

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

Meeting Date:	April 1, 2008	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> 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** a Management Plan for the Pondhawk Natural Area;
- B) **approve** a Budget Transfer of \$262,677 in the Natural Areas Fund from Reserves to transfer to the Capital Outlay Fund to support restoration activities on the Pondhawk Natural Area;
- C) **approve** a Budget Amendment of \$262,677 in the Capital Outlay Fund to recognize a transfer from the Natural Areas Fund to the Pondhawk Natural Area account; and
- D) **authorize** the Chairperson to sign Deeds of Conservation Easement to the South Florida Water Management District (SFWMD) and The Nature Conservancy (TNC) on behalf of the County, provided that the Deeds of Conservation Easement for the Pondhawk Natural Area do not substantially change the terms and conditions of the form Deed of Conservation Easement as previously approved by the Board on September 13, 2005 (R2005-1770).

Summary: The Pondhawk Natural Area Management Plan (Plan) was developed by the Department of Environmental Resources Management (ERM) and provides guidelines for proposed land management activities on the Pondhawk Natural Area. It was recommended for approval by the Natural Areas Management Advisory Committee (NAMAC) on September 21, 2007, after careful consideration of public comments received at a public hearing held on October 26, 2006 and subsequent comments received from the City of Boca Raton. Budget documents provide funding necessary to complete various capital activities through the end of the fiscal year.

The Pondhawk Natural Area is comprised of approximately 79 acres. The site was acquired from the City of Boca Raton in July 2002. Funds for the acquisition were provided from the Palm Beach County Lands for Conservation Purposes Bond Issue Referendum of March 9, 1999, and from matching funds from the Florida Communities Trust in 2004. This site will be managed by ERM as part of the County's Natural Areas System, which is currently comprised of 36 sites. District 4 (SF)

Background and Policy Issues: In November 1994, the BCC created NAMAC to review
(Continued on Page 3)

Attachments:

- 1. Management Plan > 50 pages: Available for Review at County Administration
- 2. Budget Transfer (1226)
- 3. Budget Amendment (3900)

Recommended by:	<u>Richard E. Uhlir</u>	<u>3/12/08</u>	
	Department Director	Date	

Approved by:	<u>Delia Walker</u>	<u>3/27/08</u>	
	County Administrator	Date	

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	\$262,677	\$549,973			
Operating Costs	\$53,656	\$75,192	\$93,711	\$103,082	\$113,390
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	\$316,333	\$625,165	\$93,711	\$103,082	\$113,390
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes _____ No X

Budget Account No.: Fund _____ Department _____ Unit _____ Object _____

B. Recommended Sources of Funds/Summary of Fiscal Impact

Funds for public use facilities and management costs will be provided by ERM's Natural Areas Fund (1226). Exotic removal and restoration costs are expected to come from a combination of monies from the Natural Areas Fund and grants. Over the past five years, capital and maintenance costs for County owned/managed natural areas have increased an average of 10% per year. Actual costs may be higher or lower than projected. Scheduled activities are subject to annual appropriations. The estimated cost for FY2008 includes some capital work; therefore the budget transfer represents an estimate of capital costs to be incurred by fiscal year-end.

C. Department Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and /or Contract Dev. and Control Comments:

The estimated cost of the project is \$762,967 with ongoing maintenance costs of \$77,447 per year. The City of Boca Raton will be responsible for \$12,963 in annual maintenance costs.

Atwillwhite 3.25.08
OFMB 3/24/08 CN 3/18/08
Contract Development and Control
3/25/08

B. Legal Sufficiency:


Assistant County Attorney

C. Other Department Review:

Department Director

(Continued from page 1):

staff-developed natural area management plans and to conduct public hearings on the plans prior to presentation to the BCC. This plan was recommended for approval by NAMAC on September 21, 2007.

The primary objectives for the management of this site are to ensure the preservation and restoration of important remnants of mesic flatwoods, hydric hammock, scrub and scrubby flatwoods; the wildlife populations associated with these native habitats; and the rare and/or endemic plant and animal species on the site. A total of eight plant and nine animal species observed on the Pondhawk Natural Area have been listed as endangered, threatened, or as a species of special concern by at least one government agency or nonprofit environmental organization. Additional objectives are to provide for the creation of a shallow water wetland within the site, passive recreation, environmental education, and scientific research opportunities consistent with protecting the natural resources of the Pondhawk Natural Area.

