OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 5(D)

TO: Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners

DATE: January 22, 2014

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

SUBJECT: Resolution authorizing the disbursement of up to $2,500,000.00 from the Wetlands Trust Fund to the Environmentally Endangered Lands (EEL) Program for land acquisition in the South Dade Wetlands EEL Project area
Resolution No. R-18-14

The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss and Co-Sponsor Vice Chair Lynda Bell.

R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum

MIAMI-DADE COUNTY

Date: January 22, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Resolution Authorizing the Disbursement of up to $2,500,000.00 from the Wetlands Trust Fund to the Environmentally Endangered Lands (EEL) Program for Land Acquisition in the South Dade Wetlands EEL Project Area and Providing for Land Management Activities

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Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing the disbursement of up to $2,500,000 as funds become available from the Wetlands Trust Fund to the Environmentally Endangered Lands (EEL) Program for land acquisition in the South Dade Wetlands EEL Project Area for the reasons set forth below.

Scope

The subject properties are located in the South Dade Wetlands EEL Project Area within Commission District 9 (Commissioner Moss).

Fiscal Impact/Funding Source

Pursuant to Section 24-37 of the Code, this resolution authorizes the disbursement of funds, as funds become available, from the Wetlands Trust Fund for land acquisition. The total unencumbered available balance of the Wetlands Trust Fund as of September 30, 2013 is $7,402,149. The total unencumbered available balance of the Special Area Management Plan (SAMP) Index Code within the Wetlands Trust Fund (Project 618266/ER005A) as of September 30, 2013 is $1,902,012.

Track Record / Monitor

Michael Spinelli, Environmental Resources Project Supervisor within the Department of Regulatory and Economic Resources, Division of Environmental Resources Management, will monitor the disbursement of funds.

Background

In July 1985, the Board expanded the Urban Development Boundary to include 1,600 acres of wetlands within the Bird Drive Everglades Wetland Basin and the North Trail Basin. In 1992, the Board established the Wetlands Trust Fund and authorized interagency agreements with federal and state environmental agencies for the collection of monetary contributions by property owners as mitigation for impacts within the Bird Drive Everglades Wetland Basin and the North Trail Basin.

Pursuant to Section 24-37 of the Code, disbursements from the Wetlands Trust Fund can only be used for acquisition, restoration, enhancement, management or monitoring of wetland properties in Southeast Florida. Pursuant to the interagency agreements, the Special Area Management Plan (SAMP) Implementation Committee was established to review and approve the use of funds disbursed from the Wetlands Trust Fund for SAMP purposes. Members of the Implementation Committee represent the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, the Florida Department of Environmental Protection, the (former) Florida Game and Fresh Water Fish Commission, the South Florida Water Management District and the Miami-Dade County Department

of Environmental Resources Management (now part of the Department of Regulatory and Economic Resources). Wetlands Trust Fund disbursements to be used for land acquisitions also require approval by the Board following a public hearing.

On June 30, 2010, the SAMP Implementation Committee unanimously recommended the disbursement of up to $2,500,000 from the Wetlands Trust Fund to the EEL Program to acquire wetlands from willing sellers within the South Dade Wetlands EEL Project Area. The EEL Program will provide matching funds toward wetlands purchases that will contribute to the goal of restoring the greater Everglades ecosystem (see Attachment A). Allowable costs include land cost, environmental audits, title insurance, surveys, and other costs associated with EEL's conduct of due diligence in acquiring real property in the project area.

In July 2013, the EEL Program completed acquisitions via a prior disbursement authorized through Resolution Nos. R-574-05 and R-148-09 and is prepared to begin acquiring land with this additional funding upon approval of the attached resolution. Historically, the EEL Program advances the funds for acquisition when reimbursement grants are available and then deposits the reimbursed funds into the EEL Management Trust Fund to allow for the long-term management of EEL properties. All reimbursed matching funds authorized by R-574-05 and R-148-09 received to date were similarly deposited into the EEL Management Trust Fund and future reimbursements will be deposited into the EEL Management Trust Fund.

