

Meeting Date: June 23, 2015 ☐ Consent ☐ Regular
 ☐ Ordinance ☒ Public Hearing

Department

Submitted By: Environmental Resources Management

Submitted For: Engineering and Public Works

Motion and Title: Staff recommends motion to adopt: a Resolution conceptually authorizing a land exchange in which 0.668 acres of land within the Pond Cypress Natural Area (Natural Area) would be conveyed to the Department of Engineering and Public Works (Engineering) for an adjusted right of way for the SR 7 Extension and 3.95 acres of equal or higher quality lands within the existing SR 7 Extension road right of way that is immediately adjacent to the Natural Area would be conveyed to the Department of Environmental Resources Management (ERM) and incorporated into the northern portions of the Natural Area, pursuant to the Conservation Lands Protection Ordinance (No. 2003-052).


Background and Policy Issues: The Conservation Lands Protection Ordinance (No. 2003-052) requires a public hearing where the Board considers the conceptual approval of conveying an interest in Conservation Lands to another entity or authorizing the use of Conservation Lands for a purpose other than originally intended. The public hearing today satisfies that requirement.

(Continued on Page 3)

1. Resolution
2. Application for Land Exchange under Conservation Lands Protection Ordinance
3. Draft Minutes of NAMAC Meeting Recommending the Land Exchange
4. Commitment Letter from Department of Engineering and Public Works


Department Director

5/27/15
Date


County Administrator

6/2/10
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	_____	_____	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____
Is Item Included in Current Budget?	Yes _____ No _____				
Budget Account No.:	Fund_____	Department_____	Unit_____	Object_____	
	Program_____				

B. Recommended Sources of Funds/Summary of Fiscal Impact

There is no fiscal impact associated with this item.

C. Department Fiscal Review:

Henry

III. REVIEW COMMENTS

A. OFMB Fiscal and /or Contract Administrator Comments:


OFMB ^{5/25} _{5/28} ^{5/24} _{5/28/15} ^{5/29} _{5/25} Contract Administrator

B. Legal Sufficiency:


Assistant County Attorney

C. Other Department Review:

Department Director

(Continued from Page 1)

Pursuant to Ordinance No. 2003-052, the Natural Areas Management Advisory Committee (NAMAC) reviewed this land exchange request at their meeting on May 15, 2015 and has recommended approval of this land exchange. Because the lands to be exchanged are all within unincorporated Palm Beach County, no municipality was asked to review the application. Staff supports the proposed land exchange and believes that it meets the intent of the Ordinance by providing an exceptional benefit to the Conservation Lands Program. Approval of this Resolution will conceptually authorize the transfer of the lands involved in this exchange through a simple future internal exchange between County departments in the Core files at the County's Property and Real Estate Management Division to reflect the change in responsibility for the lands involved in the exchange. A future Board agenda item will be required to obtain the Board's direction to make the conceptually approved exchange of land responsibilities occur.

RESOLUTION NO. 2015 - _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, CONCEPTUALLY APPROVING THE CONVEYANCE OF 0.668 ACRES OF ENVIRONMENTALLY SENSITIVE LAND WITHIN THE POND CYPRESS NATURAL AREA TO THE ENGINEERING AND PUBLIC WORKS DEPARTMENT TO BE USED FOR A REALIGNMENT OF THE RIGHT-OF-WAY FOR THE EXTENSION OF STATE ROAD 7 FROM 60TH STREET NORTH TO NORTHLAKE BOULEVARD, IN EXCHANGE FOR 3.95 ACRES OF LAND IN THE EXISTING RIGHT OF WAY IMMEDIATELY ADJACENT TO THE NORTHERN PORTIONS OF THE POND CYPRESS NATURAL AREA WHICH WOULD BE PRESERVED AS ENVIRONMENTALLY SENSITIVE LAND, AND ADDED TO THE POND CYPRESS NATURAL AREA, PURSUANT TO THE CONSERVATION LANDS PROTECTION ORDINANCE (ORDINANCE 2003-052).

WHEREAS, on October 21, 2003, The Board of County Commissioners adopted Ordinance No. 2003-052, the Conservation Lands Protection Ordinance, to provide a public hearing process for consideration of potential uses of conservation lands or portions thereof that were not originally contemplated for those lands; and

WHEREAS, the Board of County Commissioners has determined that the Public Purpose for this proposed land exchange is the need for right-of-way for the State Road 7 Extension from Okeechobee Boulevard to Northlake Boulevard to provide public transportation and traffic relief for residents of western Palm Beach County including the Acreage, Town of Loxahatchee Groves, and the Village of Royal Palm Beach, a large residential area located to the west of the Pond Cypress Natural Area (the "natural area"); and

WHEREAS, this proposed State Road 7 Extension has been established as part of the Comprehensive Plan, and placed in the Florida Department of Transportation's (FDOT) Five Year Work Program adopted on July 1, 2014, and supported by the Board of County Commissioners through Resolution R-2012-1474; and

WHEREAS, alternative locations for the road have been analyzed by both the FDOT and Palm Beach County, and these analyses showed that the use of the existing state-owned State Road 7 right-of-way along the eastern boundary of the natural area would have significant impacts on high-quality wetlands and would separate them from the Grassy Waters Preserve to the east, and that these findings indicated that a new alignment along the western and northern boundary of the natural area would have fewer wetland impacts, maintain connectivity for wildlife, and minimize fragmentation of this large natural resource; and

WHEREAS, use of the western alignment approved in July of 2004 would require

1 the acquisition of lands in Section 1 of the natural area for the purposes of completing
2 the State Road 7 Extension from its current terminus at 60th Street North, to Northlake
3 Boulevard; and

4 **WHEREAS**, the Department of Environmental Resources Management (ERM)
5 has controlling interest of the County property within Section 1 of the natural area
6 needed for the right of way for the roadway extension; and

