

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

WORKSHOP SUMMARY

Meeting Date: January 26, 2010

Department: Environmental Resources Management

I. EXECUTIVE BRIEF

**Title: USES FOR THE NEW BRIDGE OVER THE WEST LEG OF THE C-18 CANAL
WITHIN THE LOXAHATCHEE SLOUGH NATURAL AREA**

Summary: This workshop was requested by the Board at its September 15, 2009 meeting. Staff will present issues relevant to the construction and proposed uses for the newly constructed bridge over the west leg of the C-18 Canal in the Loxahatchee Slough Natural Area. Staff requests direction on the continuation of the priorities previously set for the Program, and how those priorities and staff recommendations affect uses for the bridge over the west leg of the C-18 Canal. District 1 (SF)

Background and Policy Issues: Since March 1991, when the Environmentally Sensitive Lands Bond Referendum was passed, the County has been acquiring land to implement the Natural Areas Program. Land acquisition continued with passage of the Land Acquisition for Conservation Purposes referendum in March 1999. The acquisition program has been very successful in stretching those bond referendum dollars with grant funds from state and federal sources. The County currently manages over 31,197 acres on 36 different natural areas as part of the Natural Areas Program. Management of these lands to preserve, protect, and enhance the native ecosystems found on the natural areas is the primary mission of the Natural Areas Program and is reiterated in the Mission Statement at the front of each management plan approved by the Board. That mission statement also says the protection of the natural resources takes precedence over public use in the natural areas. Preserving, protecting and enhancing the native habitats found on the natural areas is now the primary focus of the Department of Environmental Resources Management's (ERM) Natural Resources Stewardship Division (NRS).

The Loxahatchee Slough Natural Area does not have a Board approved management plan yet. That plan is in development and staff is in negotiations with the City of Palm Beach Gardens as a management partner. The South Florida Water Management District (District) is also an owner of some of the lands in the natural area with the County as a lease holder. According to the lease, the District's cooperation and review in the development of the management plan is also necessary. The management plan will set forth the vision for how the site will be managed and provide for limited public use on the site. Staff is reviewing all public uses proposed for the site and working to balance the needs of the ecosystem with the requests of several user groups. Staff is targeting the end of 2010 for completion of the management plan.

(Continued on page 3.)

Attachments:

1. History and Accomplishments of County Land Acquisition Program- February 2007
2. PowerPoint Presentation from February 26, 2008 Board Workshop-Priorities and Funding Needs of the Natural Areas Program.

Recommended by: Richard E. Walubry 11/2/09
 Department Director Date

Approved by: [Signature] 1/4/10
 County Administrator Date

Background and Policy Issues (concluded):


Staff continues to work under the direction of the Board as to the priorities for the Natural Areas Program. Those priorities were established at their February 26, 2008 Workshop. Staff recommends the County continue to follow those priorities. Not opening the bridge over the west leg of the C-18 Canal to equestrian uses would be consistent with that direction, given that other north-south and east-west trails, as well as local trail systems, have been established within the Loxahatchee Slough Natural Area for equestrian use.



INTEROFFICE MEMORANDUM
Palm Beach County
Environmental Resources Management

DATE: February 20, 2007

TO: Addie L. Greene, Chairperson
and Members of the Board of County Commissioners

FROM: Richard E. Walesky, Director 
Environmental Resources Management

SUBJECT: HISTORY AND ACCOMPLISHMENTS OF THE PALM BEACH COUNTY
LAND ACQUISITION PROGRAM

The land acquisition program for the purchase of environmentally sensitive lands and conservation lands has been completed. The last closing occurred February 8 for the purchase of the Whitesell property. The last meeting of the Conservation Land Acquisition Selection Committee (CLASC) was held on January 8. The resolution that authorized the formation of CLASC will automatically sunset after receipt by the Department of Environmental Resources Management of official notification from the County's Financial Management & Budget Department that no funds are available from bond issue proceeds. The Natural Areas Management Advisory Committee (NAMAC) will continue to meet to review management plans prepared by staff, obtain public comment on these plans, and provide recommendations to the Board for approval of the plans.