Jack Osterholt, Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: January 22, 2014

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

SUBJECT: Agenda Item No. 5(D)

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 Mayor'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. 5(D)
1-22-14

RESOLUTION NO. R-18-14

RESOLUTION AUTHORIZING THE DISBURSEMENT OF UP TO $2,500,000.00 FROM THE WETLANDS TRUST FUND TO THE ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM FOR LAND ACQUISITION IN THE SOUTH DADE WETLANDS EEL PROJECT AREA AND PROVIDING FOR LAND MANAGEMENT ACTIVITIES

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board having considered all the applicable factors contained within Section 24-37 of the Code of Miami-Dade County hereby approves the disbursement of up to $2,500,000.00 from the Wetlands Trust Fund to the Miami-Dade County Environmentally Endangered Lands (EEL) Program for land acquisition in the South Dade Wetlands EEL Project; and authorizes the County Mayor or County Mayor's designee to deposit any and all proceeds from acquisition reimbursements into the EEL Management Trust Fund, subject to the conditions set forth in the memorandum from the Mayor of Miami-Dade County, a copy of which is attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner **Dennis C. Moss**, who moved its adoption. The motion was seconded by Commissioner **Lynda Bell** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 22nd day of January, 2014. 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

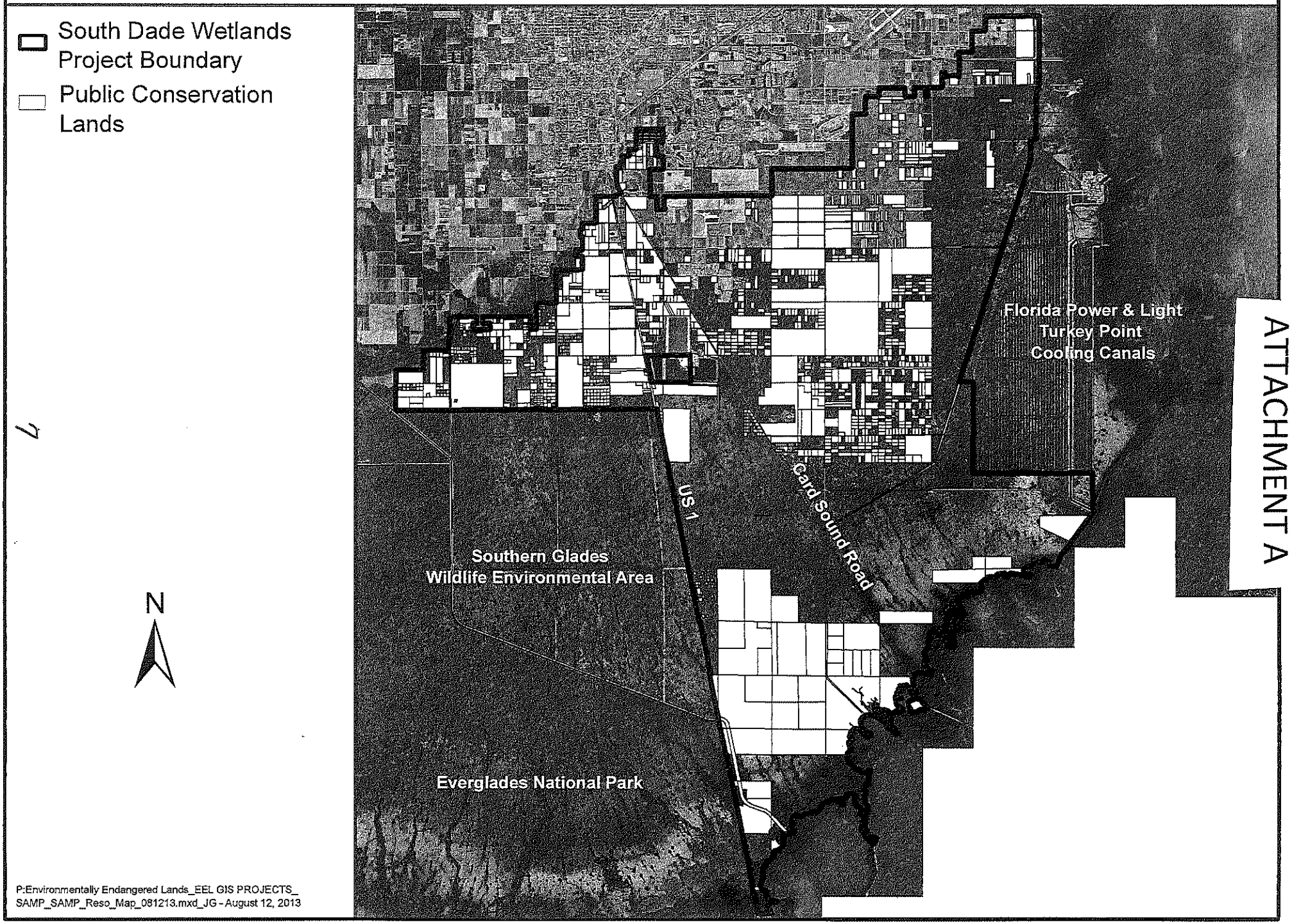
HARVEY RUVIN, CLERK

By: Christopher Agrippa
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Abbie Schwaderer-Raurell

Attachment A - Map of South Dade Wetlands EEL Project



ATTACHMENT A

ATTACHMENT B

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: March 3, 2009

Agenda Item No. 5(B)

To: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

Resolution No. R-148-09

From: George M. Burgess
County Manager

Subject: Resolution Authorizing the Disbursement of $8,000,000 from the Wetlands Trust Fund to the Environmentally Endangered Lands (EEL) Program for Land Acquisitions in the EEL South Dade Wetlands Project

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Recommendation
It is recommended that the Board of County Commissioners (BCC) approve the attached resolution to authorize the disbursement of $8,000,000 from the Wetlands Trust Fund to the EEL Program for land acquisitions in the EEL South Dade Wetlands Project for the reasons set forth below.

Scope
The properties to be acquired from willing sellers are located in the EEL South Dade Wetlands Project, which is located in County Commission District 9 (Commissioner Moss).

Fiscal Impact/Funding Source
Not applicable.

Track Record/Monitor
Not applicable.

Background
In July 1985, the BCC expanded the Urban Development Boundary to include 1,600 acres of wetlands within the Bird Drive Everglades and the North Trail Wetlands Basins. In 1992, the BCC established the Wetlands Trust Fund and executed interagency agreements with federal and state environmental agencies for the collection of monetary contributions by developers as mitigation for impacts within the Bird Drive Everglades and the North Trail Wetland Basins.