7 **WHEREAS**, the FDOT has designed the State Road 7 roadway as a four-lane
8 roadway, which provides the traffic lanes required by the 2025 Transportation System
9 Map, and

10 **WHEREAS**, the proposed design follows the northern edge of the natural area
11 and the western edge of the Grassy Waters Preserve, thereby avoiding habitat
12 fragmentation of the two large natural areas; and

13 **WHEREAS**, the proposed design incorporates a reduced speed in the area of
14 the curve at the M-Canal crossing and includes retaining walls in lieu of earth
15 embankments in order to minimize the footprint needed to accommodate a 4-lane
16 roadway with adequate storm water quality management; and

17 **WHEREAS**, although some portions along the northern boundary of the natural
18 area contain pristine habitat, the Board of County Commissioners concurs with the
19 County staff determination that there is no known concentration of listed species within
20 the 0.668 acres to be conveyed to the road right of way, and that the large contiguous
21 piece of public natural area to the south and east of the right-of-way and the equally
22 high-quality land that will be added to the natural area and increase its size will continue
23 to support listed species typically found in the natural area; and

24 **WHEREAS**, the Natural Areas Management Advisory Committee (NAMAC) has
25 reviewed this proposed land exchange at its meeting on May 15, 2015 and approved
26 sending the application to the Board of County Commissioners with their
27 recommendation for approval, and

28 **WHEREAS**, the Board of County Commissioners has reviewed the
29 recommendations made by NAMAC pursuant to the Conservation Lands Protection
30 Ordinance; and

31 **WHEREAS**, pursuant to Section 3.05.E of the Conservation Lands Protection
32 Ordinance, the Department of Engineering and Public Works (Engineering) has provided
33 a written commitment to perform any necessary activities to transfer 3.95 acres of the
34 existing road right of way adjacent to the northern portions of the natural area to ERM to
35 be incorporated into the natural area, in exchange for the conveyance of 0.668 acres of
36 the natural area to the proposed right of way for the SR 7 Extension under the control of
37 Engineering (see Exhibit A); and

1 **WHEREAS**, approval of this Resolution will conceptually approve the transfer of
2 the lands proposed in the exchange through a separate action in the CORE files at the
3 County's Division of Property and Real Estate Management to change the responsibility
4 for the exchanged parcels of land to their respective county departments, and
5 potentially will require a future amendment to the County's Thoroughfare Map or the
6 Five Year Road Program, as applicable; and

7 **WHEREAS**, the applicant requesting an Interest in Conservation Lands
8 (Engineering) shall be responsible for obtaining any other approval or permit needed or
9 desired in connection with the request, and approval of this Resolution does not
10 guarantee the issuance of any such approval or permit; and

11 **WHEREAS**, the Board of County Commissioners has determined that the size
12 and location of the land to be incorporated into the Pond Cypress Natural Area makes
13 the contribution of an additional 3.282 acres into the natural area sufficient
14 compensation to provide an exceptional benefit to the Conservation Lands Program.

15
16 **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY**
17 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:**

- 18 1. The above Whereas clauses are hereby incorporated as findings of fact upon
19 which this Resolution is based.
- 20 2. The Board of County Commissioners conceptually approves of Engineering
21 transferring control of 3.95 acres SR 7 extension right of way land in Section
22 1 along the northern boundary of the natural area to ERM for preservation as
23 part of the natural area, in exchange for ERM transferring control of 0.668
24 acres of conservation lands in the natural area to Engineering for use as road
25 right-of-way for the State Road 7 Extension. This resolution shall become
26 effective immediately upon adoption.
- 27

1 The foregoing resolution was offered by Commissioner_____, who
2 moved its adoption. The motion was seconded by Commissioner_____, and
3 upon being put to a vote, the vote was as follows:

4
5 COMM. SHELLEY VANA, Mayor _____
6 COMM. MARY LOU BERGER, Vice Mayor _____
7 COMM. HAL R. VALECHE _____
8 COMM. PAULETTE BURDICK _____
9 COMM. STEVEN L. ABRAMS _____
10 COMM. MELISSA MCKINLAY _____
11 COMM. PRISCILLA A. TAYLOR _____

12
13 The Chair thereupon declared the resolution duly passed and adopted this _____ day of
14 _____, 2015.

15
16
17
18 APPROVED AS TO FORM AND
19 LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS
SHARON R. BOCK, CLERK

20
21
22
23
24 By:  _____
25 County Attorney
26

By: _____
Deputy Clerk

**Application for Interest in
Conservation Lands**

Applicant: Palm Beach County Department of Engineering & Public Works
Contact: Omelio A. Fernandez, P.E.

Statement of Public Purpose (Section 3.02a): The Florida Department of Transportation (FDOT) is planning to widen State Road 7 to a four-lane divided roadway, and to extend it as a four lane divided roadway to complete the missing link from its current terminus at 60th Street North to Northlake Boulevard (Project). The Project requires 0.668 acres of additional right-of-way within the Pond Cypress Natural Area (PCNA). With the exception of the 0.668 acres needed, the proposed roadway extension adjacent to the north border of the PCNA will be constructed entirely within existing Palm Beach County owned right-of-way. This Project has been approved as part of the Palm Beach County Comprehensive Plan and is within the FDOT's Five Year Work Program adopted on July 1, 2014. The Project has also been supported by Palm Beach County's Board of County Commissioners through Resolution R-2012-1474. See attached map for Project location.

Alternatives Considered (Section 3.02b): Four alignments and a No-Build option were considered and vetted during the FDOT's Project Development and Environment (PD&E) study. The study was reviewed by the permitting agencies, and received public and municipal reviews and comments. The current alignment alternative was ultimately selected for design and was given both a FONSI (Finding of No Significant Impact) determination and granted Location and Design Concept Acceptance (LDCA) by the Federal Highway Administration in February 2015.

