

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

**Meeting Date:** December 4, 2007  Consent  Regular  
 Ordinance  Public Hearing

**Department**

**Submitted By:** Environmental Resources Management  
**Submitted For:** Environmental Resources Management

**I. EXECUTIVE BRIEF****Motion and Title: Staff recommends motion to:**

**A) approve** Modification No. 2 to Cooperative Agreement No. 1448-40181-02-J-053 (R2002-2180) with the U.S. Department of Interior, Fish and Wildlife Service (USFWS) extending the Agreement to September 1, 2008;

**B) approve** Budget Amendment in the Capital Outlay Fund for \$224,000 to recognize \$24,000 from the USFWS Cooperative Agreement No. 1448-40181-02-J-053, and a \$200,000 transfer from the Natural Areas Fund for the Juno Dunes Natural Area project account for hydrological restoration;

**C) approve** Budget Transfer in the Natural Areas Fund of \$200,000 from Reserves to the Capital Outlay Fund; and

**D) authorize** the County Administrator, or his designee, to sign all future time extensions, task assignments, certifications, and other forms associated with the Cooperative Agreement, and necessary minor amendments that do not change the scope of work or terms and conditions of the Cooperative Agreement.

**Summary:** Cooperative Agreement No.1448-40181-02-J-053 (R2002-2180) with the USFWS, providing a grant award of \$24,000 for the environmental and hydrological restoration of freshwater and tidal wetlands at Juno Dunes Natural Area effective September 1, 2002 through September 1, 2007, was approved by the BCC on December 3, 2002. Modification No. 2 to the Agreement extends the period to September 1, 2008. These budget documents will recognize the re-establishment of \$24,000 funding from the USFWS and \$200,000 from the Natural Areas Fund to provide \$24,000 matching funds for the Agreement and \$176,000 to provide for surveys, construction, planning, permitting and management activities. District 1 (SF)

**Background and Justification:** Cooperative Agreement No. 1448-40181-02-J-053 provides funding for hydrological restoration of wetlands at the Juno Dunes Natural Area. The Management Plan describes restoration of historic hydro period and prevention of saltwater intrusion into the site's basin marsh and mesic flatwoods communities by plugging and filling selected portions of the mosquito ditch system. Removal of sediments impeding tidal exchange is also proposed to restore tidal mangrove habitat. The \$24,000 grant funding authorized by the Cooperative Agreement will partially fund the construction (vegetation removal, excavation, filling, grading) costs of the project. Other County costs associated with the project include providing for surveys, design, permitting, construction, and project management. Modification No. 2 requires Board approval for the one (1) year extension.

**Attachments:**

1. Modification No. 2 to Cooperative Agreement No. 1448-40181-02-J-053
2. Cooperative Agreement No.1448-40181-02-J-053 (R2002-2180)
3. Budget Amendment Capital Outlay Fund (3900)
4. Budget Transfer Natural Areas Fund (1226)

**Recommended by:**

*[Signature]*  
 Department Director

11/9/07  
 Date

**Approved by:**

*[Signature]*  
 County Administrator

11/9/07  
 Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	\$224,000	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	< \$ 24,000 >	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	\$ _____	_____	_____	_____	_____
 NET FISCAL IMPACT	 \$ 200,000	_____	_____	_____	_____
 # ADDITIONAL FTE POSITIONS (Cumulative)	 0	_____	_____	_____	_____

Is Item Included in Current Budget? Yes \_\_\_\_\_ No X  
 Budget Account No.: Fund \_\_\_\_\_ Agency \_\_\_\_\_ Org. \_\_\_\_\_ Object \_\_\_\_\_  
 Reporting Category \_\_\_\_\_

**B. Recommended Sources of Funds/Summary of Fiscal Impact**

Cooperative Agreement with USFWS	\$24,000
Natural Areas Fund Match	24,000
Natural Areas Fund	176,000

**C. Department Fiscal Review:** *JP*

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and /or Contract Administrator Comments:**

<i>Jim D...</i> _____ OFMB 11/14/07 11-14-07 11/13/07	<i>Dr. J. Jacob...</i> _____ Contract Administrator 11/16/07
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**B. Legal Sufficiency:**  
*Menor Toy*  
 \_\_\_\_\_  
 Assistant County Attorney

**This item complies with current County policies.**

**C. Other Department Review:**  
 \_\_\_\_\_  
 Department Director

Attachment 1

AGREEMENT No.: 401812J053  
CHARGE CODE: NO CHANGE  
AMOUNT: NO CHANGE  
DUNS No.: 079774098

MODIFICATION NO. 2

To

COOPERTIVE AGREEMENT

Between

UNITED STATES DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE

And

PALM BEACH COUNTY

The purpose of this modification is to extend the Period of Performance with no impact to the amount of the Agreement.

1. Article VI., PERIOD OF PERFORMANCE, is revised as follows:

The period of performance of this agreement is from September 1, 2002 through September 1, 2008. This includes a no-cost extension of time from September 2, 2007 through September 1, 2008.

3. All other terms and conditions remain the same.

U.S. DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE

BY:

*Natasha Rowland-Harris*

TITLE: Supervisory Contract Specialist

DATE:

8/29/07

Palm Beach County  
Board of County Commissioners

Addie L. Greene, Chairperson

ATTEST: Sharon R. Bock, Clerk  
& Comptroller

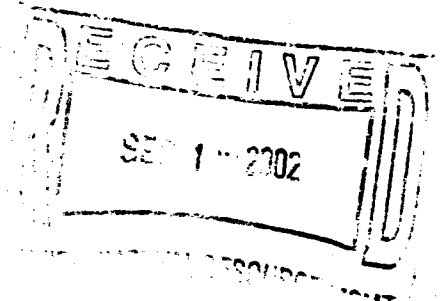
3  
Deputy Clerk

*Richard E. Wolub*  
Approved as to Form and Legal  
Sufficiency

APPROVED AS TO TERMS  
AND CONDITIONS.

Assistant County Attorney

Agreement NO: 1448-40181-02-J-053  
CHARGE CODE 41420-1124-0000 (FY 2002)  
Amount: \$24,000.00  
TIN: 59-6000785  
DUNS NO: 07-977-4098



**COOPERATIVE AGREEMENT**

Between

**U.S. DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE**

and

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**R2002 2180**

**I. COOPERATIVE AGREEMENT RECIPIENT:**

Palm Beach County  
Department of Environmental Resources Management  
3323 Belvedere Road, Building 502  
West Palm Beach, FL 33406

Recipient Class: County Government  
Catalog of Federal Domestic Assistance Number: 15.632  
FAADS: 12-76600-west palm beach-099-pam beach-33406-16-09/01/02-09/01/07-juno  
dunes natural area environmental and hydrological restoration of greshwater and tidal  
wetlands-01

**II. AUTHORITY:**

This agreement between the U.S. Department of the Interior, Fish and Wildlife Service (hereinafter referred to as the "Service") and Palm Beach County (hereinafter referred to as the "Recipient") is hereby entered into under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*).

**III. PURPOSE:**

This Cooperative Agreement is being implemented in order to provide the Recipient with monetary assistance to conduct wetland restoration as described in the attached proposal.

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The purpose of this assistance is to cooperatively implement the restoration project through the Service's South Florida Coastal Ecosystem Program.

This agreement is considered assistance because the Service shares the objective of restoration of wetlands and of tidal flows in valuable coastal natural areas through its Coastal Program. The wetland restoration will also contribute to the Service's objectives to restore migratory birds. This restoration project is managed by Palm Beach County, which is requesting financial aid to assist completion of these objectives.

#### IV. BACKGROUND:

The 575.7-acre Juno Dunes Natural Area is located in the northern and western portions of the Town of Juno Beach in Palm Beach County (Figure 1). The site is located in Township 41S, Range 43E, and Sections 20, 28, and 29. It is bounded on the east side predominantly by U.S. Highway 1 (U.S. 1), and on the west side by Ellison Wilson Road, and connected to the Atlantic Intracoastal Waterway (ICW) by existing ditches and culverts (Figure 2).

