

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

Meeting Date:	March 13, 2018	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Workshop	<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 State of Florida Department of Environmental Protection Florida Greenways and Trails Program Designation Agreement (Agreement) for a portion of the Royal Palm Beach Pines Natural Area for a 20-year term beginning upon execution; and

B) authorize the County Administrator, or designee, to sign a Resource Certification (Certification) every five years during the term of the Agreement.

Summary: An Application for Designation of a 761.1-acre portion of Royal Palm Beach Pines Natural Area as part of the Florida Greenways and Trails System was approved by the Florida Greenways and Trails Council on January 11, 2018. A 10.5-acre wetland leased by the County is not included in the Agreement. To maintain the designation, Certification is required every 5 years from the date of execution requiring that the natural, recreational, cultural or historic resources identified in the Agreement be maintained. The natural resources found within the designation area are maintained pursuant to Management Plan (12-18-2001) and approval of the Agreement is not expected to have any fiscal impact. District 6 (AH)

Background and Justification: The Florida Greenways and Trails Designation Program was established to further the purposes, goals, and objectives of the Florida Greenways and Trails System; ensure an inclusive and interconnected system of greenways and trails; encourage voluntary partnerships in conservation, development and management of system components; provide recognition for individual components of the system and those partners involved; and raise public awareness of the conservation and recreation benefits of the system components.

Attachments:

1. Royal Palm Beach Pines Natural Area Location Map
2. Designation Agreement

Recommended by: Michael Stall 2/14/18
Department Director **Date**

Approved by: [Signature] 3/1/18
Deputy County Administrator **Date**

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2018	2019	2020	2021	2022
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 _____

Does this item include the use of federal funds? Yes _____ No X _____

Budget Account No.:

Fund _____ Department _____ Unit _____ Object _____ Program _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

* Approval of the Florida Greenways and Trails Designation Agreement will not result in any fiscal impacts to the County. Ongoing management, maintenance and restoration of the natural area are already budgeted on an annual basis or as specific management/restoration contracts are approved.

