replacement costs for any adverse impacts the proposed activities may have on the park resources, facilities, infrastructure or other improvements should DRP determine such impacts are a result of GRANTEE'S actions pertaining to this easement. Further, GRANTEE acknowledges and agrees that any repair or replacement work shall not count toward its satisfaction of Additional Compensation as described in condition 1. above.
4. GRANTEE shall coordinate all scheduled maintenance activities with the Park Managers, or his/her designees, and obtain his/her prior approval. At the discretion of the Park Managers, or his/her designees, such coordination may require an on-site meeting. In the event of any emergency repairs or maintenance activities, GRANTEE shall inform the Park Managers, or his/her designees, of such emergency within an hour of addressing the emergency.
5. GRANTEE acknowledges and understands that prescribed burning is a land management practice used by the Division of Recreation and Parks to effectively manage natural resources at the Parks. Prescribed burning may result in fire or smoke within or surrounding the easement area. GRANTEE assumes all responsibility for ensuring that the GRANTEE'S improvements within the easement area are designed, constructed, operated and maintained in a manner compatible

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with prescribed burning practices at the Park and Trail. GRANTEE agrees to cooperate fully with the Park Managers, or his/her designees, to ensure that the design, maintenance, and use of the area doesn't prevent or adversely affect the Park Managers', or his/her designees', ability to conduct periodic prescribed fires in the Park, Trail, and/or within the easement area. This includes, but may not be limited to, all measures necessary to maximize safety such as not interfering with posted smoke signage, traffic control, and possible temporary closure of easement area to pedestrian and vehicular traffic. The Park Managers, or his/her designees, will notify the GRANTEE prior to any prescribed fire activity on or near the area and limit all temporary closures to the minimum duration possible for public safety.

6. GRANTEE understands and agrees that it shall avoid placement of any utility poles in the trail bed corridor as related to Tallahassee St. Marks Historic Railroad State Trail.

Sincerely,



Diane Martin, Planning Manager
Office of Park Planning

DM/gd

cc: Steven Cutshaw
Warren Poplin
Benjamin Faure
Robert Steele
Jason Vickey
Brad Richardson
Dr. Michael Harrington