The Juno Dunes Natural Area consists almost entirely of beach dune, coastal strand, maritime hammock, scrub, scrubby flatwoods, mesic flatwoods, wet flatwoods, prairie hammock, xeric hammock, basin marsh, depression marsh and tidal swamp natural communities. These communities, most of which can be considered as high-quality within the context of urbanized southeastern Florida, are in a somewhat degraded condition as a result of exotic plant invasions, ORV traffic, mosquito-ditching, and other human-caused disturbances. Maintaining and improving the ecological quality of these communities is the primary management objective for this site. Management efforts will include: the filling and plugging of selected mosquito ditches to restore basin marshes and mesic flatwood communities; replacement of existing culverts with a bridge or larger culverts to increase flushing to restore tidal swamp communities; and the implementation of prescribed burning and exotic plant control programs to enhance and restore all of the sites upland and wetland habitats. The spoil deposits on the Florida Inland Navigation District (FIND) lease site are proposed to be removed as part of an advanced mitigation plan required under the terms of the lease from FIND. A portion of this spoil will be used on site to build the plugs, berms, and roads, the remainder will be transported off site to the 112-acre Diamondhead/Radnor future county beach park site on the east side of U.S. 1 is 0.75 miles north of the Juno Dunes Natural Area. Other spoil piles may be removed as part of estuarine enhancement activities.

Within the Juno Dunes Natural Area, wetlands are the natural communities that have been most severely affected by human-caused disturbances. Historically, there were approximately 179 acres of sawgrass-dominated basin marsh. Today, only 30 acres of intact basin marsh remain. The majority of the historic basin marsh has been converted by drainage and disturbances associated with mosquito ditching to other wetland communities such as disturbed basin marsh (40 acres), tidal swamp (15.5 acres), and disturbed tidal swamp (73 acres). Another 13 acres was eliminated by the placement of dredge spoil and colonization by Australian pines. A few peripheral areas transition to upland communities

such as Brazilian pepper (2 acres) prairie hammock (1.5 acres), wet flatwoods (2 acres) or disturbed wet flatwoods (1 acre) as a result of nearby drainage ditches. The 16 acres of historic depression marsh on this site have suffered a similar fate, with two acres converted to Brazilian pepper, and six acres converted to disturbed depression marsh, primarily as a result of mosquito-ditching activities.

Reversing the effects of mosquito ditching, therefore, is the key to wetland restoration. There is little evidence that the mosquito ditches serve any positive function and there is no evidence that the remaining intact basin and depression marshes produce significant amounts of mosquitoes. Rather, it appears that the State was providing funds to local governments to ditch coastal wetlands for mosquito control, and virtually all coastal wetlands were ditched, regardless of whether they were breeding areas for mosquitoes.

Restoration of the basin marsh areas will be accomplished primarily by placing ditch plugs at narrow points in the mosquito ditch system. The plugs are intended to raise water levels in these wetlands to their historic seasonal high water levels of 4.5 to 5 feet above sea level. PVC pipes or culverts with flashboard risers may be placed in plugs that impound large areas of wetlands. These pipes or culverts will allow water levels above target levels to drain away and permit wetland drawdown for management purposes. The plugs or weirs will also act as wetland crossing points for management roads and hiking trails. Nearby mosquito ditch spoil piles will be used to supply some of the fill dirt for ditch plugs or weirs. Resumption of a natural fire regime will cut back on the coverage of coastal plain willow and other shrubby vegetation, and encourage the remaining sawgrass to spread and recolonize former habitats.

Approximately 3.5 acres of disturbed mesic flatwoods are also proposed for restoration as wet flatwoods (Figure 3). The mosquito ditches in this area have lowered ground water levels and allowed Australian pines to invade spoil piles and ditch banks, displacing native flatwoods vegetation. The only mangroves present are dwarfed white mangroves in the ditch bottoms. Restoration will involve plugging or filling of mosquito ditches crossing through the restoration area and treating Australian pines with herbicides. Higher ground water levels and implementing a natural fire regime will encourage wet flatwoods vegetation to recolonize disturbed areas.

A future project, not included with this grant application, is to increase tidal flushing necessary for tidal swamp restoration. Until 1981, the main flushing channel under Ellison Wilson Road flowed back and forth through an open span bridge. After 1981, the bridge was replaced by two 48-inch culverts, which have recently been sleeved with 36-inch plastic pipe. The current amount of tidal flushing is considerably less than what occurred on the Natural Area prior to 1981, and may be insufficient to support restoration of all the disturbed tidal swamp connected to this flushing channel. Tidal flushing can be increased by constructing larger culverts or a new bridge where the main flushing channel crosses Ellison Wilson Road. It can also be increased by digging flushing channels along the edges of tidal swamp restoration areas.

Palm Beach County's Department of Environmental Resources will be responsible for designing, permitting, and constructing this project. In addition, the County's Department of Parks and Recreation will provide a spoil disposal area in a nearby future park where the spoil will be used for a parking lot and park development. The portion of the Natural Area leased from Florida Inland Navigation District (FIND) must be managed under the constraints imposed by the 25-year lease to the County. This lease requires that the County develop an advanced mitigation plan for the portions of the leased tract that have been impacted by dredge spoil disposal. FIND reserves the right to conduct mitigation activities on the leased tract for both itself and the U.S. Army Corps of Engineers (USACE).

The project schedule is presented in the table below (Table 1).

TASK	6/02	12/02	6/03	10/03	12/03	3/04	6/04	9/04	12/04	3/05	6/05	9/05	12/05
Design and Surveys	X												
Permitting		X											
Bid Procedure			X										
Construction start				X									
Clearing vegetation					X								
Excavation, Filling, Grading						X		X					
Planting								X					
Monitoring and Maintenance									X	X	X	X	X
Semiannual Reports to SFCEP		X	X		X		X		X		X		X

**Total Project Cost/Budget: Cost Share:**

Total Project Cost \$299,660.00  
 Palm Beach County Cost Share Match 24,000.00 (50%)  
 South Florida Coastal Ecosystem Program 24,000.00 (50%)

Local matching funds for this project are available from Palm Beach County's \$50 million bond referendum for the acquisition of environmentally sensitive lands. The County will use this bond fund, staff in-kind services, and other funding sources (grants), if available, to provide the remainder of the project cost (\$299,660.00). The County has applied for funding (\$70,000) from the South Florida Water Management District's Indian River Lagoon License Plate Funding Program to fund a tidal swamp restoration project by increasing tidal flushing to the existing mangrove areas of the JDNA. 7

Table 2.

Item	Total Cost Estimate \$	Usfws Cost Share Funding Amount \$	County Cost Share Funding Match \$
Design and Survey	13,920 (staff time)	0	0
Permitting	13,920 (staff time) + \$100	0	0
Bid Development	22,620 (staff time) + \$1,000	0	0
Construction Project Management	26,100 (staff time)	0	0
Mobilization	16,500	1,784	1,784
Traffic control	5,500	595	595
Surveys (as built)	5,000	541	541
Turbidity control	2,000	216	216
Clearing vegetation with backhoe, loader, labor	21,000	2,270	2,270
Filling - plugs, berms, roads with loader, labor	59,000	6,378	6,378
Procurement and delivery of 10,000 yd <sup>3</sup> fill by truck	80,000	8,649	8,649
Dredging sandbar with 6" dia. hand held dredge	6,000	649	649
Transportation of sandbar spoil by truck	1,000	108	108
24" dia. concrete culvert installed	1,000	108	108
8" dia. PVC drainage pipe at four locations installed	2,000	216	216
Plants installed, fertilizer, watering	23,000	2,486	2,486
<b>TOTAL COST</b>	<b>\$299,660</b>	<b>\$24,000</b>	<b>24,000</b>

The Florida Inland Navigation District (FIND) is contributing funds to complete a separate project on the FIND leased parcel. The FIND project will provide the source of the fill material needed for this project.

