

Administration

1769 E. Moody Blvd, Bldg 2
Bunnell, FL 32110



www.flaglercounty.gov

Phone: (386) 313-4001

November 25, 2024

Melanie Orozco, FCCM
Florida Communities Trust
Division of State Lands
Florida Department of Environmental Protection
Via Email: Melanie.Orozco@FloridaDEP.gov

RE: River To Sea Preserve

Dear Ms. Orozco:

I write on behalf of Flagler County and the Town of Marineland, after a meeting of our respective staff, in response to your inquiries and notice of non-compliance dated November 6 and 13, 2024. Your concerns centered around two main issues, the Town and County's intentions regarding several concrete slabs previously intended for the foundations of cottages and the use of the Preserve by a private concessionaire.

First as to the slabs, the County attempted to procure a contractor to remove them, but the bids came in at too high of a cost. The County will do the work inhouse. We are aware of the gopher tortoises near the slabs, and we are contracting with a consultant, Mr. Jody Sisk, to relocate the tortoises. To be clear, the County and Town are familiar with the rules related to gopher tortoises, and we were not planning to do any demolition or removal of the slabs until the tortoises are relocated. There are no further plans to develop the site currently.

There is one matter you raised which we do not understand and respectfully request additional information so that we can properly respond. You stated that there is a sand company adjacent to the Preserve dumping sand and water into the gopher tortoise holes. We are not aware of a sand company near the Preserve nor any dumping. Flagler County received tremendous rainfall during the recent Hurricane Milton, and portions of the Preserve flooded, but again, we are not aware of the dumping of sand or water onto the tortoise holes or the Preserve generally. However, we were informed that a contractor, Biometrics, was performing rehabilitation of the spray field on behalf of JDI Marineland post Hurricane Milton. This is the only activity that we were able to identify in close proximity to Preserve.

As to the concessionaire, we apologize for not providing FCT the proper notice, this was clearly an oversight on our part and came to us through an emergency relocation to accommodate their move from the JDI Marineland Property. Not by way of excuse but

Andy Dance
District 1

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District 4

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to explain, the County's key staff member for managing public lands moved on to other work, and we overlooked the requirement to notify and obtain approval from FCT prior to commencing operations. The concessionaire had previously operated near the Preserve and provided valuable services to guests of the Preserve. The relocation effort was supported by the Town as well as GTMNERR staff due to their previous stewardship of the area and the high value of support that they provide to the community. We do want to point out that the concessionaire was not provided a lease or any interest in the land, but only a temporary license to operate. A copy of the Temporary Use Agreement is provided herewith as you requested.

Candidly, we had hoped to competitively bid out a lease for a concessionaire early next year as we believe it would be a great amenity for visitors, and we would like to gather your input in forming the scope of that solicitation. The County has replaced its Land Management Director with Mr. Erick Revuelta, who comes to us with a wealth of knowledge and experience with land management. Both the Town and County will review the Preserve's Management Plan with an eye to any updates that may be necessary or appropriate.

We again apologize for this situation and wish to be in complete compliance with the grant requirements. We trust the plan of action outlined herein addresses your concerns, and we look forward to a continued partnership with FCT. Please direct any follow up correspondence to myself at hpetito@flaglercounty.gov and to Janis Fleet, Planner for the Town, at janis@townofmarineland.org.

Sincerely,



Heidi Petito
County Administrator

CC: Dennis Bayer, Esq. Counsel for Town of Marineland

Enc.