C. Department Fiscal Review:



III. REVIEW COMMENTS

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

 OFMB *2/24/18*
 Contract Development & Control *2/27/18*

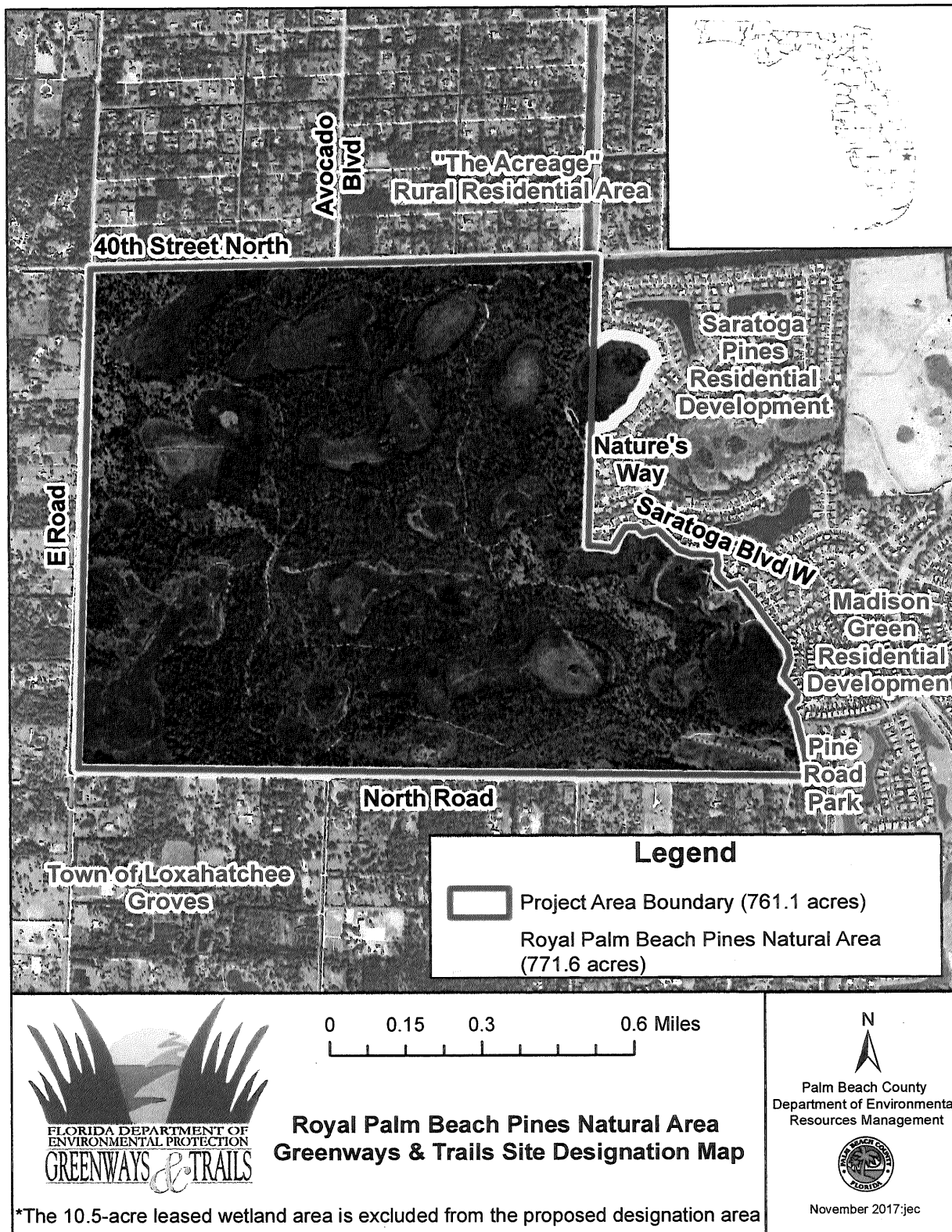
B. Legal Sufficiency:

 *2-3-1-18*
 Assistant County Attorney

C. Other Department Review:

Department Director

ATTACHMENT 1



ATTACHMENT 2

OGT-DA0095

Designation Number

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FLORIDA GREENWAYS AND TRAILS PROGRAM

DESIGNATION AGREEMENT Royal Palm Beach Pines Natural Area

This Designation Agreement, entered into on this _____ day of _____, 2018, by and between the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF RECREATION AND PARKS, OFFICE OF GREENWAYS AND TRAILS (hereinafter referred to as "Department") and PALM BEACH COUNTY (hereinafter referred to collectively as "Landowner" or "Manager"), by and through the undersigned, formally designates the lands depicted in Exhibit A attached hereto and incorporated herein by reference (hereinafter referred to as "designated lands") as part of the Florida Greenways and Trails System, as defined in Section 260.014, Florida Statutes.

WITNESSETH:

WHEREAS, the Department is given authority in Section 260.016, Florida Statutes, to develop and implement a voluntary process for designation of lands or waterways as a part of the statewide system of greenways and trails.

NOW THEREFORE, in consideration of the mutual benefits to be derived herefrom, the parties do hereby agree to the following:

1. The Manager:

- a. Shall be responsible for the management, operation and maintenance of the designated lands, in accordance with Exhibit B attached hereto and by this reference made a part hereof.
- b. Shall be responsible for notifying the Department of any change in the following: property ownership or management; the condition or extent of natural, recreational, cultural or historic resources described in the designation application or its attachments; or the expansion or improvement of the project or its amenities and facilities.

- c. Shall submit a Resource Certification, a copy of which is attached hereto as Exhibit C and incorporated herein by reference, at the request of the Department, every five years from the date of this Designation Agreement, which states that the natural, recreational, cultural or historical resources identified on the designated lands are being maintained.
- d. Shall erect a permanent sign(s), when available, on public lands depicted in Exhibit A reflecting designation into the Florida Greenways and Trails System in accordance with guidelines provided by the Department.