**Objectives and Statement of Products:**

**Objective:** Restoration of historic hydroperiod and prevention of salt water intrusion into the basin marsh and disturbed mesic flatwoods communities by plugging and filling selected portions of the mosquito ditch system and portions of the management roads. Restoration of a tidal mangrove areas by removal of a sandbar impeding tidal exchange and installation of a culvert under a management road to maintain tidal exchange.



**Products:**

A State of Florida Environmental Resource Noticed General Permit, Federal Dredge and Fill Permit; Contract Documents for Construction of the project; Construction and plant installation of filled areas, dredging one area, installation of a culvert and drainage pipes for wetland management (see Table 3).

Table 3

JUNO DUNES NATURAL AREA - PLUGS, BERMS, DREDGE AREA, CULVERTS				
Area	Benchmark Designation Elevation (Ngvd)	Dimensions Area (Ft <sup>2</sup> )	Control Elevation Ft. Ngvd (Spoil Volume Estimate)	Wetland Resource Impact Area (mangrove fill area - ft <sup>2</sup> ) [restoration areas - acres]
north flatwoods plug	I 5.91'	plug 400' x 20' north berm 225' x 50' south berm 230' x 50' (28,500)	+3' (2,100 yd <sup>3</sup> )	mangroves (8000 ft <sup>2</sup> ) [1.9 acres]
haul road (middle area)	J 4.70'	520' x 18' (8,840)	+3' (420 yd <sup>3</sup> )	mangroves (800 ft <sup>2</sup> ) native vegetation
south flatwoods plug	J 4.70'	50' x 20' (1000)	+3' (125 yd <sup>3</sup> )	mangroves (1000 ft <sup>2</sup> ) [1.6 acres]
sandbar dredged by Donald Ross Rd. Bridge	County Monument DR7 19.061'	40' x 60' (2400 ft <sup>2</sup> )	- 3.0' 270 yd <sup>3</sup> in-bank volume	submerged sand area (2400 ft <sup>2</sup> ) [7.6 acres]
Basin 1 (1.3 acres) by Donald Ross Rd.	F 13.04'	50'x 15' 750	+3.5 (170 yd <sup>3</sup> )	mangroves (750 ft <sup>2</sup> ) [1.3 acres]
Basin 2 (2.9 acres) mangrove area, middle, north	E 4.86'	plug 50' x 15' berm 50' x 30' 2250	+4' (245 yd <sup>3</sup> )	mangroves (750 ft <sup>2</sup> ) [2.9 acres]
Basin 3 (3.6 acres) south of Hampton Inn	A 5.28'	two plugs 50' x 20' berm 640' x 30'	+6' two plugs +4' two pipes +2' berm +6' (2200 yd <sup>3</sup> )	mangroves 156'x 30' (4680 ft <sup>2</sup> ) [3.6 acres]
Basin 4 (2.1 acres) small east basin	D 6.63'	plug 50' x 20' berm 50' x 50' 3500	+4.5' (250 yd <sup>3</sup> )	mangroves (750 ft <sup>2</sup> ) [2.1 acres]
Basin 5 (31.4 acres) large south basin east side	B 7.92'	plug 55' x 15', two 30' x 10' 1425	+6' one pipe +2', plugs, berms +6' (220 yd <sup>3</sup> )	mangroves (825 ft <sup>2</sup> ) [31.4 acres]

JUNO DUNES NATURAL AREA - PLUGS, BERMS, DREDGE AREA, CULVERTS				
Area	Benchmark Designation Elevation (Ngvd)	Dimensions Area (Ft <sup>2</sup> )	Control Elevation Ft. Ngvd (Spoil Volume Estimate)	Wetland Resource Impact Area (mangrove fill area - ft <sup>2</sup> ) [restoration areas - acres]
Basin 5 large south basin west side	G 5.31'	berm 550' x 20', plug 60' x 15' 11,900	+6' one pipe +2', plugs, berms +6' (1,400 yd <sup>3</sup> )	mangroves (900 ft <sup>2</sup> )
Basin 6 (5.1 acres) small south west basin	H 4.48'	plug 50' x 17' berm 80' x 25'- 50' 5,350	+6' (600 yd <sup>3</sup> )	mangroves (850 ft <sup>2</sup> ) [5.1 acres]
mgmt road culvert	rebar #1 4.04'	24' pipe, fill 10' x 15', fill on top 110' x 15' 150	+1.5' invert of 24" culvert with dirt on top to +6' (120 yd <sup>3</sup> )	mangroves (160 ft <sup>2</sup> )
E-W mgmt road, north of Donald Ross Rd	N/A	1,265' length (18,975)	to existing grade (900 yd <sup>3</sup> )	N/A
N-S mgmt road, north of Donald Ross Rd	N/A	1400' length (21,000)	to existing grade (1,000 yd <sup>3</sup> )	N/A
south E-W mgmt road	"Marina" 8.25'	220' x 15'	+7' (250 yd <sup>3</sup> )	none - fill in mgmt road
<b>Total Spoil Volume, Filled Areas, Dredged Area, Total Basin Wetland Restored</b>			<b>10,000 yd<sup>3</sup></b>	<b>fill - (22,265 ft<sup>2</sup>, 0.5 acres), dredge 2400 ft<sup>2</sup>, restoration areas - basin marsh - 46.75 acres mesic flatwoods - 3.5 acres tidal mangrove - 7.6 acres</b>

The expected start date for construction is October, 2003. The final task of planting the berms and plugs is expected to be September, 2004. Certain areas of the project will be restricted from heavy machinery traffic due to Scrub Jay nesting season (March to July). 10

The initial survey work and design for this project is either completed or nearly completed in preparation of the permit application. Previous work completed as part of this project includes extensive exotic vegetation control (>95% of entire site) and management road development to allow access to these areas and to expedite the survey work needed to design the project.

V. SCOPE OF EFFORT:

The Recipient is responsible for implementation and completion of the proposed project as outlined in the attached proposal. Components of project implementation including (but not limited to) design, construction, monitoring, and long term maintenance will be developed by the Recipient in cooperation with the Service and other partners. The Recipient will assume the primary responsibility of monitoring the success of the hydrological restoration and other parts of the project. As identified in the attached proposal, the Service will contribute funding assistance in the amount of \$24,000 to a total project cost of \$299,660 representing an 8 percent cost share ( Total costs for fiscal year 2002-2003 are \$48,000, with the Service's funding assistance of \$24,000 representing a 50 percent cost share).

VI. PERIOD OF PERFORMANCE:

The period of performance of this agreement is from September 1, 2002 to September 1, 2007.

VII. AWARD AMOUNT:

- A. TOTAL (NOT-TO-EXCEED) AWARD AMOUNT: \$24,000.00
- B. TOTAL AMOUNT FUNDED TO DATE: \$24,000.00
- C. FUNDED PERIOD: September 1, 2002 to September 1, 2007

VIII. APPROPRIATION DATA:

APPROPRIATION: 41420-1124-0000 (FY 2002) (\$24,000.00)

IX. PAYMENT PROVISIONS:

- A. Upon acceptance of the terms and conditions of this agreement, the Recipient may submit requests for payment using Standard Form 270, Request for Advance or Reimbursement, no more frequently than monthly. (Standard Form 271 must be used if agreement is for construction.) Electronic Fund Transfer (EFT) may be used in lieu of SF-270 if available.
- B. The original and two copies of each payment request (SF-270) shall be submitted to the Service Project Officer identified in Article XI.A. of this agreement. Upon approval, the Service Project Officer shall forward the payment request and one copy to the Service Administrative Officer for processing.
- C. Should the Recipient be unable to complete the provisions of this agreement, all monies provided by the Service which prove to be cancelable obligations or

unallowable costs in accordance with OMB Circular A-87 (Cost Principles for State and Local Governments) or the approved budget, shall be refunded to the Service.

- D. This agreement is intended to support a particular project for a specific period of time. Any portion of funds advanced to the Recipient that are not expended at the completion of the period of performance of this agreement shall be returned to the Service, along with any interest earned on that amount.