Pursuant to Section 24-37 of the County Code, funds in the Wetlands Trust Fund can only be disbursed for the purposes of acquisition, restoration, enhancement, management or monitoring of wetland properties in southeast Florida. Disbursements from the fund are collectively agreed upon by the Special Area Management Plan (SAMP) Implementation Committee, which is comprised of the US Army Corps of Engineers, the US Fish and Wildlife Service, the Florida Department of Environmental Protection, the Florida Game and Fresh Water Fish Commission, the South Florida Water Management District and the Miami-Dade Department of Environmental Resources Management. Wetlands Trust Fund disbursements to be used for land acquisitions also require approval by the BCC following a public hearing.

On August 28, 2008, the SAMP Implementation Committee met and unanimously approved the $8,000,000 proposal to acquire listed wetlands in Miami-Dade County with funds from the Wetlands Trust Fund. Once approved by the BCC, these funds will provide up to 50% of the costs for land acquisition from willing sellers within the EEL South Dade Wetlands Project (see Attachment A) that will contribute to the goal of restoring the greater Everglades ecosystem. Allowable costs include land costs, environmental audits, title insurance, surveys, and other costs associated with the EEL Program's due diligence for such acquisitions. These funds may be used for the purchase of parcels recently approved for acquisition by the BCC.

Assistance County Manager

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 5(B)
3-3-09

RESOLUTION NO. **R-148-09**

RESOLUTION AUTHORIZING THE DISBURSEMENT OF $8,000,000 FROM THE WETLANDS TRUST FUND TO THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM FOR LAND ACQUISITIONS IN THE SOUTH DADE WETLANDS PROJECT

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board having considered all the applicable factors contained within Section 24-37 of the Code of Miami-Dade County hereby approves the disbursement of $8,000,000 from the Wetlands Trust Fund to the Miami-Dade County Department of Environmental Resources Management (DERM) Environmentally Endangered Lands Program for land acquisitions in the South Dade Wetlands Project, subject to the conditions set forth in the memorandum from the Director of DERM, a copy of which is attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner **Joe A. Martinez** , who moved its adoption. The motion was seconded by Commissioner **Katy Sorenson** and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman	**aye**		
Jose "Pepe" Diaz, Vice-Chairman	**aye**		
Bruno A. Barreiro	**aye**	Audrey M. Edmonson	**aye**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**aye**
Barbara J. Jordan	**aye**	Joe A. Martinez	**aye**
Dorrin D. Rolle	**aye**	Natacha Seijas	**aye**
Katy Sorenson	**aye**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**absent**		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of March, 2009. 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