Demonstration of minimal impact (Section 3.03c): The Project is located within existing Palm Beach County owned right-of-way, north of the PCNA. FDOT has designed this portion of the Project as a straight line connection and curve to cross the M-Canal. This design impacts the minimum acreage possible and includes retaining walls in lieu of earth embankment in order to minimize the footprint needed to accommodate a 4-lane roadway with adequate storm water quality management. Minimizing impacts through design has allowed FDOT to reduce its needed right-of-way by 3.95 acres. Placement of the Project north of the PCNA avoids habitat fragmentation, and minimizes noise and light pollution to the adjacent conservation lands within the PCNA. This placement also locates the Project within the "edge effect" zone of the PCNA, where there is generally a higher concentration of exotic vegetation.

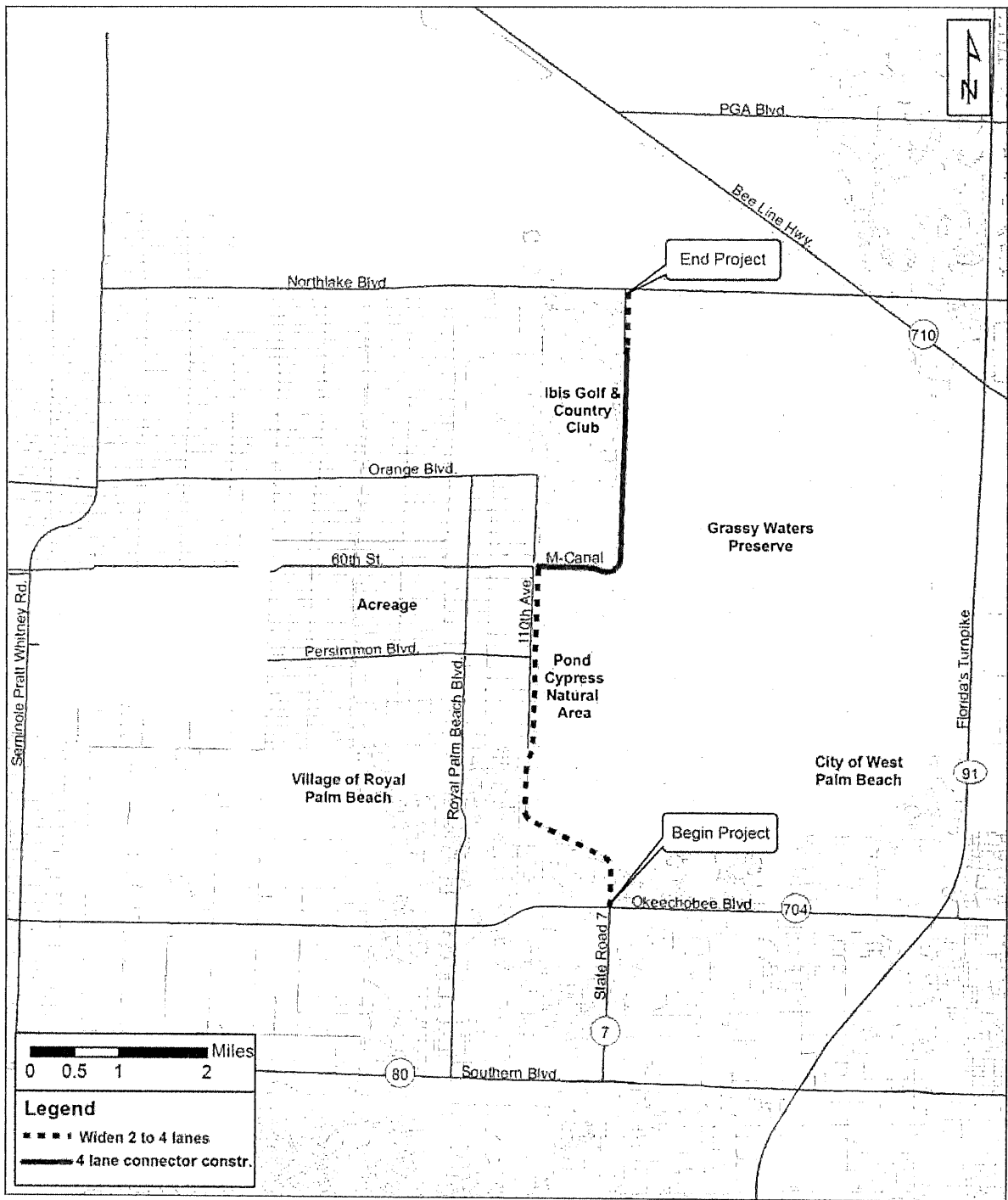
Impacts to the Continued Survival of Listed Species (Section 3.02e): The required 0.668 acres of additional right-of-way is situated on the edge of 1,739.85 acres at the northeast corner of the PCNA. The habitats within the 0.668 acres consist of hydric pine wetlands and freshwater marsh. The corresponding Florida Land Use, Cover, and Forms Classification System (FLUCFCS) codes for these habitat types are 6250 (hydric pine) and 6410 (freshwater marsh; see attached Habitat Map). These habitat types have been field-verified for accuracy on

numerous occasions over the past five years. The Palm Beach County Department of Environmental Resources Management (ERM) conducts routine exotic vegetation control/maintenance activities in this area so that native vegetation is dominant. The habitats are considered relatively high quality, high functionality wetlands. The PCNA will continue to support plant and wildlife species typically found there today.