X. ADMINISTRATIVE OFFICER:

The Administrative Officer for this agreement is:

Ray Neiner  
U.S. Fish and Wildlife Service  
1875 Century Boulevard, Room 310  
Atlanta, GA 30345  
404/679-4063  
Fax: 404/679-4057  
ray\_neiner@fws.gov

XI. PROJECT OFFICERS:

Brad Rieck  
South Florida Ecosystem Office  
U.S. Fish and Wildlife Service  
P.O. Box 2676  
Vero Beach, FL 32961-2676  
772/562-3909 ext. 231

Harvey Rudolph  
Palm Beach County ERM  
3323 Belvedere Road, Building 502  
West Palm Beach, FL 33406  
561/233-2494

XII. REPORTING/DELIVERY REQUIREMENTS:

A. Interim Reports

Interim progress reports will be submitted at least every six months, with the first submittal due April 1, 2003. These reports should be expanded on with each submittal. The reports will include at a minimum: activity descriptions and locations (map); pre- and post-construction photo documentation (digital if possible); applicable monitoring assessments, and Service dollar expenditures.

B. Final Reports

Within 90 calendar days after the agreement completion date as defined in the agreement or in the most current modification, the Recipient Project Officer shall submit a final report to the Service Project Officer identified in Article XI.A. this agreement. A copy of the final report shall also be forwarded to the Service

Administrative Officer. This report shall consist of all information from the interim progress reports as well as final costs to complete the project, and an assessment of the project's success including a monitoring assessment conducted one year after project completion. The final report may be submitted earlier if the project and monitoring are completed before the end of the Period of Performance.

C. Final Financial Status Report

Within 90 days after completion of this award, the Recipient shall submit to the Service Administrative Officer a final Financial Status Report (Standard Form 269).

XIII. TERMS AND CONDITIONS:

The Department of the Interior regulations governing assistance agreements with local governments at subparts A-E of 43 CFR Part 12, Administrative and Audit Requirements and Cost Principles for Assistance Programs, (plus relevant circulars of the Office of Management and Budget as referenced in these regulations), are incorporated by reference with the same force and effect as if they were given in full text. Upon request, the Service's Division of Contracting and General Services will make the full text of these regulations available.

XIV. MODIFICATIONS:

Modifications or renewals may be proposed at any time during the period of performance by either party and shall become effective upon approval of both parties.

XV. SPECIAL PROVISIONS:

- A. The Recipient is responsible for obtaining all permits necessary to complete the proposed work. The Service is available to assist.
- B. The Service will be acknowledged, as a contributing partner, on any signage installed regarding the restoration of this maritime hammock. Any publications and/or presentations produced as a result of this project will also acknowledge the Service.
- C. The Service's liability will be governed by the Federal Tort Claims Act (28 U.S.C. 2761 *et seq.*). The extent of the Recipient's liability shall be governed by the laws of the State of Florida.
- D. The Recipient will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly known as "Buy American Act").
- E. Recipients of grants/cooperative agreements and/or sub-awards are encouraged to adopt and enforce on-the-job seat belt use and policies and programs for their employees when operating company-owned, rented, or personally-owned vehicles. These measures include, but are not limited to, conducting education, awareness, and

other appropriate programs for their employees about the importance of wearing seat belts and the consequences of not wearing them.

IN WITNESS WHEREOF, the parties hereto have caused this Cooperative Agreement to be executed as of the date therein written.

U.S. DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE

BY: [Signature]

Donald H. Calder

TITLE: Supervisory Contract Specialist

DATE: 12/13/02

R2002-2180  
PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

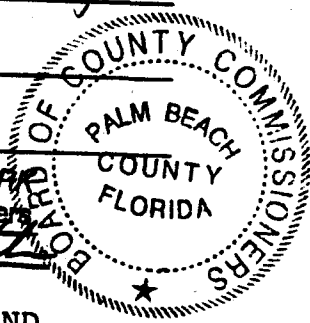
BY: [Signature]

TITLE: Vice CHAIR

DATE: DEC 03 2002

DOROTHY H. WILKEN, CLERK  
Board of County Commissioners

By [Signature]  
DEPUTY CLERK



APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

BY [Signature]  
Assistant County Attorney

APPROVED AS TO TERMS  
AND CONDITIONS:

BY [Signature]  
Richard E. Walesky, Director  
Environmental Resources Management  
Department

**SOUTH FLORIDA COASTAL ECOSYSTEM PROGRAM  
2002 COASTAL PROJECTS PROPOSAL**

**Project Title: Juno Dunes Natural Area (JDNA) Environmental and Hydrological Restoration**

**REVISION OF TOTAL PROJECT COST/BUDGET: COST SHARE (TABLE 2)**

**Total Project Cost/Budget: Cost Share:**

Total Project Cost - \$299,660

Palm Beach County Cost Share Match - \$24,000.00 (50%);

South Florida Coastal Ecosystem Program - \$24,000.00 (50%)

Local matching funds for this project are available from Palm Beach County's \$50 million bond referendum for the acquisition of environmentally sensitive lands. The County will use this bond fund, staff in-kind services, and other funding sources (grants), if available, to provide the remainder of the project cost (\$299,660.00). The County has applied for funding (\$70,000) from the South Florida Water Management District's Indian River Lagoon License Plate Funding Program to fund a tidal swamp restoration project by increasing tidal flushing to the existing mangrove areas of the JDNA.

Table 2.

ITEM	TOTAL COST ESTIMATE \$	USFWS COST SHARE FUNDING AMOUNT \$	COUNTY COST SHARE FUNDING MATCH \$
Design and Survey	13,920 (staff time)	-0-	-0-
Permitting	13,920 (staff time) + \$100	-0-	-0-
Bid Development	22,620 (staff time) + \$1,000	-0-	-0-
Construction Project Management	26,100 (staff time)	-0-	-0-
Mobilization	16,500	1,784	1,784
Traffic control	5,500	595	595
Surveys (as built)	5,000	541	541
Turbidity control	2,000	216	216
Clearing vegetation with backhoe, loader, labor	21,000	2,270	2,270
Filling - plugs, berms, roads with loader, labor	59,000	6,378	6,378
Procurement and delivery of 10,000 yd <sup>3</sup> fill by truck	80,000	8,649	8,649
Dredging sandbar with 6" dia. hand held dredge	6,000	649	649
Transportation of sandbar spoil by truck	1,000	108	108
24" dia. concrete culvert installed	1,000	108	108
8" dia. PVC drainage pipe at four locations installed	2,000	216	216
Plants installed, fertilizer, watering	23,000	2,486	2,486
<b>TOTAL COST</b>	<b>299,660</b>	<b>24,000</b>	<b>24,000</b>

**SOUTH FLORIDA COASTAL ECOSYSTEM PROGRAM  
2002 COASTAL PROJECTS PROPOSAL**

**Project Title: Juno Dunes Natural Area Environmental and Hydrological Restoration**

**Contact Information:** Mr. Richard E. Walsky, Director  
Palm Beach County Environmental Resource Management  
3323 Belvedere Road, Bldg. 502  
West Palm Beach, FL 33406  
Phone: (561) 233-2400  
Suncom: 274-2400  
Fax: (561) 233-2414  
Project Manager: Harvey Rudolph, Environmental Analyst  
e-mail: [hrudolph@co.palm-beach.fl.us](mailto:hrudolph@co.palm-beach.fl.us)

**Project Location:**

The 575.7-acre Juno Dunes Natural Area is located in the northern and western portions of the Town of Juno Beach in Palm Beach County (Figure 1). The site is located in Township 41S, Range 43E, and Sections 20, 28, and 29. It is bounded on the east side predominantly by U.S. Highway 1 (U.S. 1), and on the west side by Ellison Wilson Road, and connected to the Atlantic Intracoastal Waterway (ICW) by existing ditches and culverts (Figure 2).