On September 13, 2005, the BCC expressed a desire to place conservation easements on all County natural areas and approved a Resolution establishing standard form conservation easements (R2005-1770). Conveying conservation easements over County natural areas provides the natural areas with a level of protection that is not affected by retirement of County or State conservation bonds. Unanticipated delays have slowed acceptance of conservation easements by TNC and by the SFWMD for conservation easements granted outside the permitting process. Staff is working with both entities to resolve these delays and expects that the SFWMD will accept a conservation easement over the Pondhawk Natural Area within the next year. Staff is also hopeful that TNC will accept a conservation easement over the natural area within the next two years. The entire Pondhawk Natural Area is afforded some protection by the Palm Beach County Conservation Lands Protection Ordinance No. 2003-052, which requires a super-majority vote by the BCC to conceptually approve conveying an interest in, or allowing uses on conservation lands that were not contemplated by the bond referenda approved in 1991 and 1999.

A revised Interlocal Agreement was approved by the City of Boca Raton on February 15, 2008 and by the Board of County Commissioners on March 11, 2008. A copy of the Interlocal Agreement as approved by the City has been inserted as a placeholder in the attached management plan (Appendix E) until such time as the document is fully executed by the County. Once the Interlocal Agreement has been fully executed by the County, a copy of the fully-executed document will be placed in the final management plan and the placeholder document removed.

Attachment 1



MANAGEMENT PLAN FOR

PONDHAWK

NATURAL AREA

FCT PROJECT #02-051-FF2
Formerly known as BLUE LAKE SCRUB

MARCH 2008

Prepared by:

Palm Beach County
Department of Environmental Resources Management
3323 Belvedere Road, Bldg. 502
West Palm Beach, Florida 33406-1548

THE PALM BEACH COUNTY NATURAL AREAS SYSTEM MANAGEMENT STATEMENT

The Palm Beach County Natural Areas System is comprised of those environmentally sensitive lands that are owned or leased by the County and managed as natural areas by the County's Department of Environmental Resources Management. These natural areas were selected on the basis of their biological characteristics and were acquired to preserve the rare and diverse native ecosystems present on these sites and the endangered, threatened, and rare species of plants and animals that live there.

Purpose and Goals of the Natural Areas System

- o The purpose of the Natural Areas System is to protect historic native ecosystems and their biological diversity throughout Palm Beach County. Examples of each ecosystem shall be acquired and managed to preserve in perpetuity the full complement of plants and animals characteristic of that ecosystem. The management of each natural area shall be coordinated with that of the other natural areas in the system to support existing populations and to reflect in perpetuity the subtropical biological diversity characteristic of Palm Beach County in pre-development times.*
- o The wilderness values of each natural area shall be preserved.*
- o Where a natural area currently is physically or biologically connected to another publicly- or privately-owned natural area, attempts shall be made to maintain that connection through additional land acquisitions, regulatory preserve set-asides, conservation easements, interlocal agreements, and other appropriate actions.*

Management Considerations

- o The natural areas in the system shall be available to the public for passive, resource-based recreation, environmental education, and scientific research. Public use shall not take precedence over ecosystem protection. Proposed public uses shall take into account the specific environmental conditions of each natural area, and may be modified in response to changing environmental conditions.*
 - o Facilities for passive public use shall be provided on each site. These facilities shall be designed to have a minimal impact on native ecosystems and shall be located in previously disturbed areas as much as possible.*
 - o Facilities, structures, or roads other than management or access roads that would cause fragmentation of a natural area shall not be permitted within a natural area. The establishment of compatible land uses and activities on lands adjacent to a natural area shall be encouraged.*
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- o *To the extent possible, fire-maintained native ecosystems shall be burned at the appropriate interval and season, as determined by historical data, to maintain those ecosystems. Burns shall be conducted by trained personnel, using a prescribed burn plan that addresses safety and smoke concerns. The seasonality of prescribed burns may be adjusted for initial fuel reduction burns and site safety constraints.*
- o *Where ecosystems within a natural area have been impacted by invasive, non-native plant infestations, land-clearing activities, drainage, or flooding, attempts shall be made to restore those ecosystems to their previous condition or to a natural ecosystem best suited to the existing conditions on the natural area.*
- o *The special requirements of listed species shall be considered in developing management strategies for each natural area, but management for an individual species shall not take precedence over management of an entire ecosystem or be allowed to have a detrimental impact on that ecosystem's complement of species.*