A summary of the history and accomplishments of the land acquisition program is attached for your information and use. Please feel free to contact me at 233-2400 or rwalesky@co.palm-beach.fl.us if you have any questions regarding the summary or if we can be of further assistance.

REW:KMB

Attachment

cc: Robert Weisman

County Administrator

HISTORY AND ACCOMPLISHMENTS OF THE PALM BEACH COUNTY NATURAL AREAS PROGRAM – 1988-2006

Program History

- 1988 – Inventory of Native Ecosystems Phase III report approved by Board of County Commissioners; Board designated ecosystems in study as environmentally sensitive areas of countywide concern and directed that their locations be incorporated into the County's Comprehensive Land Use Plan and that County departments use the information in the report in their reviews and programs; County and City of Delray Beach jointly acquired Leon M. Weekes Environmental Preserve
- 1989 – Final report of Inventory of Native Ecosystems study completed; Environmentally Sensitive Lands Ordinance (89-23) adopted to provide regulatory protection for high-quality sites until they could be acquired; Environmentally Sensitive Lands Acquisition Advisory Committee appointed to identify potential sites for acquisition
- 1991 – Environmentally Sensitive Lands Acquisition Selection Ordinance (91-13) adopted; Environmentally Sensitive Lands Acquisition Selection Committee appointed after voter approval of the March 12, 1991 Environmentally Sensitive Lands Bond Referendum, which provided \$100 million for acquisition of environmentally sensitive lands; The Nature Conservancy hired to negotiate with landowners and provide other acquisition-related services
- 1994 – Natural Areas Ordinance (94-13) adopted to provide regulatory protection for the properties acquired; Natural Areas Stewardship Endowment Fund Ordinance (94-31) adopted to provide mechanism to assist in funding perpetual management of natural areas; Natural Areas Management Advisory Committee appointed to review management plans and procedures, conduct hearings to obtain public input on management plans, and recommend adoption of management plans
- 1999 – Conservation Land Acquisition Committee appointed to develop procedures, priorities and criteria for the acquisition of conservation lands; County voters approved the \$150 million March 9, 1999 Land Acquisition for Conservation Purposes Bond Referendum, which included up to \$100 million for the acquisition of lands within the Agricultural Reserve to be used for continued active agriculture, water resources, and open space, and not less than \$50 million for the continued acquisition of environmentally sensitive lands and greenways; Conservation Land Acquisition Selection Committee appointed to recommended acquisition of conservation lands and agricultural lands; second contract with The Nature Conservancy approved; contract approved with The Conservation Fund to assist with negotiations
- 2003 – Conservation Lands Protection Ordinance (2003-052) adopted to establish policy and procedures for approval of conveyance of an interest in conservation lands when such conveyance would result in an exceptional benefit to the Natural Areas Program

- 2006 – Policy for the Acceptance of Conservation Lands adopted to provide criteria and procedures for consideration of acceptance of donations of conservation lands from homeowners' associations and developers for management by ERM

Program Accomplishments

- A total of 35,063 acres of conservation lands were protected through the program as of December 31, 2006. Of these, 2,121 acres of environmentally sensitive lands were sold to the State for incorporation into the Hungryland Wildlife and Environmental Area and 131 acres of lands in the Agricultural Reserve were sold to agricultural interests with conditions requiring the lands to be used for agriculture.
- The \$150 million in conservation land bonds initially dedicated for environmentally sensitive lands yielded property appraised at \$317,872,177, for which the County spent only \$177,836,600 due to owner discounts, mitigation revenue designated for land acquisition, partnerships with regional and local government agencies, and matching funds received through grants from state land acquisition programs – a savings to the County of \$140,035,577.
- Discounts from owners totaled \$54,878,410.
- Mitigation revenues received from federal and state regulatory programs totaled \$9,904,077.
- Matching funds received through partnerships with regional and local government agencies totaled \$9,626,047.
- State matching funds totaling \$65,627,043 were obtained through successful applications to the Conservation and Recreational Lands (CARL) Preservation 2000 Program (\$24,405,577) and the Preservation 2000 and Florida Forever Programs (\$41,221,466) of the Florida Communities Trust (FCT).
- Palm Beach County has partnered with 9 municipalities in submitting successful applications to FCT and is one of the top 6 counties in the number of successful grant applications to FCT.
- Of the 2,356 acres still owned by the County in the Agricultural Reserve, 1,782 acres are leased back to the original owners for agricultural uses. The annual revenues from these leases total approximately \$1.6 million. The remaining 574 acres are co-owned with the South Florida Water Management District (SFWMD) and will be used for water resource and recreational purposes.
- The County is granting conservation easements over each natural area or part of a natural area owned by the County to provide additional long-term protection for these lands – one easement to SFWMD and one to The Nature Conservancy (TNC). Conservation easements have already been granted to both entities over 4 natural areas and are in