2. The Department:

- a. Shall provide signs, when available, indicating the property is designated as part of the Florida Greenways and Trails System.
- b. Agrees that this Designation Agreement shall have no effect upon the disposition of improvements made to the public lands by the Landowner, the Department, or others, whether existing at the time of designation or to be constructed or erected later, unless otherwise agreed herein.

3. The Landowner and Department:

- a. Agree that sufficient information exists and/or field verification has occurred to assure that the characteristics of the public lands meet the criteria contained in Rule 62S-1.400, Florida Administrative Code.
- b. Agree that this Designation Agreement will be subordinate to the interests stated in any existing leases, subleases, management plans, licenses, easements or other agreements or encumbrances previously executed and currently in effect for any portion of the designated lands.

4. Term, Modification and Termination of this Designation Agreement:


- a. The term of this Designation Agreement shall be 20 years.
- b. This Designation Agreement may be modified to encompass additional adjacent public lands owned by the Landowner. Any such modification to this Designation Agreement shall not be valid unless it complies with the requirements set forth in paragraph 5. below.

- c. The Department may withdraw from this Designation Agreement at any time or remove the said designated lands from the Florida Greenways and Trails System by action of the Secretary of the State of Florida Department of Environmental Protection if:
- (1) the component fails to accomplish or becomes unsuitable for the purposes for which it was designated; or
 - (2) there is no longer an ability to manage the designated lands as intended in this Designation Agreement and no replacement manager can be identified.
- d. In the event that the ownership of the designated lands changes, this Designation Agreement will be null and void.
- e. The Landowner has the statutory right to remove the public lands from designation at any time by providing the Department with a written request that references this Designation Agreement.

5. This Designation Agreement represents the entire agreement of the parties. Any alterations, variations, changes, or modifications of this Designation Agreement shall only be valid when they have been reduced to writing, duly signed by each party hereto and attached to this Designation Agreement.

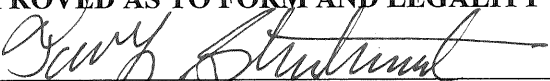
This Designation Agreement is executed by a duly authorized representative of each party on the day and year first above written.

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION,
DIVISION OF RECREATION AND PARKS,
OFFICE OF GREENWAYS AND TRAILS**

By: 
Samantha Browne, Program Administrator/Chief

“DEPARTMENT”

APPROVED AS TO FORM AND LEGALITY

By: 
DEP Attorney

COUNTY:

PALM BEACH COUNTY, a political subdivision of the State of Florida
By its Board of County Commissioners

By: _____
Melissa McKinlay, Mayor of Palm Beach County

Date: _____

“LANDOWNER & MANAGER”

ATTEST:

SHARON R. BOCK
Clerk & Comptroller

By: _____
Deputy Clerk

Date: _____
(OFFICIAL SEAL)

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: _____
Assistant County Attorney

Date: _____

APPROVED AS TO TERMS
AND CONDITIONS:

By: Michael Stelf
Department Director

Date: 2/12/18

EXHIBIT A



Royal Palm Beach Pines Natural Area Greenways & Trails Site Designation Map

N
Palm Beach County
Department of Environmental
Resources Management



November 2017/jec

*The 10.5-acre leased wetland area is excluded from the proposed designation area

EXHIBIT B

Use Plan

The 771.6-acre Royal Palm Beach Pines Natural Area (natural area) opened to the public in 1998. A 761.1-acre portion of the natural area is the subject of this designation agreement (“Project Area”, Exhibit A); a 10.5-acre wetland, which is part of the natural area, is not owned by Palm Beach County (County) and is not part of this designation agreement. Existing public use facilities on the Project Area include bicycle racks at both parking areas, 4.5 miles of natural-surfaced hiking trails, 1.4 miles of natural-surfaced equestrian/pedestrian trails, a 619-foot-long accessible concrete nature trail, a 179-foot-long wooden boardwalk and a covered shade shelter/wildlife observation area with benches (Figure 1). Proposed public use facilities include an additional shade shelter with bench, equestrian pitcher pump and mounting block, a new hiking trail connector and an Autism-friendly bench swing within the Project Area, if funding permits. The primary purpose of the Project Area, is to preserve important remnants of Florida’s native vegetation communities, their associated plant and wildlife populations, and local groundwater resources. Its secondary purpose is to provide for passive, resource-based recreation, environmental education and scientific research. The Project Area is open 7 days a week from sunrise to sunset.