Demonstration of Substantial Public Need and Compensation which provides an Exceptional

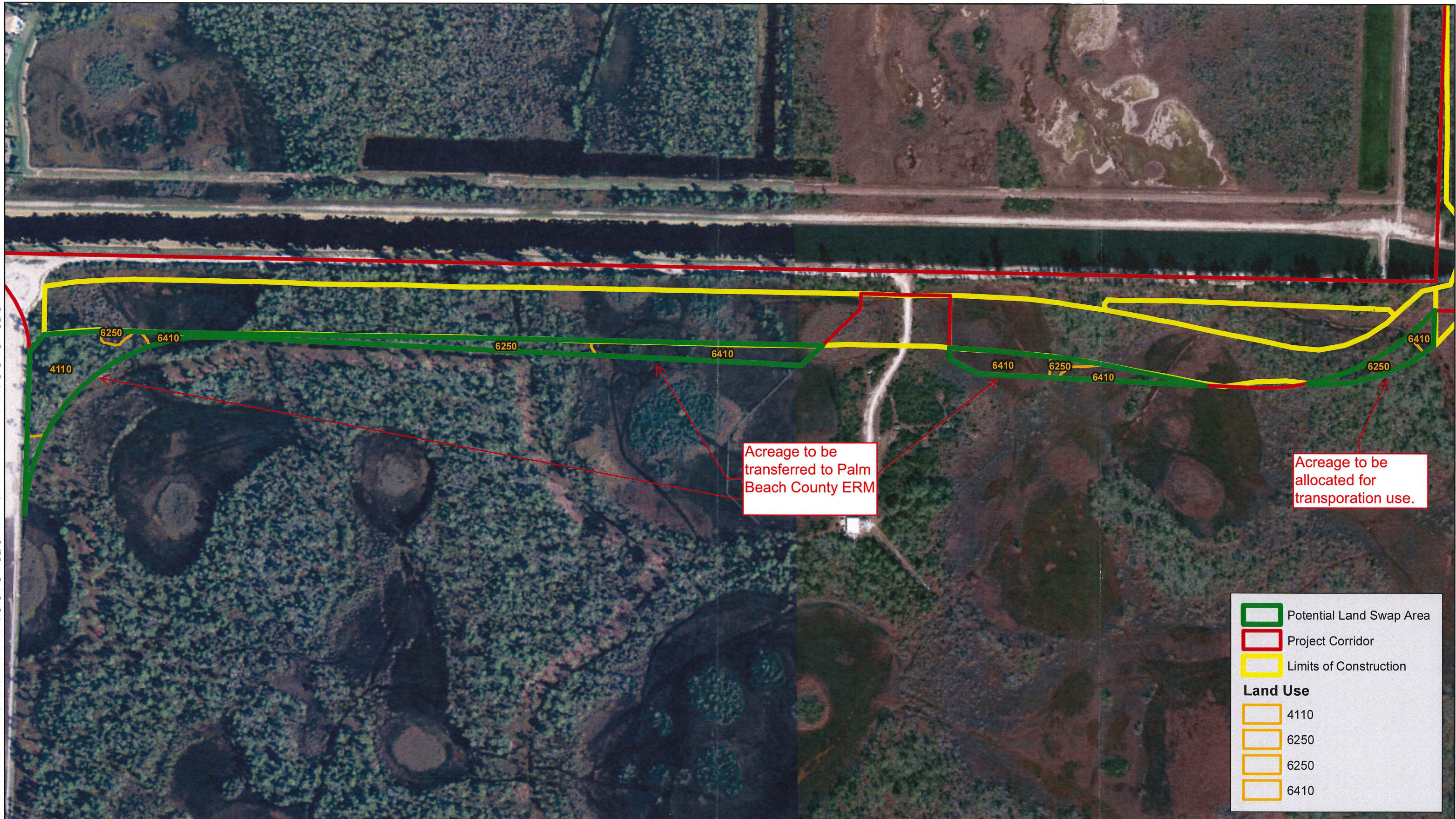
Benefit to the Conservation Lands Program (Section 3.02d, f): This Project provides an important and necessary north-south link for the travelling public, providing additional capacity and connectivity in this area of Palm Beach County. In order for the Project to be constructed to its ultimate terminus at Northlake Boulevard, it must cross the M-Canal, and the bridge crossing over the M-Canal is located entirely within the existing R/W owned by FDOT. The design speed originally proposed for this portion of the Project alignment and crossing of the M-Canal was 45 mph, to match the rest of the corridor. It was determined that an alignment providing for a design speed of 45 mph significantly impacted the PCNA, and it was not an optimum balance of safety, mobility and impacts (Exhibit Sheet 1). Following the public hearing held by FDOT in March 2012, FDOT reduced the design speed through this portion of the corridor to 40 mph and developed an alternate alignment. The 40 mph alignment reduced the encroachment into the PCNA and this alternate alignment was established to be the best balance of safety, mobility and impacts for the project (Exhibit Sheet 2). The 0.668 acre PCNA encroachment is necessary to provide a safe alignment and crossing over the M-Canal.

Through this application, a land exchange is being proposed. The reduced need for 3.95 acres of existing right-of-way adjacent to the PCNA will be exchanged for the additional 0.668 acres needed for the Project, and the 3.95 acres will be incorporated into the main body of the PCNA. The habitats within the 3.95 acres that will be transferred to Palm Beach County ERM consist of three FLUCFCS codes: hydric pine (6250), freshwater marsh (6410) and pine flatwoods (4110; see attached Habitat Map). Similar to the habitats within the 0.668 acre needed for the Project, all habitats undergo routine maintenance by Palm Beach County ERM to reduce the presence/coverage of exotic vegetation. As such, the wetland habitats (FLUCFCS 6250 and 6410) are of similar quality and functionality. The pine flatwood habitat consists of native-dominated upland vegetation that is characteristic of a 'pristine' pine flatwood. Its canopy contains optimal coverage by slash pine (*Pinus elliottii*) and dahoon holly (*Ilex cassine*), with a dense shrub layer dominated by saw palmetto (*Serenoa repens*) and cocoplum (*Chrysobalanus icaco*). Although the habitat is not wetland, it provides valuable perching, roosting, and nesting habitat for wetland dependent bird species as well as refugia for other wildlife including alligators, deer, and small mammals. Therefore the pine flatwood is also considered a high quality habitat. Because the 3.95 acres of high quality wetland habitats being exchanged for 0.668 acre for the Project are of similar type and quality to the wetland and upland habitats, and are adding approximately 6 times more acreage to the PCNA versus what is needed for the Project, this exchange provides an exceptional benefit to the PCNA and the Conservation Lands Program.