process for 4 additional natural areas. A conservation easement was granted to SFWMD over part of another natural area, and conservation easements over the entire site will be granted to both entities in the near future.


- Thirty-four natural areas are under County management, and the County has management oversight on another natural area (Leon M. Weekes Environmental Preserve).
- Interlocal agreements were approved with 9 municipalities, 1 federal agency, 1 state agency and 1 improvement district for assistance in the management of 19 natural areas.
- Management plans were approved by the Board for 15 natural areas and by other entities for 2 natural areas (Jupiter Inlet and Sweetbay).
- Visitor use facilities have been constructed at 13 natural areas, providing improved access and parking for 3,345 acres of conservation lands for passive recreational activities. Facilities for 8 additional natural areas are in design that will provide improved access and parking for an additional 10,139 acres.
- A site steward program was developed and site stewards for 15 natural areas were trained to assist with site inspection, monitoring, and volunteer management activities.
- A volunteer program was developed and 20,634 hours of volunteer service were contributed by individuals, companies, school groups, church groups, environmental groups, service groups, and site stewards since January 2000 in the preparation of sites for public use, restoration projects, and ongoing management activities – a savings to the County of \$358,445.
- Grants and mitigation funds totaling \$18,082,001 have been received or are pending for exotic plant control, hydrologic restoration, and habitat restoration and enhancement on these lands.
- Seven restoration projects were completed on 7 natural areas and 13 restoration projects are in progress on 8 natural areas.
- An interagency master plan was developed for the approximately 154,000-acre Northeast Everglades Natural Area (NENA) in northern Palm Beach County and southern Martin County.
- The 72-mile Ocean-to-Lake Trail (OLT), a hiking trail that connects the Atlantic Ocean to Lake Okeechobee, is nearly complete. Three bridges have been designed for crossings of the Loxahatchee River and the C-18 Canal, and negotiations are in progress for making the final connection to Lake Okeechobee. The Ocean-to-Lake Greenway, which includes the OLT, has been designated as part of the Florida Greenways and Trails System.



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**Priorities and
Funding
Needs
of the
Natural Areas
Program**

February 26, 2008



Current Program Status



- **Lands Acquired**
30,648 acres/34 sites
- **Public Use Facilities**
38% (13 of 34 sites)
now constructed

New Challenges

- **Funding**
 - Bond funds
 - Grant funds
 - Acquisition debt
- **Large Properties**
 - Limited existing access
 - Demands for multiple access points
 - Security, public safety, emergency response, large prescription burns
- **Wetlands**



We cannot do everything that everyone wants us to do on our natural areas.

Even if we had unlimited resources, many use requests would benefit just a few people and negatively impact the mission of conservation.



Purpose of Today's Workshop



- Share Driving Principles
- Provide Staff-Recommended Priorities
- Identify Costs, Revenues, Recommendations
- Seek Your Direction for the Future

Mission Statements

**Environmentally Sensitive
Lands Bond
Referendum 1991**

"Shall Palm Beach County, in order to acquire, preserve and maintain environmentally sensitive lands in Palm Beach County and protect wildlife and endangered species on such lands, issue general obligation bonds ...?"

**Land Acquisition Program
for Conservation
Purposes Bond
Referendum 1999**

"Shall Palm Beach County ... implement a land acquisition program for conservation purposes ...?"

