

**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 Pine Glades Natural Area; and

B) 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 Pine Glades 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 Pine Glades Natural Area Management Plan (Plan) was developed by the Department of Environmental Resources Management (ERM). The Plan provides guidelines for proposed land management activities and public use facilities development on the Pine Glades Natural Area. It was recommended for approval by the Natural Areas Management Advisory Committee (NAMAC) on August 17, 2007, after careful consideration of public comments received at a public hearing held on July 25, 2007.

The Pine Glades Natural Area is comprised of approximately 6,413 acres. This site was acquired by purchases in 1999, 2000, 2001, 2004 and 2005, a conservation easement for deed exchange in 2005, and acquisitions made through eminent domain proceedings in 2005 and 2006. Funds for the acquisitions were provided from the Palm Beach County Environmentally Sensitive Lands Bond Issue Referendum of March 12, 1991, the Palm Beach County Lands for Conservation Purposes Bond Issue Referendum of March 9, 1999, the County's Natural Area Stewardship fund and from matching funds from the Florida Communities Trust. This site will be managed by ERM as part of the County's Natural Areas System, which is currently comprised of 36 sites. District 1 (SF)

Background and Policy Issues: In November 1994, the BCC created NAMAC to review 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 August 17, 2007.

(Continued on Page 3)

Attachments:

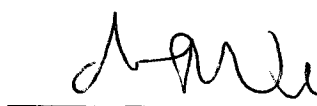
1. Management Plan > 50 pages: Available for Review at County Administration

Recommended by:


Department Director

3/10/08
Date

Approved by:


County Administrator

3/10/08
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	\$1,064,470	\$1,127,500	\$1,421,750	\$ 665,500	\$1,292,215
Operating Costs	<u>501,816</u>	<u>590,946</u>	<u>650,041</u>	<u>748,320</u>	<u>932,128</u>
External Revenues	< \$200,000 >	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	\$1,366,286	\$1,718,446	\$2,071,791	\$1,413,820	\$2,224,343
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes X No _____

Budget Account No.: Fund 1226 Department 380 Unit 3162/E205 Object Various
Program E205

Revenue Budget: Fund 3900 Dept 381 Unit E205 RSRC 4399 \$200,000

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 hydrologic restoration costs are expected to come from a combination of monies from the Natural Areas Fund, mitigation credits sold to other County departments, and grants (e.g., Bureau of Invasive Plant Management Program grant No.SE--121 for \$200,000 as shown above). 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 for FY 2008 and beyond may be higher or lower than projected. Scheduled activities are subject to annual appropriations.

C. Department Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:
A budget amendment of \$200,000 for grant No. SE-121 was approved by the Board on March 11, 2008. The estimated cost of the project is \$4,647,070 with, ongoing maintenance costs of \$636,656 per year.
estimated

Atwillhite 3-19-08
OFMB 3/18/08 CN 3/10/08

Jim J. Jarett 3/20/08
Contract Development and Control
E. Jones 3/20/08

B. Legal Sufficiency:

Ronan J. J.
Assistant County Attorney

C. Other Department Review:

Department Director

(Continued from page 1):

With the approval of this management plan, 19 of the County's 36 natural areas will have approved management plans. The primary objectives for the management of this site are to ensure the preservation and restoration of important remnants of mesic flatwoods, wet flatwoods, wet prairie, dome swamp and depression marsh communities; the wildlife populations associated with these native habitats; and the rare and/or endemic plant and animal species on the site. A total of eighteen plant and nineteen animal species observed on the Pine Glades 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. Much of the restoration work is related to providing wetland mitigation for County development projects. The success of this mitigation is critical to the success of those projects and to providing funding for the Natural Areas Program. Additional objectives are to provide for passive recreation, environmental education, and scientific research opportunities consistent with protecting the natural resources of the Pine Glades 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. Conservation easements currently exist over approximately 1,206 acres of the Pine Glades Natural Area. A conservation easement was granted to the SFWMD over approximately 659.3 acres as part of the Minto Mitigation Project in southwest Pine Glades (R2005-2274.1). Another conservation easement was placed over 547 acres in north-central Pine Glades as part of the 2005 conservation easement deed exchange with the SFWMD (R2005-1631). One or more additional conservation easements will be placed over the rest of the natural area which lies east of Seminole Pratt Whitney Road (approximately 1,879 acres) as part of the development of two County wetland mitigation areas. Unanticipated delays have slowed acceptance of conservation easements by the 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 remainder of the Pine Glades Natural Area (that area west of Seminole Pratt Whitney Road) within the next year. Staff is also hopeful that the TNC will accept a conservation easement over the natural area within the next two years.