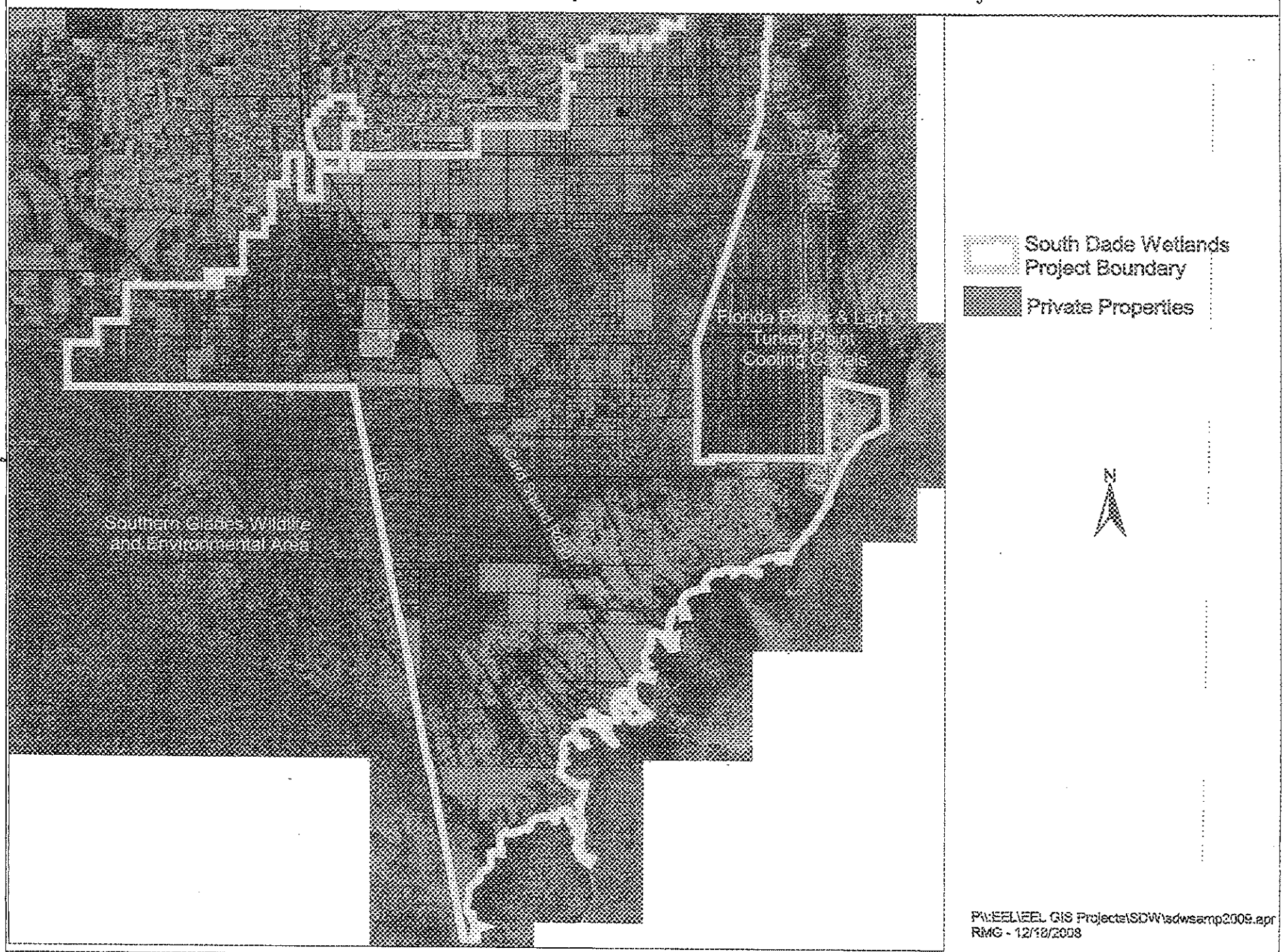
HARVEY RUVIN, CLERK

By: **Kay Sullivan**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Robert A. Duvall