Mission Statements (continued)

**From the
Management
Statement
Included
in All BCC-
Approved
Management
Plans**

"These natural areas ... 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."

"Public use shall not take precedence over ecosystem protection. Proposed public uses shall take into account the specific environmental conditions of each natural area...."

Driving Principles

- Remember the Mission
- Think low-impact, passive, nondestructive use
- Serve the most people at the lowest cost
- Not all public uses are appropriate on all sites
- Be conservative in authorizing public uses
- Chase the money
- Meet contractual obligations linked to individual sites

Staff-Recommended Priorities

1. Manage/Restore Land for Conservation
2. Public Use Facility Obligations
3. Mitigation Obligations
4. Restoration Obligations
5. Multiuse Regional Greenways/Trails
6. New Public Use Facilities/Trails
7. Local/Backyard Access/Trails

1. Manage/Restore Land for Conservation

Includes: exotic animal and plant control, fire management, prescribed burns, firebreaks/management roads, site security, fencing, restoration of hydrology, restoration of vegetation, and maintenance of existing facilities



Annual Costs = \$7,200,000

Benefits of Conservation

- Biodiversity of plants/animals
- Protection of threatened/endangered plants/animals
- Surface water storage/flood control
- Aquifer recharge
- Water quality
- Air quality
- Esthetics/open space
- Quality of life
- Passive recreation



2. Public Use Facility Obligations

Remaining obligations on 11 of 34 sites (32% of total)

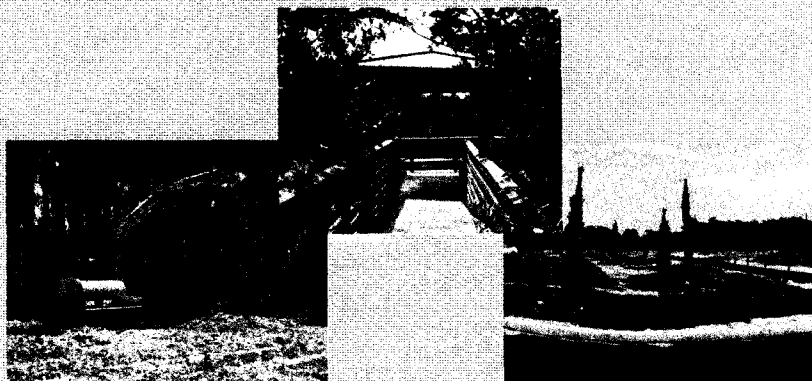
- 7 parking lots (Includes signage, kiosks, & bike racks)
- 9,000 linear feet of accessible nature trails
- 3,250 linear feet of boardwalk
- 12 wildlife observation platforms
- 223 acres of wetland restoration
- 49 acres of upland restoration
- 2 hydrologic restoration projects

Acreage Pines	Lake Okeechobee Connector	Pine Glades
Cypress Creek	Lake Park Scrub	Pondhawk
Delaware Scrub	Limestone Creek	Snook Islands
Hungryland Slough	North Jupiter Flatwoods	

Additional Capital Costs = **\$9,300,000**

Importance of Meeting Public Use Facility Obligations

- Part of the Mission
- Florida Communities Trust (FCT) Partnerships
 - Existing funding commitments/reverter clause
 - Creditability for future grants