**Project Description:**

The Juno Dunes Natural Area consists almost entirely of beach dune, coastal strand, maritime hammock, scrub, scrubby flatwoods, mesic flatwoods, wet flatwoods, prairie hammock, xeric hammock, basin marsh, depression marsh and tidal swamp natural communities. These communities, most of which can be considered as high-quality within the context of urbanized southeastern Florida, are in a somewhat degraded condition as a result of exotic plant invasions, ORV traffic, mosquito-ditching, and other human-caused disturbances. Maintaining and improving the ecological quality of these communities is the primary management objective for this site. Management efforts will include: the filling and plugging of selected mosquito ditches to restore basin marshes and mesic flatwood communities; replacement of existing culverts with a bridge or larger culverts to increase flushing to restore tidal swamp communities; and the implementation of prescribed burning and exotic plant control programs to enhance and restore all of the sites upland and wetland habitats. The spoil deposits on the Florida Inland Navigation District (FIND) lease site are proposed to be removed as part of an advanced mitigation plan required under the terms of the lease from FIND. A portion of this spoil will be used on site to build the plugs, berms, and roads, the remainder will be transported off site to the 112-acre Diamondhead/Radnor future county beach park site on the east side of U.S. 1 is 0.75 miles north of the Juno Dunes Natural Area. Other spoil piles may be removed as part of estuarine enhancement activities.

The wetlands on the Juno Dunes Natural Area contain the natural communities that have been most severely affected by human-caused disturbances. Historically, there were approximately 179 acres of sawgrass-dominated basin marsh. Today, only 30 acres of intact basin marsh remain. The majority of the historic basin marsh has been converted by drainage and



disturbances associated with mosquito ditching to other wetland communities such as disturbed basin marsh (40 acres), tidal swamp (15.5 acres), and disturbed tidal swamp (73 acres). Another 13 acres was eliminated by the placement of dredge spoil and colonization by Australian pines. A few peripheral areas transition to upland communities such as Brazilian pepper (2 acres) prairie hammock (1.5 acres), wet flatwoods (2 acres) or disturbed wet flatwoods (1 acre) as a result of nearby drainage ditches. The 16 acres of historic depression marsh on this site have suffered a similar fate, with two acres converted to Brazilian pepper, and six acres converted to disturbed depression marsh, primarily as a result of mosquito-ditching activities.

Reversing the effects of mosquito ditching, therefore, is the key to wetland restoration. There is little evidence that the mosquito ditches serve any positive function. Anecdotal stories say that the ditching was done in 1962 after a drought and a wildfire decimated mosquito predator populations, and the summer rains brought a huge mosquito population explosion. There is no evidence, however, that the remaining intact basin and depression marshes produce significant amounts of mosquitoes. Rather, it appears that the State was providing funds to local governments to ditch coastal wetlands for mosquito control, and virtually all coastal wetlands were ditched, irregardless of whether they were breeding areas for mosquitoes or not.

Restoration of the basin marsh areas will be accomplished primarily by placing ditch plugs at narrow points in the mosquito ditch system (Figure 3). The intent of the plugs is to raise water levels in these wetlands to their historic seasonal high water levels of 4.5 to 5 feet above sea level. PVC pipes or culverts with flashboard risers may be placed in plugs that impound large areas of wetlands. These pipes or culverts will allow water levels above target levels to drain away and permit wetland drawdown for management purposes. The plugs or weirs will also act as wetland crossing points for management roads and hiking trails. Nearby mosquito ditch spoil piles will be used to supply some of the fill dirt for ditch plugs or weirs.. Resumption of a natural fire regime will cut back on the coverage of coastal plain willow and other shrubby vegetation, and encourage the remaining sawgrass to spread and recolonize former habitats.

Approximately 3.5 acres of disturbed mesic flatwoods are also proposed for restoration as wet flatwoods (Figure 8). The mosquito ditches in this area have lowered ground water levels and allowed Australian pines to invade spoil piles and ditch banks, displacing native flatwoods vegetation. The only mangroves present are dwarfed white mangroves in the ditch bottoms. Restoration will involve plugging or filling of mosquito ditches crossing through the restoration area and treating Australian pines with herbicides. Higher ground water levels and implementing a natural fire regime will encourage wet flatwoods vegetation to recolonize disturbed areas.

A future project, not included with this grant application, is to increase tidal flushing necessary for tidal swamp restoration. Until 1981, the main flushing channel under Ellison Wilson Road flowed back and forth through an open span bridge. After 1981, the bridge was replaced by two 48-inch culverts, which have recently been sleeved with 36-inch plastic pipe. The current amount of tidal flushing is considerably less than what occurred on the Natural Area prior to 1981, and may be insufficient to support restoration of all the disturbed tidal swamp connected to this flushing channel. Tidal flushing can be increased by constructing larger culverts or a new bridge where the main flushing channel crosses Ellison Wilson Road. It can also be increased by digging flushing channels along the edges of tidal swamp restoration areas. 17

Palm Beach County's Department of Environmental Resources will be responsible for designing, permitting, and constructing this project. In addition, the County's Department of Parks and Recreation will provide a spoil disposal area in a nearby future park where the spoil will be used for a parking lot and park development. The portion of the Natural Area leased from Florida Inland Navigation District (FIND) must be managed under the constraints imposed by the 25-year lease to the County. This lease requires that the County develop an advanced mitigation plan for the portions of the leased tract that have been impacted by dredge spoil disposal. FIND reserves the right to conduct mitigation activities on the leased tract for both itself and the U.S. Army Corps of Engineers (USACE).

The project schedule is presented in the table below (Table 1).

TASK	6/02	12/02	6/03	10/03	12/03	3/04	6/04	9/04	12/04	3/05	6/05	9/05	12/05
Design and Surveys	X												
Permitting		X											
Bid Procedure			X										
Construction start				X									
Clearing vegetation					X								
Excavation, Filling, Grading						X		X					
Planting								X					
Monitoring and Maintenance									X	X	X	X	X
Semiannual Reports to SFCEP		X	X		X		X		X		X		X

See  
revised  
Budget

**Total Project Cost/Budget: Cost Share:**  
 Palm Beach County - \$233,060.00 (78%); This includes: \$156,500.00 + \$76,560.00 in-kind  
 South Florida Coastal Ecosystem Program - ~~\$66,600.00~~ (22%)  
 \$24,000

Table 2.

ITEM	TOTAL COST \$
Design and survey (320 hr)	13,920.00 (in-kind)
Permit application (320 hr + permit fee)	13,920.00 (in-kind) + 100.00
Bid development (520 hr) + fees	22,620.00 (in-kind) + 1,000.00
Construction project mgmt. (600 hr)	26,100.00 (in-kind)
Mobilization	16,500.00
Traffic control	5,500.00
Surveys (as built)	5,000.00

ITEM	TOTAL COST \$
Turbidity control	2,000.00
Clearing vegetation with backhoe, loader, labor	21,000.00
Filling - plugs, berms, roads with loader, labor	59,000.00
Procurement and delivery of 10,000 yd <sup>3</sup> fill by truck	80,000.00
Dredging sandbar with 6" dia. hand held dredge	6,000.00
Transportation of sandbar spoil by truck	1,000.00
24" dia. concrete culvert installed	1,000.00
8" dia. PVC drainage pipe at four locations installed	2,000.00
Plants installed, fertilizer, watering	23,000.00
<b>TOTAL COST</b>	<b>299,660.00</b>

**Contributing Partners:**

The Florida Inland Navigation District (FIND) is contributing funds to complete a separate project on the FIND leased parcel. The FIND project will provide the source of the fill material needed for this project.

**Objectives and Statement of Products:**

**Objective:** Restoration of historic hydroperiod and prevention of salt water intrusion into the basin marsh and disturbed mesic flatwoods communities by plugging and filling selected portions of the mosquito ditch system and portions of the management roads. Restoration of a tidal mangrove areas by removal of a sandbar impeding tidal exchange and installation of a culvert under a management road to maintain tidal exchange.

**Products:** A State of Florida Environmental Resource Noticed General Permit, Federal Dredge and Fill Permit; Contract Documents for Construction of the project; Construction and plant installation of filled areas, dredging one area, installation of a culvert and drainage pipes for wetland management (see Table 3, attachment).

**Project Time Frame:**

The expected start date for construction is October, 2003. The final task of planting the berms and plugs is expected to be September, 2004. Certain areas of the project will be restricted from heavy machinery traffic due to Scrub Jay nesting season (March to July).