Attachment A Map of EEL South Dade Wetlands Project



ATTACHMENT C

Memorandum

MIAMI-DADE COUNTY

Date: May 17, 2005

Agenda Item No. 8(D)(1)(B)

To: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

From: George M. Burgess
County Manager

R-514-05

Subject: Resolution Authorizing the Expenditure of $7,000,000 from the Wetlands Trust Fund to the Environmentally Endangered Lands Program (EEL) for Land Acquisitions in the South Dade Wetlands EEL Project Area

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the attached resolution authorizing the expenditure of an amount not to exceed $7,000,000 from the Wetlands Trust Fund (Fund) to be matched on a fifty (50) percent to fifty (50) percent basis by the Environmentally Endangered Lands (EEL) Program for land acquisition in the South Dade Wetlands EEL Project area (See attached map).

BACKGROUND

In July 1985, the Board of County Commissioners expanded the Urban Development Boundary to include 1,600 acres of wetlands within the Bird Drive Everglades and the North Trail Wetlands Basins. In May 1987, Miami-Dade County offered to be the local sponsor for the U.S. Army Corps of Engineers' Special Area Management Plan (SAMP) for the Bird Drive Everglades Basin.

On September 17, 2004, the SAMP Implementation Committee met to review six (6) proposals to acquire, restore, enhance and/or manage wetlands in Miami-Dade County with monies from the Fund. The Committee approved all six projects that will contribute to the goal of Everglades ecosystem restoration, including a 50 percent matching grant to the EEL Program for land acquisition in the South Dade Wetlands, a project which the Board of County Commissioners previously approved for the EEL Acquisition Priority A List. Allowable costs include land cost, environmental audits, title insurance, surveys, and other costs associated with EEL's conduct of due diligence in acquiring real property in the project area.

The SAMP provides that mitigation will be accomplished through the restoration of 4,000 acres of Brazilian pepper-infested wetlands in Everglades National Park, known as the Hole-in-the-Donut, for biological impacts to the wetlands of the Bird Drive and North Trail Wetland Basins that are within the Urban Development Boundary. In addition, the mitigation funds will be used for the acquisition; restoration, enhancement, management and monitoring of publicly owned wetlands in Miami-Dade County. The overall goal is to restore and manage one and one-half acres of wetlands for each acre of wetlands developed in the Bird Drive and North Trail Basins. The mitigation work is being funded by contributions from developers as part of the County, State and Federal permitting processes. Monies collected are deposited into the Miami-Dade County Wetland Trust Fund that was established in 1992 to receive monetary contributions as mitigation for projects in Miami-Dade County. Monies in the Trust Fund can only be disbursed for the purposes of acquisition, restoration, enhancement, management or monitoring of wetland properties in southeast Florida. The SAMP Implementation Committee collectively agrees upon disbursements from the fund. The fund is protected by the terms and conditions contained in interagency agreements and Section 24-37 of the Code of Miami-Dade County, which expressly prohibits the commingling of the funds, or their use for any purpose other than disbursements as discussed above.

Assistant County Manager

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 8(D)(1)(B)

05-17-05

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
DADE COUNTY, FLORIDA

RESOLUTION NO. R-574-05

RESOLUTION AUTHORIZING THE EXPENDITURE OF $7,000,000 FROM THE WETLANDS TRUST FUND TO MATCH THE ENVIRONMENTALLY ENDANGERED LANDS PROGRAM (EEL) FOR LAND ACQUISITIONS IN THE SOUTH DADE WETLANDS EEL PROJECT AREA

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the expenditure of an amount not to exceed seven million dollars ($7,000,000) from the Wetlands Trust Fund as a fifty (50) percent match to Environmentally Endangered Lands (EEL) Program funds for land acquisition by the EEL Program within the South Dade Wetlands EEL Project as shown on the attached map.