Management Plan Development and Revision

- o *A specific management plan, based on biological, hydrological, and historical information and interpretation of this information, shall be written for each natural area that takes into account the environmental conditions found on that natural area.*
- o *Each management plan shall address the strategies and techniques that will be used to manage and restore native ecosystems, to protect listed species, to control the occurrence of invasive, non-native plants and animals, to allow for appropriate public access, and to prevent unauthorized access and activities.*
- o *Each plan shall be reviewed by the Palm Beach County Natural Areas Management Advisory Committee (NAMAC), a citizens' advisory board, and the public shall be invited to comment on the plan at a public hearing held by NAMAC in the community in which the site is located. Following NAMAC review of the comments received, the plan shall be sent to the Board of County Commissioners for approval.*
- o *Each approved plan shall be subsequently reviewed every ten years thereafter by NAMAC and revised as necessary on the basis of new information, research data, improvement in management techniques, or other relevant factors.*

EXECUTIVE SUMMARY

The Pondhawk Natural Area is located in the City of Boca Raton, in the southeastern portion of Palm Beach County. Palm Beach County acquired 78.7 acres of the site in July 2002 with funds from the Palm Beach County Lands for Conservation Purposes Bond Issue Referendum of March 9, 1999. Matching funds for the acquired tracts have been received from the Florida Community Trust (FCT). The primary purpose of this acquisition is to preserve and restore important remnants of mesic flatwoods, hydric hammock, scrub, scrubby flatwoods, and basin marsh vegetation communities and their associated wildlife populations. The secondary purposes are to provide for passive recreation, environmental education and scientific research.

The acquisition of the natural area and the related management activities will assist the City and the County in implementing several policies within their respective comprehensive plans. Mesic flatwoods, scrubby flatwoods, disturbed hydric hammock, disturbed basin marsh and scrub are the predominant natural communities present on the site. Areas of hydric hammock and disturbed easement are also present. The acquisition and management of this site preserves important habitat for rare plant and animal species, including eight plant and nine animal species that have been listed by at least one government agency or nonprofit environmental organization.

Fire exclusion, canal and lake excavation, construction of adjacent roads and buildings, illegal dumping, drainage, and exotic pest plant invasions have all impacted the site. In addition, managers face special challenges unique to fragmented natural communities located within urban and suburban environments. In recognition of the significance of the natural vegetation communities on the site, public use must remain limited to passive recreation, environmental education, and scientific study. Hiking trails, a handicapped-accessible nature trail and wildlife observation shelter, and interpretive displays will provide a valuable opportunity for the public to observe the site's distinctive natural communities and species, while also imparting an appreciation of their biological uniqueness. Scientific research will include monitoring of populations of rare and/or endemic species, and evaluation of restoration and management activities.

This management plan has been developed to achieve two major goals: 1) to provide specific information required by FCT's Florida Forever Program and 2) to provide additional information and management recommendations so that management activities can begin promptly. A stewardship report will be provided to the FCT each year summarizing the management activities on the site. The management plan will be reviewed every ten years thereafter by the Palm Beach County Natural Areas Management Advisory Committee and revised as necessary on the basis of new information, improvements in management techniques, or other relevant factors.

08-0612

BGEX - 380-0311080000000002348

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 3/8/2008	REMAINING BALANCE
<u>Appropriations</u>								
380-3195 Reserve-Natural Areas Stwdship	9909 -Res-Improvement Progrm	2,489,200	903,518		262,677	640,841	0	640,841
820-3290 Transfers	9207-Tr To Capital Outlay Fd 3900	0	4,450,957	262,677		4,713,634	270,461	4,443,173
				262,677	262,677 0			

Environmental Resources
Management

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

Signatures & Dates

Richard E. W. 3/11/08
Atwill/White 3-25-08

BY BOARD OF COUNTY COMMISSIONERS
AT MEETING OF

April 1, 2008
Deputy Clerk to the
Board of County Commissioners

ATT.# 2
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08-0613

BGEX - 380 - 0311080000000002349

BGRV - 380-0311080000000000432

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 ENCUMBERED BUDGET / Expended 3/10/2008	REMAINING BALANCE
<u>REVENUES</u>							
800-9100 Transfers	8033-Tr Fr Natural Areas Fd 1226	0	4,450,958	262,677	0	4,713,635	4,713,635
TOTAL RECEIPTS & BALANCES		48,617,734	52,378,282	262,677	0	52,640,959	
<u>EXPENDITURES</u>							
381-E412 Pondhawk Natural Area	6504-Iotb Non Infrastructure	75,000	75,000	262,677	0	337,677	337,677
TOTAL APPROPRIATIONS & EXPENDITURES		48,617,734	52,940,005	262,677	0	53,202,682	

Environmental Resources
Management

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

Signatures & Dates

Richard E. Walaby 3/11/08
Atwillhite 3.25.08

BY BOARD OF COUNTY COMMISSIONERS
AT MEETING OF

April 1, 2008
Deputy Clerk to the
Board of County Commissioners

ATT.#3

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