

RESOLUTION NO. 2020-01

A RESOLUTION OF THE 2020 ORANGE COUNTY CHARTER REVIEW COMMISSION DECLARING OPPOSITION TO ANY ACTION BY THE ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING CENTRAL FLORIDA EXPRESSWAY AUTHORITY ROUTING THE EASTERN EXPRESSWAY EXTENSION THROUGH SPLIT OAK FOREST WILDLIFE AND ENVIRONMENTAL AREA PRIOR TO THE OUTCOME OF THE 2020 GENERAL ELECTION; PROVIDING FOR DELIVERY TO MEMBERS OF THE ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Split Oak Forest Wildlife and Environmental Area (SOFWEA) is a 25-year old community conservation park east of SR 15/Narcoossee Road, between Lake Hart, Lake Mary Jane and the Osceola County line, immediately west of Orange County's Moss Park and adjacent to Back to Nature Wildlife Refuge; and

WHEREAS, SOFWEA is a community conservation park created to protect vital habitat for the Gopher Tortoises and is currently also serving as a mitigation bank to offset wetlands, uplands, and endangered species impacts from both private and public entities including the Orange County Convention Center; and

WHEREAS, a total of 1049.26 acres of the entire SOFWEA property are in Orange County and 639.74 acres in Osceola County; and

WHEREAS, SOFWEA has a rich variety of habitats that support a diversity of plant and animal species, is a designated Orange County Green PLACE site and is part of the Priority 1 Kissimmee-St Johns-Ocala Critical Linkage as identified by the University of Florida Geo Plan Center and the Florida Wildlife Corridor, connected to four other Orange County Parks: Eagle's Roost, Moss Park, Crosby Island Marsh Preserve, and Isle of Pine Preserve; and

WHEREAS, SOFWEA is a part of the Florida National Scenic Trail and has a marked trail system and is used for recreation by hikers, nature observers and photographers; and

WHEREAS, prescribed fire is the primary management tool for the area and Florida Fish and Wildlife Conservation Commission (FWC) has put a great deal of effort and public money into properly managing SOFWEA's fire-dependent ecosystems and previous populations of invasive species; and

WHEREAS, SOFWEA has hydrological importance given its confluence with adjacent and nearby lakes and the area also conserves important watershed and water quality attributes; and

WHEREAS, SOFWEA is a recipient site for over 100 Gopher Tortoises and several of the past and proposed Gopher Tortoise relocation areas would be impacted by the construction of the currently proposed route of the Osceola Parkway Extension; and

WHEREAS, any proposed Central Florida Expressway Eastern Extension proposed route would permanently alter and degrade the entirety of SOFWEA and would negatively impact existing threatened and endangered species, including Gopher Tortoise, Florida Scrub-Jay, Eastern Indigo Snake, Giant Orchid, Yellow Butterwort, Many-Flowered Grass Pink, Garberia, Florida Joint tail grass, and Byssus Skipper populations; and

WHEREAS, it is the intention of Orange County that the entirety of SOFWEA remain in public ownership as conservation land and an Orange County Green Place open for passive recreation; and

WHEREAS, Orange County entered jointly with Osceola County into a Grant Award Agreement on March 29, 1994 to create SOFWEA and committed hold these lands in conservation for perpetuity; and

WHEREAS, Orange County would be required to consent to the alteration or destruction of any portion of SOFWEA; and

WHEREAS, Article X, Section 18 of the Florida Constitution specifies that land held by any entity of the state for conservation purposes may not be disposed of unless it is no longer needed for conservation purposes; and

WHEREAS, the Florida Fish and Wildlife Conservation Commission has determined that all portions of SOFWEA “remain integral to the continued conservation of important fish and wildlife resources;” and

WHEREAS, a major highway through SOFWEA would destroy the important function this community conservation park was designed to provide; and

WHEREAS, the 2020 Orange County Charter Review Commission has received substantial input from Orange County residents pointing to clear popular support for establishing stronger protections for SOFWEA; and

WHEREAS, after careful consideration, the 2020 CRC Split Oak subcommittee has recommended the inclusion of an amendment to the Orange County charter to strengthen and expand existing protections for SOFWEA, giving Orange County voters the possibility to express themselves about SOFWEA in the upcoming 2020 General election.

NOW, THEREFORE, BE IT RESOLVED BY THE 2020 CHARTER REVIEW COMMISSION OF ORANGE COUNTY, FLORIDA:

Section 1. Recitals.

The recitals set forth above are hereby adopted as the findings of the 2020 Orange County Charter Review Commission.

Section 2. Statement of Opposition.

The 2020 Orange County Charter Review Commission opposes the Orange County Board of County Commissioners taking any action on location of an expressway through any portion of the Split Oak Forest Wildlife and Environmental Area prior to the outcome of the popular vote on the Split Oak Charter Amendment at the general election, November 3, 2020.

Section 3. Directions to Clerk.

The Clerk of the 2020 Orange County Charter Review Commission is hereby directed to provide a copy of this resolution to each member of the Orange County Board of County Commissioners.

Section 4. Effective Date.

This resolution shall take effect immediately upon its adoption.

THIS RESOLUTION WAS ADOPTED after motion, second and majority vote favoring the same, this ____ day of February, 2020.

**2020 ORANGE COUNTY CHARTER REVIEW
COMMISSION**

By: _____
Camille Evans, Chair