In addition to the existing and planned conservation easements, the site also has other protections currently in place. Protection from incompatible use is currently afforded to a 605-acre portion of the Pine Glades Natural Area, known as Indian Lake Estates, through the Declaration of Restrictive Covenants (R2007-0168) with Florida's Communities Trust (FCT), which prohibits uses contrary to the purposes of the State's Florida Forever Program. The entire 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.

No equestrian access to the natural area is provided at this time. The Pine Glades Natural Area west of Jupiter Farms is a mitigation area for a variety of County and non-County projects and regulatory success criteria must be met in order to receive the mitigation credit and program funding. As the site undergoes restoration associated with this mitigation effort, conditions on-site are expected to change over time. As this property will be undergoing dry-season restoration over the next 4 to 5 years, and the site will be closed during construction, the impact of changing conditions will be re-evaluated for possible equestrian use when the restoration/mitigation is complete in 5 years.

EXECUTIVE SUMMARY

The Pine Glades Natural Area was originally a portion of the Pal-Mar Conservation and Recreation Lands (CARL) Project, most of which is now part of the John C. and Mariana Jones/Hungryland Wildlife and Environmental Area (Hungryland WEA). The dividing line between the natural area and the Hungryland WEA is Indiantown Road (State Road 706). The natural area is located within the northern portion of unincorporated Palm Beach County. The total area of the site is approximately 6,413 acres. This site was acquired by purchases in 1999, 2000, 2001, 2004, 2005, and 2006, a conservation easement for deed exchange in 2005, and acquisitions made through eminent domain proceeding in 2005 and 2006. Funds for the acquisitions were provided from the Palm Beach County Environmentally Sensitive Lands Bond Issue Referendum of March 12, 1991, the Palm Beach County Lands for Conservation Purposes Bond Issue Referendum of March 9, 1999, the County's Natural Areas Stewardship Fund, and from state Florida Forever matching funds from the Florida Communities Trust (FCT).

The primary purpose of this acquisition is to preserve important remnants of mesic flatwoods, wet flatwoods, wet prairie, dome swamp, and depression marsh vegetation communities and their associated wildlife populations. The secondary purposes are to provide for passive recreation, environmental education, and scientific research consistent with protecting the natural resources of the natural area. The acquisition of the natural area and the related management activities will assist Palm Beach County (the County) in implementing several policies within its comprehensive plan.

Mesic flatwoods, wet flatwoods, depression marsh, and wet prairie are the predominant natural communities present on the site. Smaller areas of dome swamp, melaleuca, disturbed mesic flatwoods, disturbed dome swamp, disturbed depression marsh, disturbed wet flatwoods, disturbed wet prairie, spoil, fill canals, borrow pits, berms and ditches, Australian-pine, and agriculturally-altered areas are present also. The acquisition and management of this site preserves important habitat for rare plant and animal species, including eighteen plant and nineteen animal species that have been listed by at least one government agency or nonprofit environmental organization.

Fire exclusion and suppression, draining of wetlands by direct and indirect connections to adjacent canals, exotic pest plant invasion, illegal dumping, feral hogs, and off-road vehicle traffic have all impacted the site. In addition, site managers face special challenges unique to fragmented natural communities bordered by high-speed roads, and industrial and rural residential 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, accessible nature trails and wildlife observation shelters, a fishing pier, and interpretive displays will provide valuable opportunities for the public to observe the site's distinctive plant communities and associated animals, while also imparting an appreciation of their biological uniqueness. Parking facilities and educational materials will be developed to enable use of the site for environmental education. 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 FCT each year summarizing the management activities on the site. The management plan will be reviewed at least once after the first five years and then 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.

Grant funding from FCT was used to acquire a portion of the project site. The management plan was prepared to ensure that the project site will be developed in accordance with the FCT Grant Award Agreement and in furtherance of the purpose of the grant application.

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

- *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.*
- *The wilderness values of each natural area shall be preserved.*
- *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

- *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.*
- *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.*

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- *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.*
 - *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.*
 - *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.*
 - *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

- *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.*
- *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.*
- *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.*
- *Each approved plan shall be subsequently reviewed after the first five years and then every ten years thereafter by NAMAC, and approved by the Board of County Commissioners.*