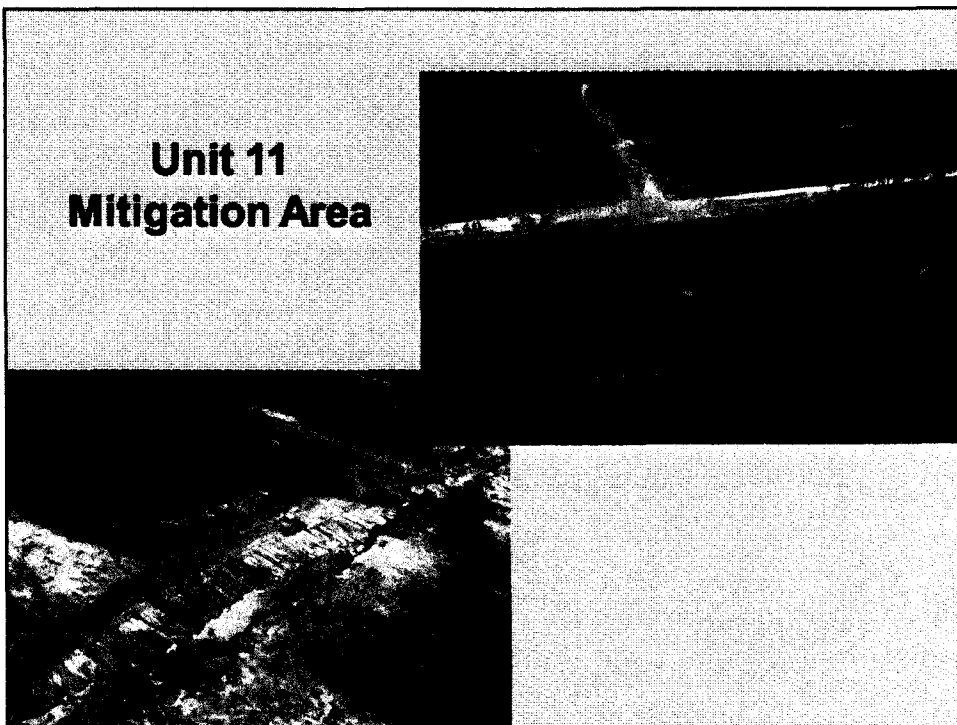


3. Mitigation Obligations

- Unit 11 (Hungryland Slough) – 1,769 acres
- South Loxahatchee Slough – 780 acres
- Acreage Pines – 18 acres
- C-18 Triangle – 36 acres
- Pond Cypress – 544 acres
- Pine Glades - South/Minto – 655 acres
 - North – 615 acres
 - West – 1,872 acres

Additional Capital Costs = \$13,500,000

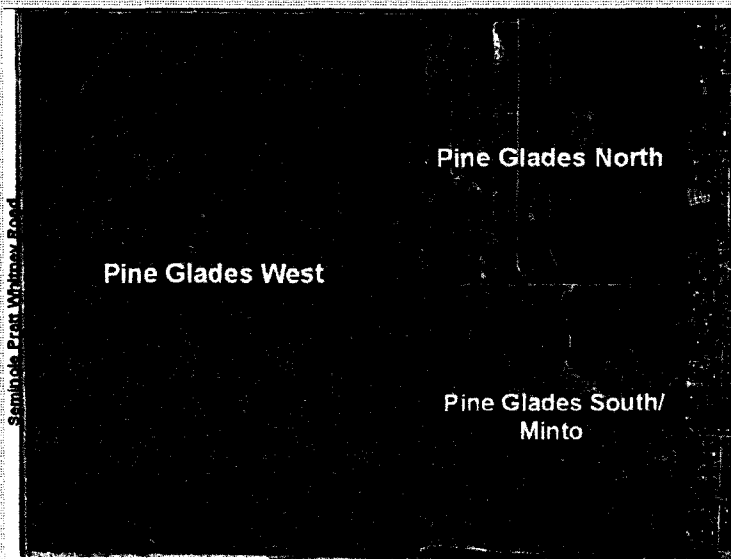
**Unit 11
Mitigation Area**



South Loxahatchee Slough Mitigation Area



Pine Glades Mitigation Areas



Pine Glades Mitigation Area - West



Pine Glades Mitigation Area - South/Minto



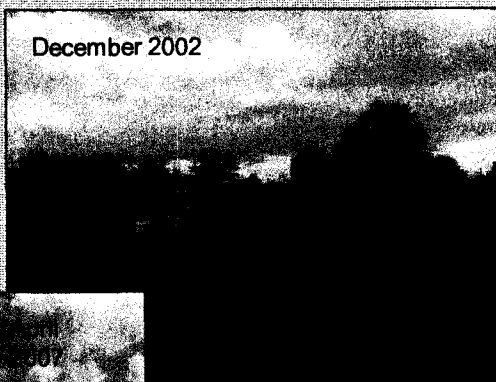
4. Restoration Obligations

- Winding Waters (NRCS, \$1.5 million grant)
- Loxahatchee Slough (NRCS, \$1.5 million grant)
- Loxahatchee Slough (LRPI, \$250,000 grant)
- Limestone Creek (LRPI, \$680,000 grant)
- Cypress Creek (LRPI, \$150,000 grant)
- Various restoration grants scheduled for approval by BCC on 3/11/08 (\$1,178,000 total grants)
- Natural area restoration projects identified in approved managements plans, but without specific contractual obligations