**Actions to Date:**

The initial survey work and design for this project is either completed or nearly completed in preparation of the permit application. Previous work completed as part of this project includes extensive exotic vegetation control (>95% of entire site) and management road development to allow access to these areas and to expedite the survey work needed to design the project.

19

ATTACHMENT

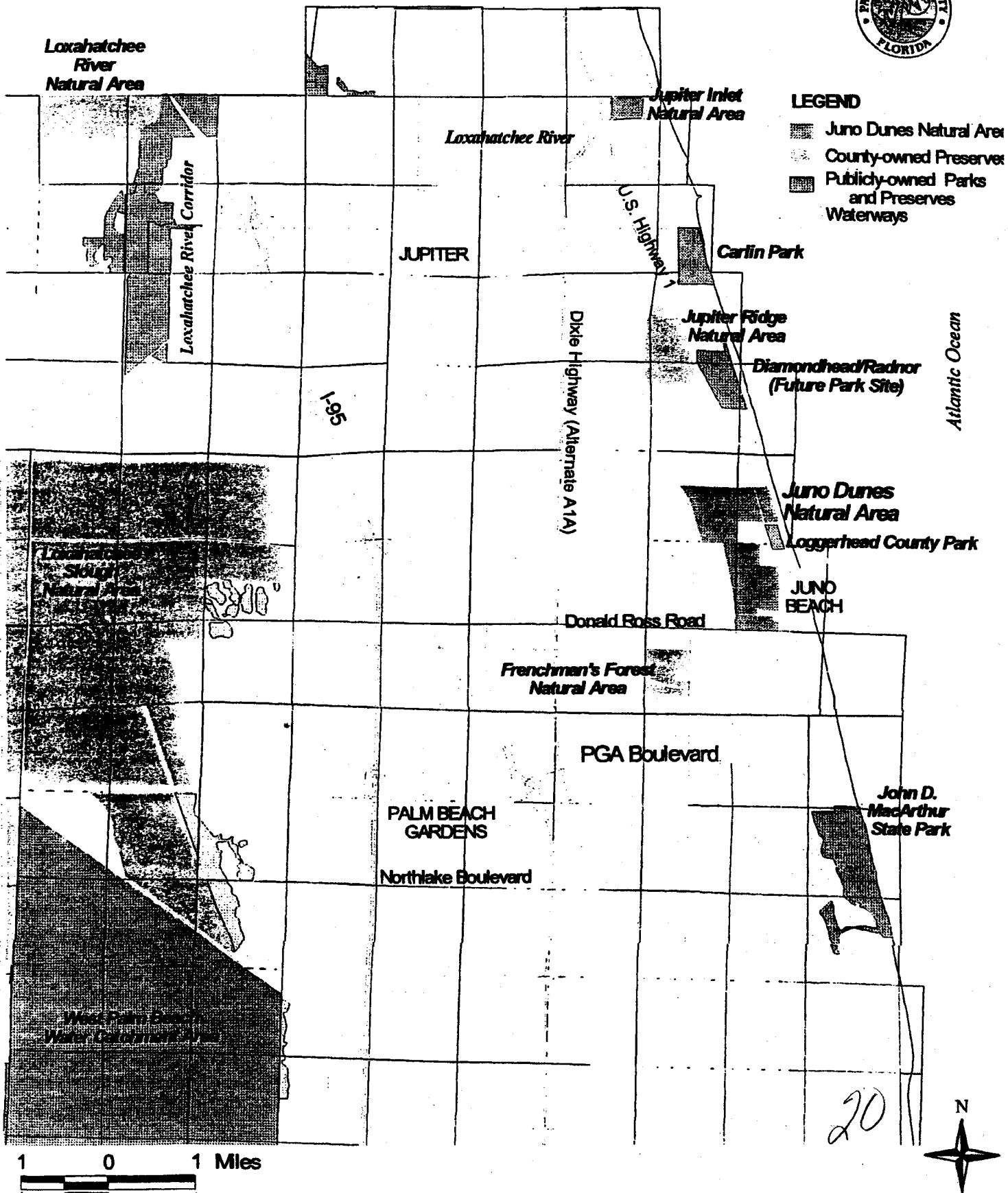


Figure 1 - Juno Dunes Natural Area Location Map

ATTACHMENT 1

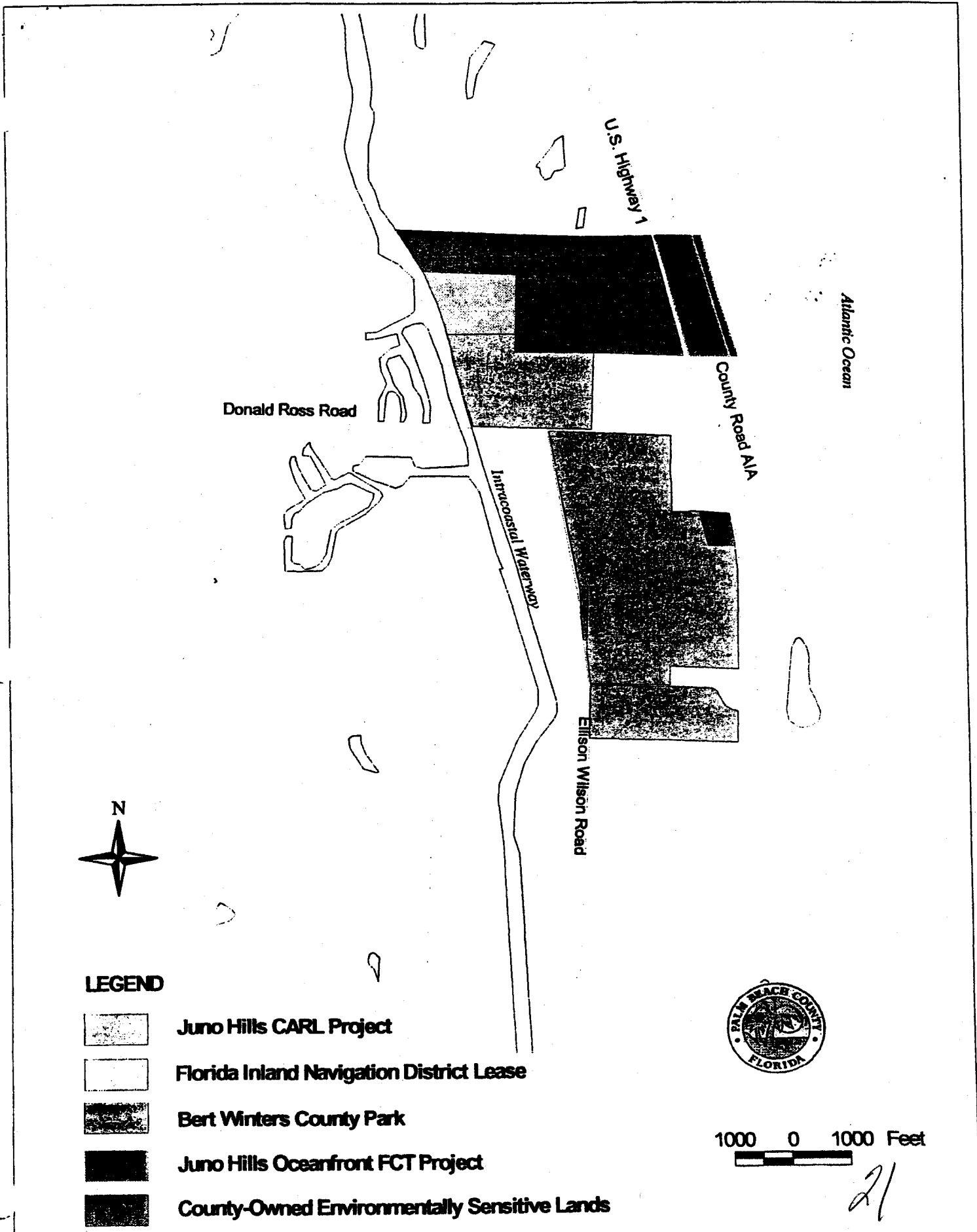


Figure 2- Juno Dunes Natural Area Tract Map

ATTACHMENT

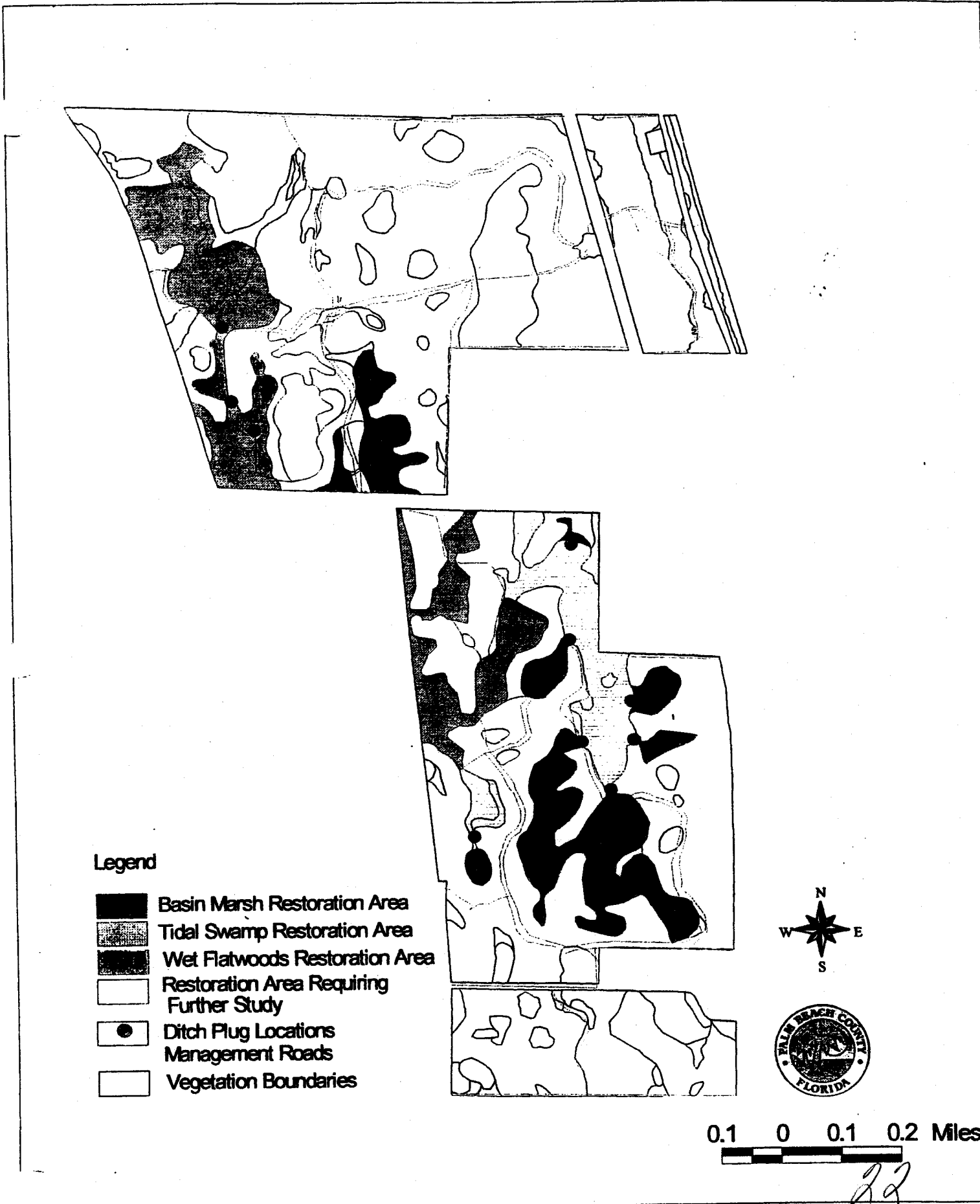


Figure 3 - Juno Dunes Natural Area Wetland Restoration Map

ATTACHMENT - Table 3

JUNO DUNES NATURAL AREA - PLUGS, BERMS, DREDGE AREA, CULVERTS				
AREA	BENCHMARK DESIGNATION ELEVATION (NGVD)	DIMENSIONS AREA (ft <sup>2</sup> )	CONTROL ELEVATION ft. NGVD (SPOIL VOLUME ESTIMATE)	WETLAND RESOURCE IMPACT AREA (mangrove fill area - ft <sup>2</sup> ) [restoration areas - acres]
north flatwoods plug	I 5.91'	plug 400' x 20' north berm 225' x 50' south berm 230' x 50' (28,500)	+3' (2,100 yd <sup>3</sup> )	mangroves (8000 ft <sup>2</sup> ) [1.9 acres]
haul road (middle area)	J 4.70'	520' x 18' (8,840)	+3' (420 yd <sup>3</sup> )	mangroves (800 ft <sup>2</sup> ) native vegetation
south flatwoods plug	J 4.70'	50' x 20' (1000)	+3' (125 yd <sup>3</sup> )	mangroves (1000 ft <sup>2</sup> ) [1.6 acres]
sandbar dredged by Donald Ross Rd. Bridge	County Monument DR7 19.061'	40' x 60' (2400 ft <sup>2</sup> )	- 3.0' 270 yd <sup>3</sup> in-bank volume	submerged sand area (2400 ft <sup>2</sup> ) [7.6 acres]
Basin 1 (1.3 acres) by Donald Ross Rd.	F 13.04'	50'x 15' 750	+3.5 (170 yd <sup>3</sup> )	mangroves (750 ft <sup>2</sup> ) [1.3 acres]
Basin 2 (2.9 acres) mangrove area, middle, north	E 4.86'	plug 50' x 15' berm 50' x 30' 2250	+4' (245 yd <sup>3</sup> )	mangroves (750 ft <sup>2</sup> ) [2.9 acres]
Basin 3 (3.6 acres) south of Hampton Inn	A 5.28'	two plugs 50' x 20' berm 640' x 30'	+6' two plugs +4' two pipes +2' berm +6' (2200 yd <sup>3</sup> )	mangroves 156'x 30' (4680 ft <sup>2</sup> ) [3.6 acres]
Basin 4 (2.1 acres) small east basin	D 6.63'	plug 50' x 20' berm 50' x 50' 3500	+4.5' (250 yd <sup>3</sup> )	mangroves (750 ft <sup>2</sup> ) [2.1 acres]