PROJECT LOCATION MAP

Date: 01/30/2015 Rev: 01/30/2015 File: G:\GIS\Analysis\GMA\Map Document: LandSwapAnalysis.mxd Project Number: 002P PDF Document: LandSwapAnalysis.mxd\LandSwapAnalysis_Budget_01/30/2015.dwg Plot Size: 11x17



Habitat Types within the Proposed Land Swap Areas Map

SR 7 Extension
Okeechobee Blvd. to Northlake Blvd.
Palm Beach County, Florida

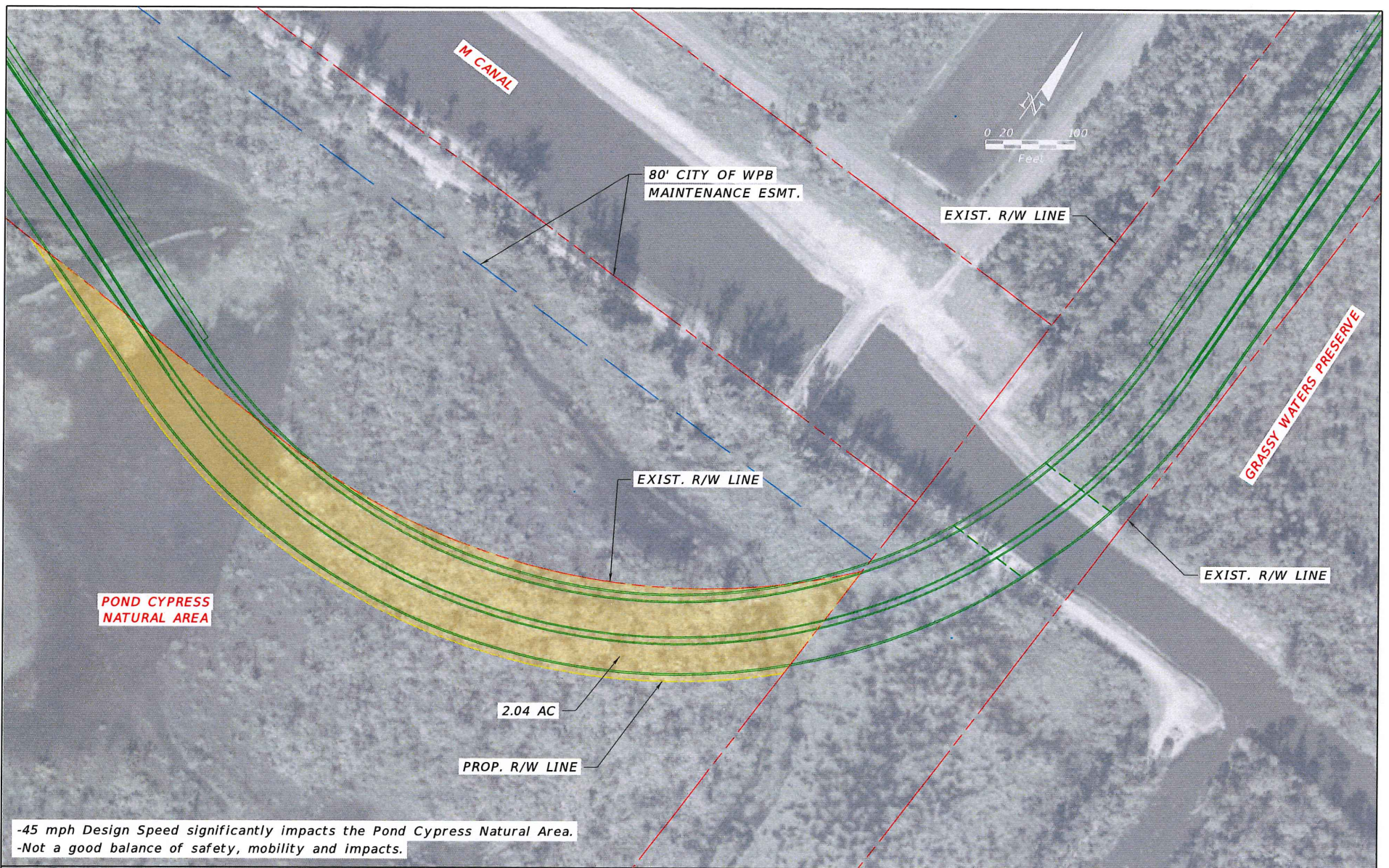


- Potential Land Swap Area
- Project Corridor
- Limits of Construction
- Land Use**
 - 4110
 - 6250
 - 6250
 - 6410