Additional Capital Costs (dollars not yet encumbered) =
\$1,500,000

Yamato Scrub Restoration Area

December 2002

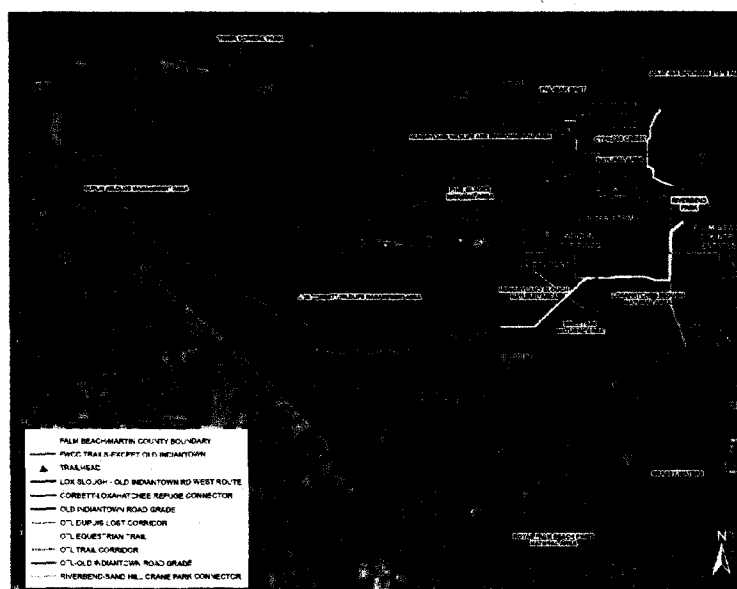


5. Multiuse Regional Greenways/Trails

- Riverbend to J. D. State Park & U.S. 1 (multiuse) – 11.5 miles
- Sandhill Crane to Riverbend (multiuse) – 5.5 miles
- Riverbend to Corbett (multiuse) – 10.5 miles
- L-8 Greenway (multiuse) – 10.9 miles
- Old Indiantown Road (multiuse) – 18 miles
- Ocean to Lake Trail (hiking) – 64.7 miles
- Lake Okeechobee Connector (equestrian) – 2.4 miles
- South County Connections - unknown

Additional Capital Costs = **\$8,000,000**

Existing and Proposed Multiuse Regional Greenways/Trails



6. New Public Use Facilities/Trails

- Loxahatchee Slough
- Pond Cypress
- Winding Waters
- Indiantown-Jupiter Venture/Hatcher
- East Conservation Area
- C-18 Triangle
- Jupiter Inlet
- North Ocean Ridge Mangroves
- Pawpaw Preserve
- Jackson Riverfront Pines



