

AGENDA
BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
AUGUST 6, 2013

Attachments to the items below can be viewed at the following link:
http://www.dep.state.fl.us/secretary/cab/public_notices.htm

Item 1 Minutes

Submittal of the Board of Trustees' Minutes from the June 4, 2013 and June 25, 2013 Cabinet Meetings.

VOTING REQUIREMENT FOR APPROVAL: Two members, one of whom is the Governor, when four members are voting; or any two members, when three members are voting.

(See Attachment 1 at http://www.dep.state.fl.us/secretary/cab/public_notices.htm)

RECOMMEND APPROVAL

Item 2 University of South Florida Use Agreement/Arthur G. Dozier School for Boys

REQUEST: Consideration of a request by the University of South Florida for a one-year upland use agreement to access state-owned property on the campus of the former Arthur G. Dozier School for Boys in Marianna, Florida.

VOTING REQUIREMENT FOR APPROVAL: Three votes

COUNTY: Jackson

APPLICANT: University of South Florida (USF)

LOCATION: Arthur G. Dozier School for Boys (Dozier School)
Sections 05 through 08, Township 04 North, Range 10 West

STAFF REMARKS: USF has requested approval from the Board of Trustees to access state-owned property at the Dozier School for the purpose of continuing to locate and also excavate unmarked human burials on the Dozier School property (Property) and to identify any human remains so that those remains may be returned to their families. This approval, which will be in the form of a use agreement, shall not be construed to conflict with the existing Temporary Restraining Order entered into the circuit court of the Second Judicial circuit by the Honorable John Cooper whose order requires the State to provide USF access to the South Campus of the Dozier School for the purpose of locating the remains of Thomas J. Varnadoe, Jr. The use agreement also shall not be construed to conflict with the existing archeological 1A-32 permit issued to USF by the Florida Department of State, Bureau of Historical Resources, pursuant to chapter 267, F.S., which authorizes the Ground Penetrating Radar and surface excavation of the Property. USF's existing 1A-32 permit expires on January 9, 2014, and USF will be responsible for maintaining and keeping current all permits and any other authorizations required by law. This use agreement does not alter or affect any of the parties' obligations to comply with applicable laws.

Item 2, cont.

History

The former Department of Health and Rehabilitative Services (HRS) deeded the Property to the Board of Trustees in 1971 pursuant to legislative mandate. In 1974, the Board of Trustees subsequently leased the Property to HRS under Lease No. 2771. Over the years, Lease No. 2771 has been divided into several leases with other state agencies and local government. The use agreement will authorize access onto a portion of the Property, specifically the areas within the following leases: (1) all of Lease No. 2771, except the southernmost parcel, with the Department of Juvenile Justice (DJJ); (2) Lease No. 4114 with DJJ; and (3) that portion of Lease No. 3447 with Prison Rehabilitative Industries and Diversified Enterprises, Inc. (PRIDE) located north of Highway 276. All affected land managers have provided written letters of no objection. Exhibit "A" to the use agreement will specifically identify the areas authorized.

In October 2011, USF requested permission to access the Historic Boot Hill Cemetery to conduct archaeological research, and the Department of Environmental Protection's (DEP) Division of State Lands (DSL), as agent for the Board of Trustees, executed a letter of no objection to USF in December 2011 granting access to this area until June 30, 2012. In July 2012, USF requested an extension of permission to access the Boot Hill Cemetery, requesting additional access for the adjacent south campus area. DSL granted an extension in August 2012 giving USF approval for access onto the Boot Hill Cemetery area only until December 1, 2012.

This use agreement shall serve as the Board of Trustees' authorization, subject to all other provisions of law, to continue the plan of operation for documentation, excavation and analysis of the human remains at the Property, further identified in Exhibit "A" to the use agreement, as funded and approved by the 2013 Florida Legislature in the proposal submitted by USF dated January 7, 2012 (attached as Exhibit "B" to the use agreement).

Comprehensive Plan

A consideration of the status of the local government comprehensive plan was not made for this item. DEP has determined that the proposed action is not subject to the local government planning process.

RECOMMEND APPROVAL