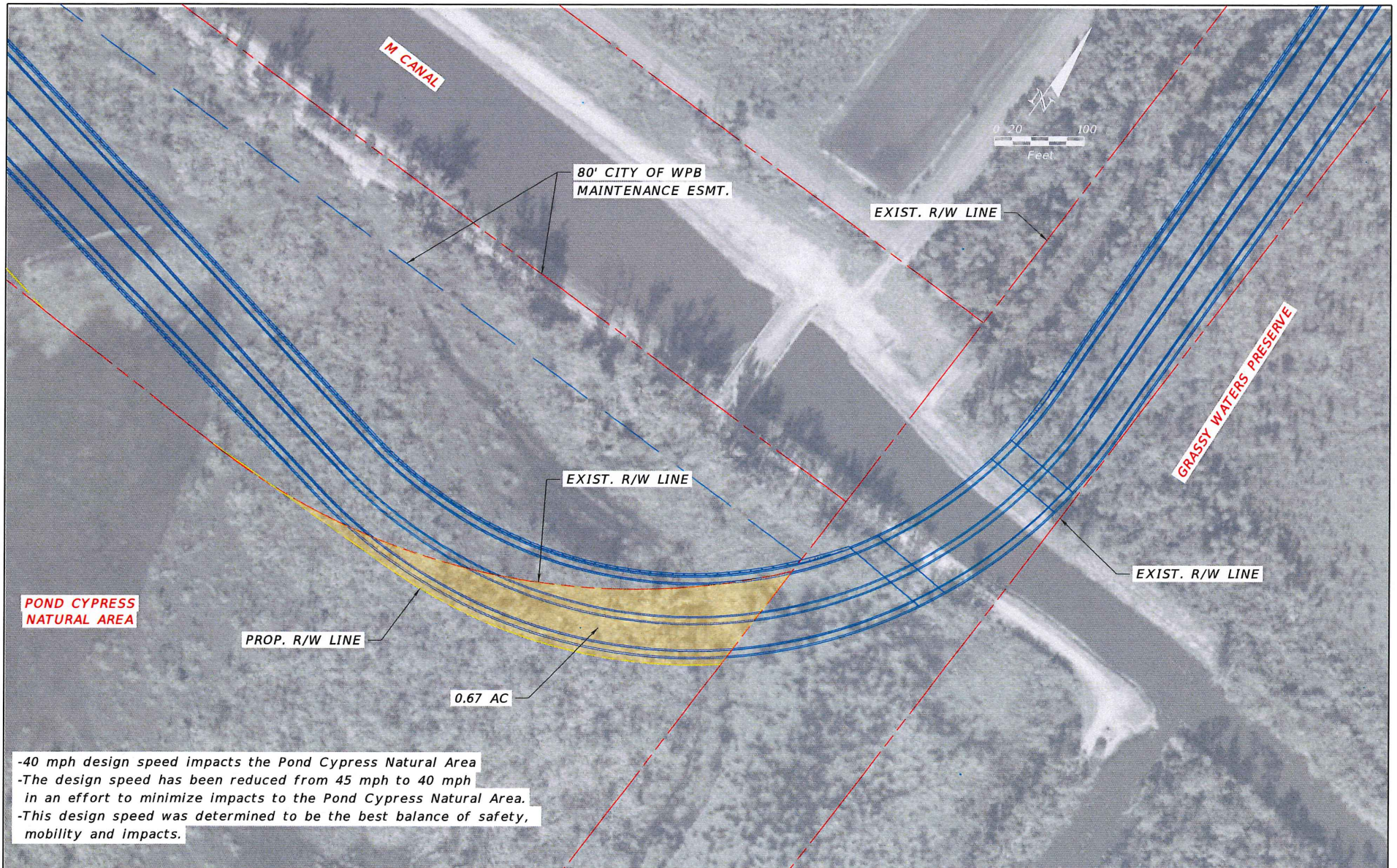


Data Source:
- Jacobs
- Scheda
Imagery Source:
- 2010 Microsoft

Coordinate System:
NAD 1983 Florida
State Plane East



REVISIONS					STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			SR-7 M-CANAL CROSSING 45 MPH	SHEET NO. 1
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					SR 7	PALM BEACH	229664-3-52-01		



REVISIONS					STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			SR-7 M-CANAL CROSSING 40 MPH	SHEET NO. 2
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					SR 7	PALM BEACH	229664-3-52-01		

jrumiga 5/6/2015 5:22:36 PM U:\2074180537\2296643520\roadway\exhibit_plans\rd10.dgn

DRAFT

**PALM BEACH COUNTY
NATURAL AREAS MANAGEMENT ADVISORY COMMITTEE
Minutes of the May 15, 2015, Meeting**

- I. Welcome
 - The meeting was called to order at approximately 1:30 PM by Mr. Richard Moyroud, Acting Chair.
- II. Roll Call
Members Present
 - Kristi Moyer, Richard Moyroud, Evelyn Parkes-Brier, Allen Trefry

Members Absent

 - Eric Call, Steve Coughlin, Russ Ruskay
- III. Procedures for Public Participation
 - Anyone from the public who wishes to speak must fill out and submit a speaker's card. A time for public comments is provided at every meeting and is listed on the agenda. In the case of a vote, public comments can be made after Committee discussion of the issue and before the vote. Speakers must hold their comments until that time. Each speaker will be allowed three minutes to address the Committee. Special presentations require additional time and must be arranged through PBC's Department of Environmental Resources Management (ERM), Natural Resources Stewardship Division (NRS) staff at least two weeks prior to the meeting, so that they can be placed on the agenda. Disruption of the meeting will not be tolerated.
- IV. Additions/Deletions to Agenda; Approval of Agenda
 - None.
 - **A motion was made and seconded to approve the agenda as presented (Trefry/Moyer). The motion was approved unanimously.**
- V. Approval of Minutes of Previous Meeting
 - **A motion was made and seconded to approve the minutes of the February 20, 2015, meeting as presented (Trefry/Moyer). The motion passed unanimously.**
- VI. Questions or Comments on ERM Newsletter – Dave Gillings
 - Mr. Gillings asked if there were any questions or comments regarding the ERM Newsletter. Mr. Moyroud stated that the newsletter is very nicely done and he appreciates the information that is provided.
- VII. Application for Interest in Conservation Lands for Western Parkway (SR 7 Extension) – PBC Engineering/ERM Staff (Action Requested)
 - Mr. Gillings advised that staff from Palm Beach County (PBC) Engineering and Florida Department of Transportation (FDOT) were in attendance to answer any questions, etc. that the Committee may have. Read-ahead material was emailed prior to the meeting that included application information and maps. (For details, refer to