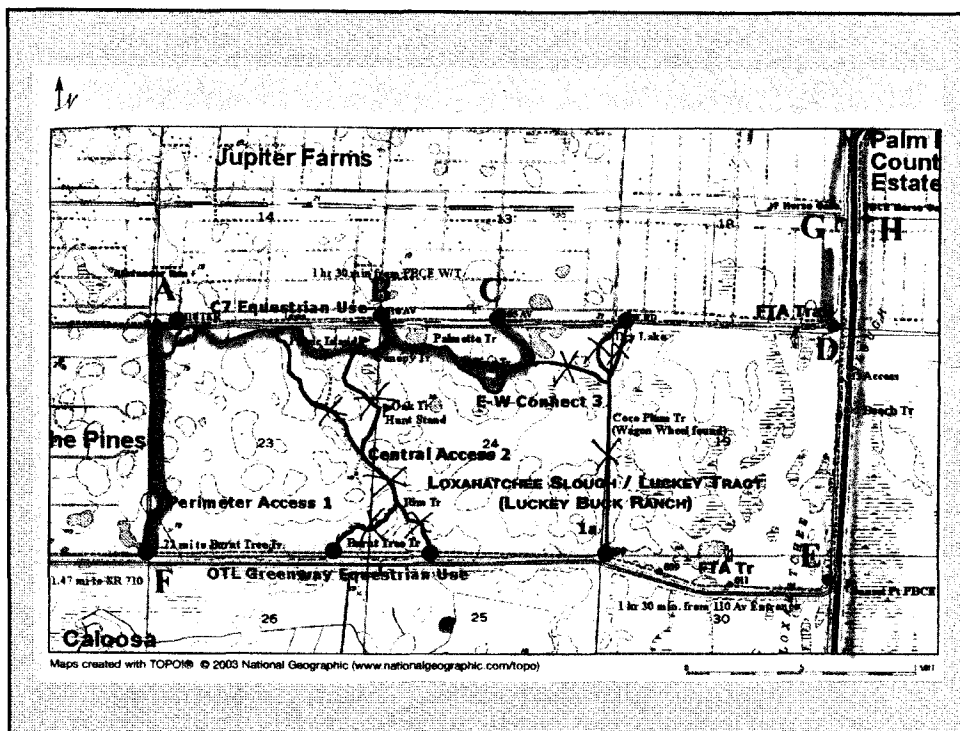
Additional Capital Costs = \$7,000,000

7. Local/Backyard Access/Trails

- Staff/security-intensive
- Multiple access points
- Each access point may be accessible by only a few people
- Additional support includes signage, maps, kiosks, gates, etc.



Additional Capital Costs = Unknown



Trail Distances

Segment Identification	Miles
F to Lake Okeechobee trailhead out & back	65.2
Riverbend Park north end to JD Park US 1 out & back	23.0
Sandhill Crane Park to Riverbend Park & back	11.0
H to A via Riverbend bridge out & back	11.0
F to eastern Corbett (near youth camp) out & back	9.8
G to D to E to F out & back	9.1
H to Sandhill Crane Park out & back	9.0
A to D to E to F to A canal loop	8.2
A to C to A out & back (inside)	4.2
A to C to A loop	3.7
D to Riverbend Park south entrance out & back	3.0
Riverbend Park south entrance to north end out & back	2.9
A to B to A out & back (inside)	2.8
A to B to A loop	2.5
A to F to A out & back (inside)	2.2
H to Riverbend Park south entrance out & back	2.1
G to Riverbend Park south entrance out & back	2.1
B to C to B out & back	2.0
B to C to B loop	1.6
G to D out & back	0.9

Costs of Staff-Recommended Priorities

	Estimated Cost (in Millions)	Cumulative Total (in Millions)
1. Manage/Restore Land for Conservation*	\$21.6	\$21.6
2. Public Use Facility Obligations	\$9.3	\$30.9
3. Mitigation Obligations	\$13.5	\$44.4
4. Contractual Restoration Obligations	\$1.5	\$45.9
5. Multiuse Regional Greenway/Trails	\$8.0	\$53.9
6. New Public Use Facilities/Trails	\$7.0	\$60.9
7. Local/Backyard Access/Trails	unknown	\$60.9
TOTAL		\$60.9

* Recurring costs; estimated costs shown above are for a 3-year period.

Available Funding

Funding Source	Recurring Annual Revenues (in Millions)	Total Projected Revenues (in Millions)*	Cumulative Total (in Millions)*
Natural Areas Fund/Unit 11 Fund	n/a	\$3.9	\$3.9
Natural Areas Stewardship & Unit 11 Management Endowment Interest (Principal = \$8.5 million)	\$0.4	\$1.2	\$5.1
Conservation Lands (Lease Revenues, incl. 3% Inflation)	\$1.6	\$4.9	\$10.0
BCC Environmental Restoration	\$0.3	\$0.8	\$10.8
RV Holding (FCT Grant)	n/a	\$6.6	\$17.4
Pine Glades Mitigation (Credit Sales)	n/a	\$17.9	\$35.3
Bureau of Invasive Plant Management (Grants)	\$1.5	\$4.5	\$39.8
Loxahatchee River Preservation Initiative (Grants)	\$1.0	\$3.0	\$42.8
Futura FCT Grants - Jupiter Ranch	n/a	\$6.6	\$49.4
TOTALS	\$4.8	\$67.1	\$67.1