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

Joe A. Martinez, Chairman	aye		
Dennis C. Moss, Vice-Chairman	absent		
Bruno A. Barreiro	absent	Dr. Barbara Carey-Shuler	aye
Jose "Pepe" Diaz	aye	Carlos A. Gimenez	aye
Sally A. Heyman	absent	Barbara J. Jordan	aye
Dorrin D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	absent	Rebeca Sosa	aye
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 17th day of May, 2005. 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

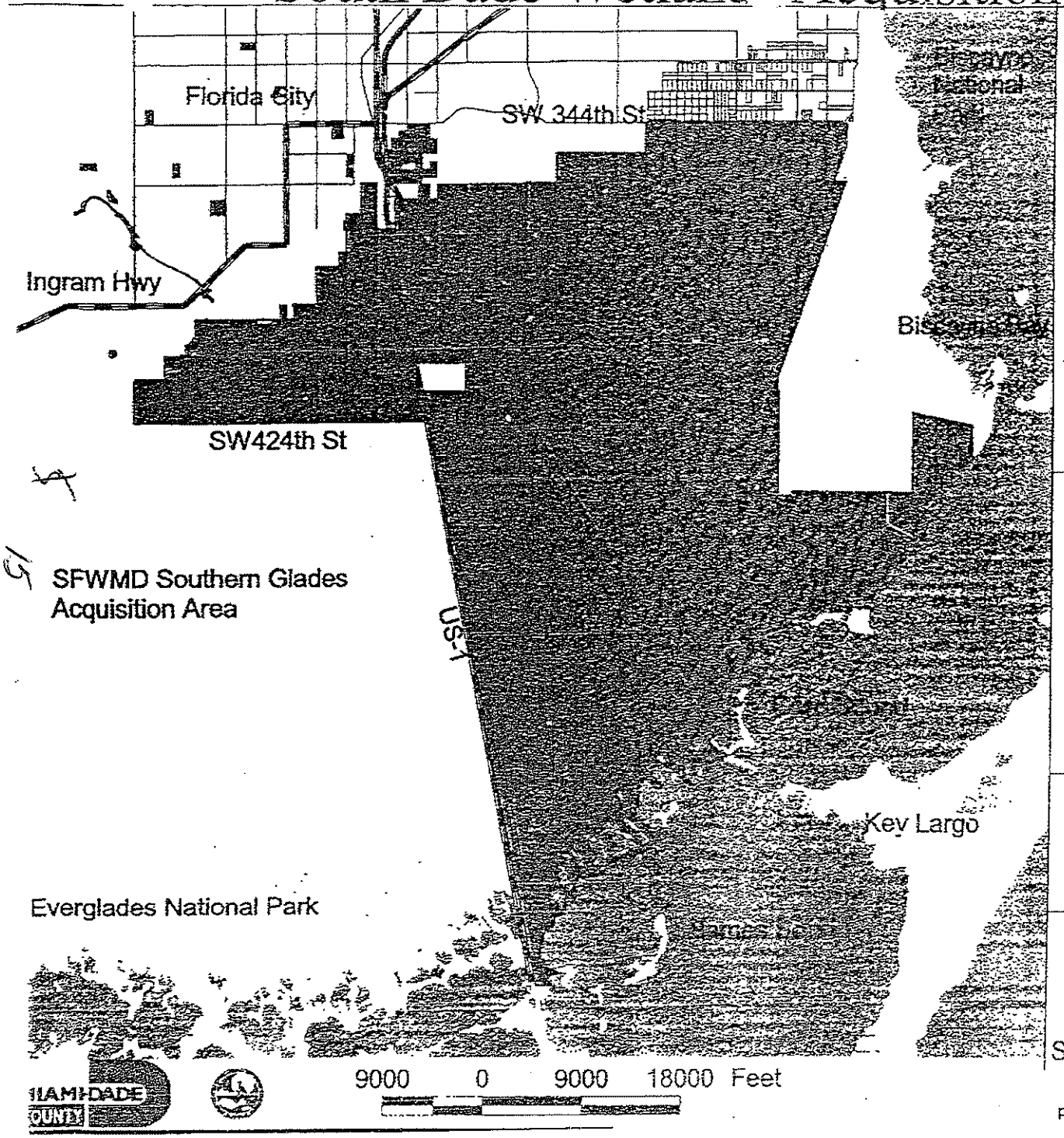
COUNTY COMMISSIONERS DADE COUNTY Florida

By: KAY SULLIVAN
Deputy Clerk

Approved by County Attorney as to form and legal sufficiency. RAD

Robert A. Duvall

South Dade Wetland Acquisition Project



Environmentally Endangered Lands Program

March 2005

N
W E
S

South Dade Wetlands Acquisition A

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SCALE: 1 inch = 15051.50 Feet

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