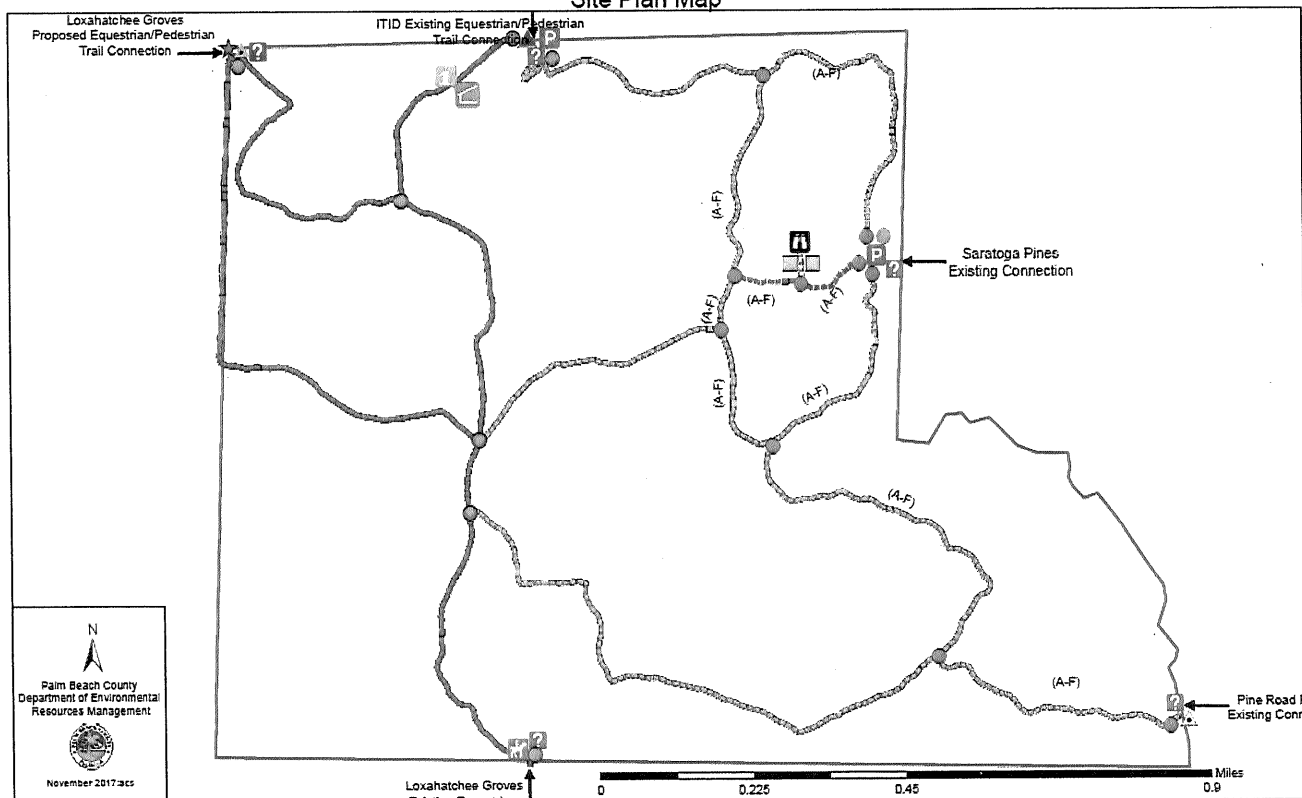
Access/Directions: Public access to the Project Area is provided from the eastern parking area which is located at 110 Nature's Way, Royal Palm Beach; from the northern parking area which is located at 13500 40th Street North, Royal Palm Beach; and from an equestrian bridge that connects to North Road south of the site (Figure 1). Alternate public access is provided via an existing pedestrian maze gate located along the southeastern border of the site. This pedestrian gate connects the Project Area to Pine Road Park, a small active park owned by the Village of Royal Palm Beach. New equestrian and pedestrian gates may be installed in the northwestern corner of the site to link the Project Area equestrian/pedestrian trail system to Loxahatchee Groves’ equestrian/pedestrian trail system.

