

RESOLUTION
June 14, 2018
Board of Directors, Timucuan Parks Foundation Inc.

Whereas, a developer has proposed the State of Florida allow the construction of one thousand four hundred homes on four hundred acres within the boundary of the Julington-Durbin Creek Preserve, a State-designated conservation area;

And whereas, the developer has optioned four hundred acres of environmentally sensitive land on Black Hammock Island within the Timucuan Ecological and Historic Preserve, a National Park Service boundary;

And whereas, the developer is proposing to swap or substitute the Black Hammock Island property for publicly owned property within the Julington-Durbin Creek Preserve so it can be converted into private use;

And whereas, the developer has proposed building \$1.4 million of public recreational park amenities on state-owned land within the Julington-Durbin Creek Preserve, including a dog park, a playground, a paved parking lot, a picnic pavilion, restrooms, an overlook and a canoe/kayak takeout;

And whereas, the developer proposes a \$100 annual fee be assessed on each of the one thousand four hundred homes to pay for the maintenance and upkeep of the park amenities;

And whereas, the Julington-Durbin Creeks peninsula had been considered a critically important parcel essential for conservation through multiple iterations of Florida's land acquisition programs, including CARL, P2000 and Florida Forever;

And whereas, the acquisition of the peninsula in 2001 by a three- agency partnership of the State, the St. Johns River Water Management District and the City of Jacksonville was called the most important and significant conservation effort in the city's history;

And whereas, the purchase was part of the city's Preservation Project and that a city Growth Management Task Force unanimously supported protecting Preservation Projects in perpetuity;

And whereas, the Jacksonville City Council has designated the Julington Creek/ Durbin Creek Peninsula a special management area in the city's Comprehensive Plan;

Therefore, the Board has determined:

1. The proposal to surplus four hundred acres of environmentally sensitive land within the Julington-Durbin Creek Preserve does not meet the state test that the property is no longer needed for conservation and therefore is not eligible to be converted into private property for the exclusive use and enjoyment of one thousand four hundred homeowners.

2. The proposal to swap four hundred acres of environmentally sensitive land on Black Hammock Island fails the public access criteria established in the city's Preservation Project Jacksonville program given the city's current population distribution. However, given the location of the Black Hammock Island tract within the National Park Service boundary and within the state-designated Nassau River - St. Johns River Marshes Aquatic Preserve and within the state Pumpkin Hill Creek Florida Forever boundary, the Board urges the state, the district, and the city to acquire the property to meet the water quality protection criteria established by the Preservation Project.
3. The swap proposal also fails the state test that the substituted property is of equal or greater conservation value because it is impossible to compare and value a sandhill, mesic flatwood, floodplain ecosystem within the Julington-Durbin Creek Preserve with a maritime hammock found on Black Hammock Island.
4. Many of the proposed park amenities, while attractive, cannot be constructed on state conservation lands.
5. The placement of one thousand four hundred homes within the Julington-Durbin Creek Preserve boundary would damage the district's ecological restoration that has been under way for nearly 17 years. In addition, the presence of private residences within the Preserve would impair future restoration efforts, particularly those that require prescribed burning, potentially leaving the property in a worse condition than when it was acquired. The residences would also threaten listed flora and fauna that have returned because of the restoration.
6. The one thousand four hundred homes planned for the peninsula is the same number of homes that were planned in the original Bartram Park Development of Regional Impact in 1999. The removal of those homes (and two golf courses) from the original plan not only met the water quality component of the Preservation Project but the growth management criteria as well.

Finally, the Board also has determined that during its nearly 20-year existence, it can find no instance in which the state has allowed conservation land to be declared surplus for the exclusive benefit of a private developer to build new residences. The Board also feels that such an action sets not only a dangerous precedent locally but potentially statewide.

Therefore, the Board respectfully asks and encourages:

- That the governing board of the St. Johns River Water Management District find that the Julington-Durbin Creek Preserve is still needed and essential for conservation and that the proposal to designate 403 acres should be denied, notwithstanding the offer to replace it with other conservation lands;
- That the state Acquisition and Restoration Council, in accordance with its statutory obligations, recommend against the surplus of any of the lands within Julington-Durbin Creek Preserve;
- That the Governor and Cabinet, acting as the Trustees of the Internal Improvement Trust Fund, find that the entire Julington-Durbin Creek Preserve is still needed for conservation and should not be declared surplus, notwithstanding a proposal to substitute other conservation lands.

In addition, the Board respectfully asks:

- That the Division of State Lands and the Acquisition and Restoration Council thoroughly review the Pumpkin Hill Florida Forever Project in detail during its annual evaluation and elevate the Black Hammock Island tract's priority in its ranking to the Trustees;
- That the city, the state and the district in partnership with nonprofit organizations acquire the Black Hammock Island tract as an effort to protect water quality in Pumpkin Hill Creek and protect Jacksonville's barrier islands;
- That the Jacksonville City Council consider amending the City Charter to create a Registry of Protected Properties that would apply to any conservation or preservation properties in which the City has a direct, tangential or fiduciary interest or responsibility. Protected properties would be nominated and placed on the registry by ordinance. Once placed on the Registry, any proposed change to the property's use (i.e. conservation to private development) would require a public referendum.

The Registry could also be expanded to include historical or cultural properties owned by the city, or any historical and cultural properties to which the city has made a substantial financial contribution.

In the case of Preservation Project properties, the Board notes that the majority of Preservation Project Jacksonville funding – \$50 million of the city's total \$71 million – came as a result of voter approval of the Better Jacksonville Plan referendum.

The Board also notes that in preserves in which the city contributed but holds no property title interest and are listed in the proposed registry, a referendum would be required but would only be advisory and not binding. Properties in this category could include:

- The Pablo Creek headwaters;
- The trail corridor connecting the Baldwin Rail Trail to Cary State Forest;
- The Cary State Forest expansion;
- The more than 9,000 acres of marshes and islands within the Timucuan Ecological and Historic Preserve currently owned by The Nature Conservancy;
- Fort Caroline National Memorial (dock improvements);
- Kingsley Plantation (dock improvements);
- Ribault Club (restoration);
- Isolated properties within the Pumpkin Hill Creek Preserve State Park;
- Cedar Point (boat ramp improvements);
- Various tracts along a proposed trail corridor on Black Hammock Island in which title is held by the National Park Service but was acquired by the city.

Further, the Board recognizes former Mayor John Delaney for creating the Preservation Project Jacksonville, the Jacksonville City Council for its support and oversight, and the Duval Legislative Delegation for its assistance in providing funding.

In addition, the Board also commends the Preservation Project Jacksonville partners, including the National Park Service, Florida State Parks, St. Johns River Water Management District, JEA, FEMA, the federal Department of Housing and Urban Development, the federal Department of Interior Land and Water Conservation Fund, Florida Department of Environmental Protection Division of State Lands, Florida Communities Trust, Florida Office of Greenways and Trails, Florida Division of Forestry, Florida Fish and Wildlife Conservation Commission, Florida Inland Navigation District, and the University of North Florida for their contributions and assistance.

The Board also recognizes the critically important contributions from its nonprofit partners, including the Public Trust Environmental Legal Institute of Florida, The Trust for Public Land, The Nature Conservancy, North Florida Land Trust, River Branch Foundation, Turner Foundation, and Jacksonville Historical Society.

And finally, the Board notes that more than \$200 million was spent on the Preservation Project, which means for every \$1 spent by the city, \$2 was received from other sources.

Timucuan Parks Foundation Board

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