the read-ahead material that was provided.) Staff is aware of this road right-of-way. Back in 2006, an extensive exchange of land was done on the Pond Cypress Natural Area to allow the first portion of the western extension to be built. The road right-of-way was reserved, at that time, for the extension that is now before the Committee to be built. It has been determined that there is a need for a slight tweaking of the boundaries of the right-of-way that will impact a small portion of land that was given to PBC as part of the Pond Cypress Natural Area. In exchange, FDOT is willing to provide approximately six (6) times the amount of property requested for the roadway easement. From staff's point of view, this is not something new and staff was aware that the roadway construction was going to happen (for quite a few years). Staff views this application as being sufficient.

- Mr. Gillings asked if there were any questions or comments by the Committee. A discussion/questions and answers occurred that included:
 - Mr. Trefry stated that he thought the application was very self-explanatory and had no questions.
 - Ms. Moyer echoed the comment of Mr. Trefry.
 - Ms. Parkes-Brier asked if the ownership of the land north of the M-Canal was private land. PBC Engineering responded that the land was part of the Ibis Preserve.
- **A motion was made and seconded that the application is sufficient and to recommend, to the Board of County Commissioners, approval of the Application for Interest in Conservation Lands for (SR 7 Extension) Western Parkway, as presented (Parkes-Brier/Moyer). The motion passed unanimously.**

VIII. Presentation by Community Connection on Proposed Crossing of Jupiter Farms Road Into Hatcher Tract of Cypress Creek Natural Area – Ms. Jackie Hart

- Mr. Gillings introduced Ms. Jackie Hart of The Community Connection, an equestrian group that has a request for a new access point to the Cypress Creek property along Jupiter Farms Road.
- Ms. Hart gave a visual presentation. She had filmed a two-minute video, on horseback, while crossing the proposed area at 175th and Jupiter Farms Road at approximately 9:30 AM on Mother's Day. She was heading east on the canal as it banks to the north. Looking east directly across the street is the Hatcher property. From there, heading south, is the new proposed entrance for the swing gate (that is presently locked) into the Hatcher property. Just a couple hundred feet from there is the entrance into Riverbend Park. As she was on her horse, the cars could be seen going back/forth heading north/south on Jupiter Farms Road. There is no setback for horse and rider. While there are signs, the cars normally do not slow down (though she noted that, ironically, the cars did slow down while she was filming). A danger exists if a horse spooks, because there is nowhere for the horse to go and nowhere for the rider to go. At the entrance to both parcels (Riverbend and Hatcher properties), a rider has to go along the setback. What is being requested is that a modification be made to the current land plan, directly across from 175th, to create a horse crossing.
- A lengthy discussion/questions and answers occurred that included:
 - Mr. Moyroud asked who owns the right-of-way. Ms. Hart stated that she began her initiative through Palm Beach County and was advised, by the PBC

- Engineering Department that handles signs, to go before this Committee first; and if this Committee agrees, then the PBC Engineering Department would create a horse crossing marker (by way of yellow lines, sign, etc.).
- Mr. Moyroud advised that the current right-of-way may be FDOT, or part of that road, and usually those rights-of-way have exotic vegetation such as Brazilian pepper invasion, etc. and the rights-of-way may be narrower than they should be.
 - Ms. Hart reiterated her concern for the possibility of horses spooking because of vehicles travelling 45 mph while honking their horns. She requested access through an opening in this location.
 - Mr. Frank Griffiths, ERM, stated that the location is currently a construction site. It looks as if the place they want to get to is going to be a multi-use trail being built on the west side of the property. The intent is for the placement of a post and rail on the east side of that trail. When work is completed, that side of the property will be fairly open. It is planned that most of the traffic will come from south to north along and parallel to Jupiter Farms Road. It seems that most of their issue, to get on that trail, is entirely on County roadway. There will be no barricades to access the trail.
 - Mr. Benji Studt, ERM, stated that there is a discharge from the swale into the canal. Once you get through the right-of-way onto the Hatcher property, the multi-use trail that goes up along the berm, on the west side, is going to be open from the west. The post and rail fence will be on the east side of the trail. Essentially, this is more of an Engineering issue. If authorization can be obtained from Engineering to cross at the requested location, and vegetation can be cleared and maintained, equestrians will be able to ride onto the property. There is no barrier within the Hatcher project once equestrians get across.
 - Ms. Parkes-Brier asked if there will be no impact to the natural area; an open gate area is being sought. Staff answered that, essentially, the trail is going to be outside the natural area and there wouldn't be a need for a gate.
 - Mr. Moyroud stated that, essentially, permission has to come from PBC Engineering and FDOT. Mr. Gillings advised that equestrians have gone to those entities and were advised to come before this Committee to make sure it is okay. What is being heard from ERM staff is that no obstacles are seen to this being done if PBC Roadway can put a safe crossing across Jupiter Farms Road. There is no obstacle that staff foresees to access a multi-purpose trail that is designed to have equestrians/horses, bicycles and pedestrians along that west side of the natural area, and to safely turn south and go to Riverbend, or to follow the trail that goes north to the northern portions of Cypress Creek.
 - Mr. Moyroud asked if action is requested by staff. Mr. Gillings stated that no action is being requested on the part of ERM staff. He does not believe that the crossing request requires a modification of the management plan. The Committee members agreed.
 - Ms. Hart stated that she was advised by Engineering to come before this Committee to get official approval in order for them to create a designated bridge/opening at the proposed location.
 - Ms. Shannon Fox, Assistant County Attorney, stated that she does not believe an official requirement is necessary. Possibly, the Committee can give an advisory

opinion that the Committee has voted and has no objection to what the equestrians are asking to have done.