Management: The County owns the 761.1-acre Project Area. The County’s Department of Environmental Resources Management is responsible for managing and maintaining the Project Area, with assistance from the Village of Royal Palm Beach, Indian Trail Improvement District and County-hired invasive/nonnative vegetation removal contractors.

Signage with the natural area name, access hours and natural areas rules have been and will be installed adjacent to each parking lot and other public access points. Trail maps and general information about the site are provided in kiosks located near each of the public access points. Regulatory signs are located along the site's boundaries at intervals of no greater than 500 feet.

Security: The County Sheriff's Office (PBSO) has the primary responsibility for public safety and law enforcement at the Project Area. The County also has contracted with the PBSO to have Wildlands Task Force deputies conduct extra patrols of the Project Area when needed. The Wildlands Task Force is a specially-trained and specially-equipped unit that was formed to prevent illegal activities, such as dumping, on natural areas managed by the County and to enforce the provisions of the County’s Natural Areas Ordinance.

Figure 1
Site Plan Map

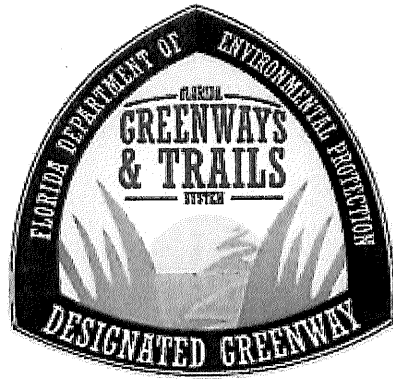


Legend

- | | | | |
|---|---|---|---|
| Proposed RTP Hiking Trail Connector (545 feet) | Existing Pedestrian Gate | Existing Equestrian Bridge and Gate | Proposed RTP Kiosk |
| Existing (RTP Renovated) Boardwalk Trail (178 feet) | Existing (RTP Renovated) Shade Shelter/Observation Area | Existing Equestrian Gate | Proposed RTP Shade Shelter with Bench |
| Existing (RTP Renovated) Equestrian Trail (1.4 miles) | Existing (RTP Renovated) Parking Lot with Pedestrian Access | Existing Kiosk | Proposed RTP Equestrian Pitcher (water) Pump and Mounting Block |
| Existing (RTP Renovated) Hiking Trail (4.5 miles) | Proposed RTP Autism-Friendly Bench Swing | Proposed RTP Equestrian Gate and Mounting Block | Proposed RTP UTAP Sign |
| Existing (RTP Renovated) Nature Trail (618 feet) | Proposed RTP Autism-Friendly Fender | Proposed RTP Pedestrian Gate | Proposed RTP UTAP/Autism Friendly Sign |
| | | (A-F) Autism-Friendly Trail | Project Boundary |

* Location of certain facilities are subject to field adjustment

EXHIBIT C



**PUBLIC LANDS OR WATERWAYS
DESIGNATION RESOURCE CERTIFICATION**

By signing this document, the Manager does hereby certify that the natural, recreational, cultural or historic resources identified on the public lands or waterways designated as part of the Florida Greenways and Trails System in Designation Agreement Number OGT-DA0095, are being maintained in a manner consistent with the terms of the agreement.

PALM BEACH COUNTY

By: _____

Print/Type Name