JUNO DUNES NATURAL AREA - PLUGS, BERMS, DREDGE AREA, CULVERTS				
AREA	BENCHMARK DESIGNATION ELEVATION (NGVD)	DIMENSIONS AREA (ft <sup>2</sup> )	CONTROL ELEVATION ft. NGVD (SPOIL VOLUME ESTIMATE)	WETLAND RESOURCE IMPACT AREA (mangrove fill area - ft <sup>2</sup> ) [restoration areas - acres]
Basin 5 (31.4 acres) large south basin east side	B 7.92'	plug 55' x 15', two 30' x 10' 1425	+6' one pipe +2', plugs, berms +6' (220 yd <sup>3</sup> )	mangroves (825 ft <sup>2</sup> ) [31.4 acres]
Basin 5 large south basin west side	G 5.31'	berm 550' x 20', plug 60' x 15' 11,900	+6' one pipe +2', plugs, berms +6' (1,400 yd <sup>3</sup> )	mangroves (900 ft <sup>2</sup> )
Basin 6 (5.1 acres) small south west basin	H 4.48'	plug 50' x 17' berm 80' x 25'- 50' 5,350	+6' (600 yd <sup>3</sup> )	mangroves (850 ft <sup>2</sup> ) [5.1 acres]
mgmt road culvert	rebar #1 4.04'	24' pipe, fill 10' x 15', fill on top 110' x 15' 150	+1.5' invert of 24" culvert with dirt on top to +6' (120 yd <sup>3</sup> )	mangroves (160 ft <sup>2</sup> )
E-W mgmt road, north of Donald Ross Rd	N/A	1,265' length (18,975)	to existing grade (900 yd <sup>3</sup> )	N/A
N-S mgmt road, north of Donald Ross Rd	N/A	1400' length (21,000)	to existing grade (1,000 yd <sup>3</sup> )	N/A
south E-W mgmt road	"Marina" 8.25'	220' x 15'	+7' (250 yd <sup>3</sup> )	none - fill in mgmt road
<b>TOTAL SPOIL VOLUME, FILLED AREAS, DREDGED AREA, TOTAL BASIN WETLAND RESTORED</b>			<b>10,000 yd<sup>3</sup></b>	<b>fill - (22,265 ft<sup>2</sup>, 0.5 acres), dredge 2400 ft<sup>2</sup>, restoration areas - basin marsh - 46.75 acres mesic flatwoods - 3.5 acres tidal mangrove 7.6 acres</b>



U.S. Department of the Interior

Certifications Regarding Debarment, Suspension and Other Responsibility Matters, Drug-Free Workplace Requirements and Lobbying

Persons signing this form should refer to the regulations referenced below for complete instructions:

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions - The prospective primary participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. See below for language to be used or use this form certification and sign. (See Appendix A of Subpart D of 43 CFR Part 12.)