n/a = not applicable; funding is static and not recurring

* Total revenues shown for recurring items is for a 3-year period



Summary of Staff-Recommended Priorities

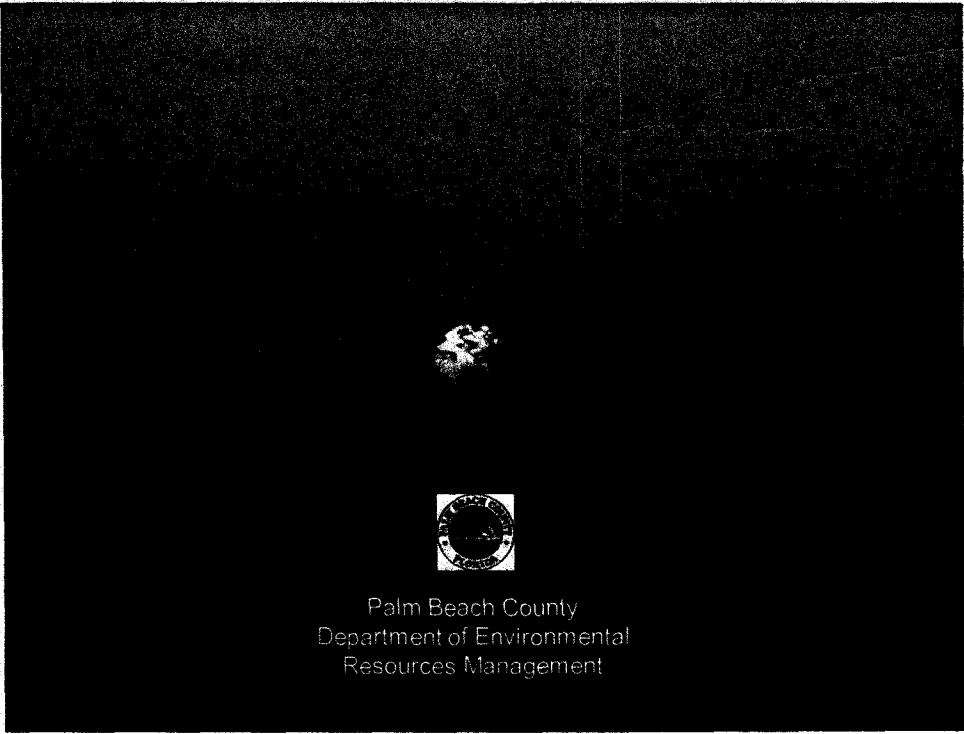
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Recommendations

1. Recognize that resources are insufficient to meet all needs
2. Accept priorities recommended by staff
3. Based on priorities/revenues
 - Continue priorities #1 through #4
 - Selectively continue priorities #5 and #6 depending on outside funding
 - No additional starts on priority #7 at this time

Recommendations (Continued)

4. Support continuation of Florida Forever Program
5. Seek dedicated long-term funding to cover shortfall in annual revenues (after 3 years)
 - Priority #1 - Manage/restore land for conservation = \$4.9M/year
 - Total additional funding needed = \$4.9M/year
 - (\$7.2 M/year total cost - \$2.3 M/year recurring revenues = \$4.9 M)
6. Seek additional revenue for public use facilities (one-time costs)
 - Priority #5 - Multiuse regional greenways = \$8.0 M
 - Priority #6 - New public use facilities = \$7.0 M
 - Debt on Hatcher/Indiantown Jupiter Venture = \$11.7 M
 - Contingency reserve for grant matches = \$5.0 M
 - Total one-time costs = \$31.7 M
7. Reevaluate TDR program to increase certainty of revenue source



25