

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: 5/6/08 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** 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: Richard E. Mahoney 3/10/08
Department Director Date

Approved by: [Signature] 3/20/08
County Administrator 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:

JP

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

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

Jim J. Javel 3/20/08
Contract Development and Control 3/20/08

B. Legal Sufficiency:

Monica 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.