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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

# MEMORANDUM

Agenda Item No. 8(M)(4)

**TO:** Honorable Vice Chairwoman Audrey M. Edmonson and Members, Board of County Commissioners

**DATE:** December 4, 2012

**FROM:** R. A. Cuevas, Jr.
County Attorney

**SUBJECT:** Resolution approving a new quantitative evaluation form to be used in evaluating Natural Forest Community sites and Environmentally Endangered Lands Covenant Program sites
Resolution No. R-1028-12

The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Vice Chairwoman Audrey M. Edmonson.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

# Memorandum

MIAMI-DADE COUNTY

**Date:** December 4, 2012

**To:** Honorable Vice Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez
Mayor

**Subject:** Resolution Approving a New Quantitative Evaluation Form to be Used in Evaluating Natural Forest Community Sites and Environmentally Endangered Lands Covenant Program Sites in Miami-Dade County

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**Recommendation**
It is recommended that the Board of County Commissioners adopt the attached resolution approving a quantitative evaluation form to be used in evaluating Natural Forest Community sites, pursuant to Section 24-5 of the Code of Miami-Dade County (Code), and to be used in evaluating Environmentally Endangered Lands Covenant Program sites.

**Scope**
This evaluation form is countywide in nature.

**Fiscal Impact/Funding Source**
There is no fiscal impact to the County by approving the use of this form.

**Track Record/Monitor**
The Natural Resources Planning Section Manager within the Department of Regulatory and Economic Resources, Craig Grossenbacher, will be responsible for implementation of the evaluation form.

**Background**
In accordance with Section 24-5 of the Code, as referenced under "*Natural forest community,*" a quantitative evaluation form was developed for use in evaluating proposed Natural Forest Community sites and also used in evaluating proposed Environmentally Endangered Lands Covenant Program sites. Section 24-5 allows for the form to be revised from time to time as appropriate, with such revisions to be reviewed and approved by the Tree and Forest Resources Committee. However, the Tree and Forest Resources Committee was sunsetted in 1993. Therefore, the revised form is submitted for review and approval by the Board of County Commissioners.

The proposed form (Attachment A) has been revised for improved consistency with the applicable evaluation factors under Section 24-5 of the Code. It is recommended that the Board of County Commissioners approve the proposed quantitative evaluation form to replace the existing form.

Jack Osterholt, Deputy Mayor

# MEMORANDUM
**(Revised)**

**TO:** Honorable Vice Chairwoman Audrey M. Edmonson and Members, Board of County Commissioners

**DATE:** December 4, 2012

**FROM:** R. A. Cuevas, Jr. County Attorney

**SUBJECT:** Agenda Item No. 8(M)(4)

**Please note any items checked.**

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(M)(4)
12-4-12

RESOLUTION NO. R-1028-12

RESOLUTION APPROVING A NEW QUANTITATIVE EVALUATION FORM TO BE USED IN EVALUATING NATURAL FOREST COMMUNITY SITES AND ENVIRONMENTALLY ENDANGERED LANDS COVENANT PROGRAM SITES IN MIAMI-DADE COUNTY, FLORIDA

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

**WHEREAS**, pursuant to Section 24-5 of the Code of Miami-Dade County, as referenced under "*Natural forest community,*" a quantitative evaluation form was developed for use in evaluating proposed Natural Forest Community sites and the form is also used in evaluating proposed Environmentally Endangered Lands Covenant Program sites; and

**WHEREAS,** pursuant to Section 24-5 of the Code, this Board authorized revisions to the subject quantitative evaluation form but such revisions were to be reviewed and approved by the Tree and Forest Resources Committee prior to utilization; and

**WHEREAS,** the Tree and Forest Resources Committee was sunsetted in 1993 and therefore is not available to approve any changes to the form; and

**WHEREAS,** the existing quantitative evaluation form has been revised for improved consistency with the applicable evaluation factors under Section 24-5 of the Code and is proposed for review and approval by this Board,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA,** that this Board hereby approves the quantitative evaluation form to be used in evaluating existing and proposed Natural

Forest Community Sites and Environmentally Endangered Lands Covenant Program Sites, in substantially the form referenced herein and attached hereto.

The foregoing resolution was offered by Commissioner **José "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

| | | | |
|---|---|---|---|
| Audrey M. Edmonson, Vice Chairwoman | | | **aye** |
| Bruno A. Barreiro | **aye** | Lynda Bell | **absent** |
| Esteban L. Bovo, Jr. | **aye** | Jose "Pepe" Diaz | **aye** |
| Sally A. Heyman | **aye** | Barbara J. Jordan | **absent** |
| Jean Monestime | **aye** | Dennis C. Moss | **aye** |
| Rebeca Sosa | **aye** | Sen. Javier D. Souto | **absent** |
| Xavier L. Suarez | **absent** | Juan C. Zapata | **aye** |

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of December, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: ***Christopher Agrippa***
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Abbie Schwaderer-Raurell

ATTACHMENT A

EEL Tax Covenant Program and

Natural Forest Community (NFC) Quantitative Evaluation Form

Folio No.: ____-_____-_____-_____ Property Size:

Property Address: NFC/EEL Size:

Property owner: Polygon:

| Evaluation Factor | Points | Factor | Total |
|---|---|---|---|
| (1) Presence of endangered, threatened, rare or endemic species included on the Federal List of Endangered and Threatened Species, the Florida Game and Fresh Water Fish Commission List of Endangered and Potentially Endangered Fauna and Flora in Florida, or the Miami-Dade County Comprehensive Development Master Plan List of Endangered, Threatened, Rare and Endemic Plants in Miami-Dade County | | | |
| 0 species | 0 | 5 | |
| 1 | 1 | 5 | |
| 2 | 2 | 5 | |
| 3-4 | 3 | 5 | |
| 4 or more species | 4 | 5 | _____ |
| (2) Overall plant species diversity of the site | | | |
| Low | 1 | 5 | |
| Medium | 2 | 5 | |
| High | 3 | 5 | _____ |
| (3) Size of the trees | | | |
| 1 age class (no specimen-size) | 1 | 2 | |
| 1 age class (with specimen-size) | 2 | 2 | |
| 2 age classes (no specimen-size) | 3 | 2 | |
| 2 age classes (with specimen-size) | 4 | 2 | |
| 3 or more age classes | 5 | 2 | _____ |
| (4) Size of the Site (pine rockland and hammock) | | | |
| < .5 acres | 1 | 2 | |
| .5-2.5 acres | 3 | 2 | |
| >2.5 acres | 5 | 2 | _____ |
| (4)a (wetland) | | | |
| < 5 acres | 0 | 2 | |
| 5 to 20 | 1 | 2 | |
| >20 to 40 | 3 | 2 | |
| >40 | 5 | 2 | |

(5) Wildlife Habitat Values

| | | | |
|---|---|---|---|
| Low | 1 | 2 | |
| Medium | 3 | 2 | |
| High | 5 | 2 | _____ |

(6) Geological Features

| | | | |
|---|---|---|---|
| Substrate disturbance (67-100%) w/ no geological features | 0 | 5 | |
| Substrate disturbance (67-100%) With at least one geo feature | 1 | 5 | |
| Substrate disturbance (34-66%) w/ no geological features | 2 | 5 | |
| Substrate disturbance (34-66%) With at least one geological feature | 3 | 5 | |
| Substrate disturbance (0-33%) w/ no geological features | 4 | 5 | |
| Substrate disturbance (0-33%) w/ at least one geological feature | 5 | 5 | _____ |

(7) Percentage of site covered by exotic species

| | | | |
|---|---|---|---|
| High | 1 | 2 | |
| Medium | 3 | 2 | |
| Low | 5 | 2 | _____ |

Total Score _____

The minimum score needed to qualify as an environmentally endangered land for tax reduction purposes or to qualify as Natural Forest Community is 60. For property owners wishing to restore additional areas contiguous to areas currently qualifying, for tax reduction purposes, the additional areas need not meet the minimum scoring threshold initially. However, the property owner shall agree to restore the additional area within a reasonable time period as determined by the Director and to protect the additional area as part of the covenant and management plan so that the additional area is restored to meet or exceed the score of 60.

This scoring shall not be used to disqualify a Natural Forest Community designated site that has been altered without permits or is otherwise in violation of the county code. Notwithstanding the foregoing, this scoring shall be used in areas of past violation provided the violation has been resolved and the area fully restored to the satisfaction of the Department.

## Scoring Guide

(1) The number of endangered, threatened, rare or endemic species observed and documented.

(2) Native Plant Diversity:

| Pine rocklands: | Hardwood Hammocks: |
|---|---|
| Low = 0-20 native plants | Low= 0-10 |
| Medium = 21-50 native plants | Medium= 11-20 |
| High = 51+ native plants | High= 21+ |

For transitional sites, use the test yielding the highest value.

For wetland sites, plant species diversity scoring shall be based on the number of species observed and documented in comparison with the number of species reasonably expected in the specific habitat type. Sites with more than 75% of expected species observed shall be considered high in species diversity; sites with 25% to 75% shall be considered moderate; and sites with less than 25% shall be considered low.

(3) Tree Resources: Age classes = (sapling, juvenile and mature)

(4) Size of Site: NFC/EEL Area (last delineated boundary or for new potential sites, size of the proposed delineated boundary)

(5) Wildlife Habitat Value: Based on overall observation considering criteria such as: Snags, larval plants, available food sources, scat, connectivity ($\leq$ .25 km from the nearest natural area), proximity to water, visual observation of nesting and/or nesting potential, appropriate vegetative cover, and evidence of fire (for pine rockland sites).

Low = 2 or less of the above criteria

Medium = 3-5 of the above criteria

High = at least 6 of the above criteria

(6) Geological Features: solution hole, intact pinnacle rock, cave, or spring

(7) Percentage of site covered by exotics: This is a qualitative estimate of the portion of the site covered in exotics as a percentage of the total area within the boundary.

Low = 0-33%

Medium = 34-66%

High = 67-100%

Notes

1. _____

_____

_____

2. _____

_____

_____

3. _____

_____

_____

4. _____

_____

_____

5. _____

_____

_____

6. _____

_____

_____

7. _____

_____

_____