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions - (See Appendix B of Subpart D of 43 CFR Part 12.)

Certification Regarding Drug-Free Workplace Requirements - Alternate I. (Grantees Other Than Individuals) and Alternate II. (Grantees Who are Individuals) - (See Appendix C of Subpart D of 43 CFR Part 12)

Signature on this form provides for compliance with certification requirements under 43 CFR Parts 12 and 18. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of the Interior determines to award the covered transaction, grant, cooperative agreement or loan.

**PART A: Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions**

CHECK X IF THIS CERTIFICATION IS FOR A PRIMARY COVERED TRANSACTION AND IS APPLICABLE.

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
  - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
  - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
  - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
  - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**PART B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions**

CHECK IF THIS CERTIFICATION IS FOR A LOWER TIER COVERED TRANSACTION AND IS APPLICABLE.

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**PART C: Certification Regarding Drug-Free Workplace Requirements**

**CHECK X IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS NOT AN INDIVIDUAL.**

**Alternate I. (Grantees Other Than Individuals)**

**A. The grantee certifies that it will or continue to provide a drug-free workplace by:**

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about--
  - (1) The dangers of drug abuse in the workplace;
  - (2) The grantee's policy of maintaining a drug-free workplace;
  - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
  - (1) Abide by the terms of the statement; and
  - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted --
  - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a) (b), (c), (d), (e) and (f).

**B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:**

Place of Performance (Street address, city, county, state, zip code)

Check  if there are workplaces on files that are not identified here.

**PART D: Certification Regarding Drug-Free Workplace Requirements**

**CHECK  IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS AN INDIVIDUAL.**

**Alternate II. (Grantees Who Are Individuals)**

- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
- (b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

DI-2010  
June 1995  
(This form replaces DI-1953, DI-1954,  
DI-1955, DI-1956 and DI-1963)

26

**PART E: Certification Regarding Lobbying**  
**Certification for Contracts, Grants, Loans, and Cooperative Agreements**

CHECK  IF CERTIFICATION IS FOR THE AWARD OF ANY OF THE FOLLOWING AND THE AMOUNT EXCEEDS \$100,000: A FEDERAL GRANT OR COOPERATIVE AGREEMENT; SUBCONTRACT, OR SUBGRANT UNDER THE GRANT OR COOPERATIVE AGREEMENT.

CHECK  IF CERTIFICATION FOR THE AWARD OF A FEDERAL LOAN EXCEEDING THE AMOUNT OF \$150,000, OR A SUBGRANT OR SUBCONTRACT EXCEEDING \$100,000, UNDER THE LOAN.

The undersigned certifies, to the best of his or her knowledge and belief, that:

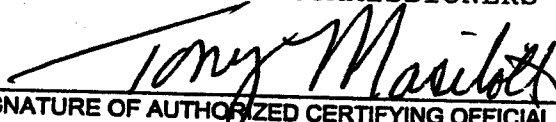
R2002 2180

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the authorized certifying official, I hereby certify that the above specified certifications are true.

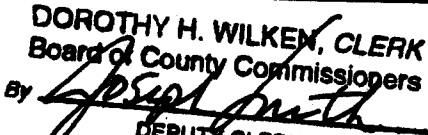
PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

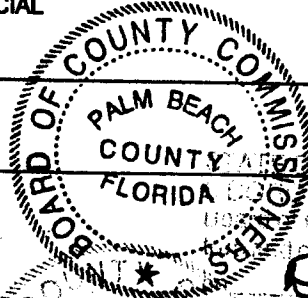
  
SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

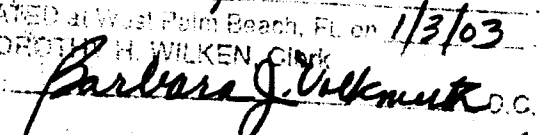
TONY MASILOTTI  
TYPED NAME AND TITLE

Vice CHAIR

DEC 03 2002  
DATE

DOROTHY H. WILKEN, CLERK  
Board of County Commissioners  
By   
DEPUTY CLERK



FLORIDA COUNTY OF PALM BEACH  
DOROTHY H. WILKEN, Clerk of the  
County Board of Commissioners  
I hereby certify that this is a  
correct copy of the original filed in my office  
Dec 3, 2002  
DATED at West Palm Beach, Fl. on 11/3/03  
By   
DOROTHY H. WILKEN, CLERK

08-0270

BGEX - 380 - 1101070000000001637

BGRV - 380- 1101070000000000206

BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY, FLORIDA

BUDGET AMENDMENT  
Fund 3900 Capital Outlay

ACCOUNT NAME AND NUMBER	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	ENCUMBERED / Expended 11/1/2007	REMAINING BALANCE
<b>REVENUES</b>							
381-E230 Juno Dunes 3103 - Fed Grant Capital-Phys Envirn	0	0	24,000	0	24,000		
800-9100-Transfers 8033-Tr Fr Natural Areas Fd 1226	0	2,765,793	200,000	0	2,965,793		
<b>TOTAL RECEIPTS &amp; BALANCES</b>	87,139,514	94,999,057	224,000	0	95,223,057		
<b>EXPENDITURES</b>							
Juno Dunes NA 381-E230 6504-Iotb Non Infrastructure	0	0	224,000	0	224,000 -75,000	0	224,000 87
<b>TOTAL APPROPRIATIONS &amp; EXPENDITURES</b>	87,139,514	94,999,057	224,000	0	95,223,057		

Environmental Resources  
Management

INITIATING DEPARTMENT/DIVISION  
Administration/Budget Department Approval  
OFMB Department - Posted

Signatures & Dates

*Richard E. Walczak* 11/8/07  
*Janice* 11-14-07

BY BOARD OF COUNTY COMMISSIONERS

AT MEETING OF

December 4, 2007

Deputy Clerk to the  
Board of County Commissioners

QJW  
11-14-07

08-0271

BGEX - 380-1031070000000001622

BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY, FLORIDA

BUDGET TRANSFER  
Fund 1226 Natural Areas Fund

ACCOUNT NAME AND NUMBER	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	ENC/EXP 11/1/2007	REMAINING BALANCE
<u>Appropriations</u>							
380-3195 Reserve-Natural Areas Stwdship	9909-Res-Improvement Progrm	2,489,200	2,489,200		2,289,200	0	2,289,200
820-3290 Transfers	9207-Transfers to Capital Outlay	0	0	200,000	200,000	0	200,000
				200,000	200,000		

Environmental Resources  
Management

INITIATING DEPARTMENT/DIVISION  
Administration/Budget Department Approval  
OFMB Department - Posted

Signatures & Dates

Richard E. Walcott 11/8/07  
J. Miller 11-14-07

BY BOARD OF COUNTY COMMISSIONERS  
AT MEETING OF

December 4, 2007

Deputy Clerk to the  
Board of County Commissioners

atw  
11-14-07