- Mr. Gillings stated that perhaps, PBC Engineering needs something official (such as a letter) that states it is okay to put a crossing at that location, as recommended, for safety issues, etc. Before PBC Engineering is going to spend money to do this type of thing, they would want something official in order to meet a plan that has been approved by the BCC, etc. to move forward with an entrance at this location (this is only a speculation).
- Ms. Kathleen Farrell, PBC Roadway Production Engineer, stated that this is the first she has heard about the request and she has no information to offer at this point. A request needs to be sent to PBC Engineering, as that department would need to look at the right-of-way restrictions. Nothing can be promised at this time; a request can be reviewed and evaluated to see what can be done.
- Ms. Hart asked if there was any action needed by The Community Connection. Mr. Gillings stated that he does not believe so. Staff will draft a letter, for the Committee's signature, at the next-scheduled meeting. The meeting will be next month, though there is sometimes a delay. Also, that site will be closed for construction for several months.
- Ms. Parkes-Brier stated, as disclosure being a Committee member, that she is a CPA by trade and is also the CPA for The Community Connection.
- It was the consensus of the Committee that a letter of recommendation, regarding the proposed crossing, will be brought back before the Committee at the next meeting.

IX. Committee Comments

- Mr. Trefry would like to see the amount of acreage included in information regarding natural area sites presented in the Atlas Map Books.

X. Public Comments

- None.

XI. Chair Comments

- Mr. Moyroud and his wife went kayaking, for the first time, at Snook Islands since its creation. He congratulated ERM, the engineers and all who did work on the project. It is absolutely spectacular with healthy mangroves, etc. As he looked west, he was appalled at the golf course with thousands of linear feet of mangroves with 2' stumps.
- Mr. Gillings stated that ERM removed those mangroves, but it was all part of an agreement that was signed with the Lake Worth Golf Course to allow that project to go forward. There were initial objections to the project because of fears of losing the waterway view, etc.; therefore, part of the agreement was that ERM would maintain their view. With the mangroves now growing up on Snook Islands, it was agreed that the mangroves on the shoreline would be cut. Permits were needed, and obtained, through the State to cut down the mangroves.
- Mr. Moyroud stated that mangroves can be controlled with permission. He recommends replanting red mangroves and maintaining them at a 3' height. It can be done and is healthy for the water. Presently, there is just a bed of dead tree stumps.

XII. Selection and Date and Proposed Agenda for Next Business

- Mr. Gillings stated that the next-scheduled meeting date is June 19, 2015, unless otherwise advised. The Committee will be advised of the next meeting date and information to be presented.
- A brief discussion occurred.

XIII. Adjournment

- **A motion was made and seconded to adjourn the meeting (Trefry/Moyer). The motion passed unanimously.**
- The meeting was adjourned by Mr. Moyroud at approximately 2:15 PM.

XIV. APPROVED:

Eric Call, Chair

Date

AUDIO COMPACT DISCS (CDs) AND/OR TAPES OF ALL COMMITTEE MEETINGS ARE KEPT ON FILE AT THE PALM BEACH COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT, 2300 N. JOG ROAD, 4TH FLOOR, WEST PALM BEACH, FL 33411.



**Department of Engineering
and Public Works**

P.O. Box 21229

West Palm Beach, FL 33416-1229

(561) 684-4000

FAX: (561) 684-4050

www.pbcgov.com

**Palm Beach County
Board of County
Commissioners**

Shelley Vana, Mayor

Mary Lou Berger, Vice Mayor

Hal R. Valeche

Paulette Burdick

Steven L. Abrams

Melissa McKinlay

Priscilla A. Taylor

County Administrator

Robert Weisman

"An Equal Opportunity
Affirmative Action Employer"

printed on recycled paper

May 20, 2015

Rob Robbins, Director
Department of Environmental Resources Management
2300 North Jog Road
4th Floor West
West Palm Beach, FL 33411

RE: SR 7 Extension from Okeechobee Blvd to Northlake Blvd
Interest in Conservation Lands – Commitment Letter

Dear Mr. Robbins:

This letter serves to confirm that the Department of Engineering and Public Works ("Engineering") remains committed to the following obligations stipulated in the Application for Interest in Conservation Lands:

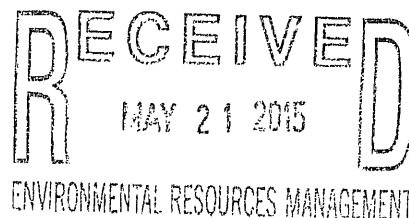
1. Engineering will convey approximately 3.95 acres of right-of-way located within Section 1 and adjacent to the Pond Cypress Natural Area (PCNA), for incorporation into the PCNA.
2. Engineering will receive 0.668 acre within the PCNA from Environmental Resource Management (ERM) for right-of-way purposes.

The above obligations are contingent upon Board of County Commission approval.

We look forward to continuing our work with ERM for successful coordination and completion of this project. Should you have any questions, please contact me at (561) 684-4193.

Sincerely,

Kathleen Farrell, P.E.
Thoroughfare Roads Section Manager
Roadway Production Division



Pc: George Webb, P.E., County Engineer
Tanya N. McConnell, P.E., Deputy County Engineer
David Gillings, Environmental Manager, Natural Resources Stewardship Division, ERM

Ec: Omelio A. Fernandez, P.E., Director, Roadway Production Division
Morton Rose, P.E., Assistant Director, Roadway Production Division

ENV. RES. MGMT. ☒
Env. Enh. & Restoration ☒
Natural Resources Stewardship ☒
Resources Protection ☒
Mosquito Control ☒
Finance & Support Services ☒
Director ☒
Deputy Director ☒
Other ☒