



MEMORANDUM

Agenda Item No. 8(I)(1)

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

DATE: December 6, 2011

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

SUBJECT: Resolution authorizing an amendment to add Miami-Dade County to a 2008 Memorandum of Understanding between the South Florida Water Management District, the Florida Fish and Wildlife Conservation Commission, the United States Army Corps of Engineers, the United States Fish and Wildlife Service and the United States Park Service for provision of Cooperative Management of Invasive Species within the Everglades Cooperative Invasive Species Management area

Resolution R-1052-11

The accompanying resolution was prepared by the Permitting, Environment & Regulatory Affairs Department and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.

A handwritten signature in black ink, appearing to read "RAC Jr", written over a horizontal line.

R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum



Date: December 6, 2011

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

From: Carlos A. Gimenez
Mayor 

Subject: Resolution Authorizing an Amendment to Add Miami-Dade County to a 2008 Memorandum of Understanding between the South Florida Water Management District, the Florida Fish and Wildlife Conservation Commission, the United States Army Corps of Engineers, the United States Fish and Wildlife Service and the United States Park Service for Provision of Cooperative Management of Invasive Species within the Everglades Cooperative Invasive Species Management Area

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing an amendment to add Miami-Dade County to a 2008 Memorandum of Understanding (MOU) between the South Florida Water Management District, the Florida Fish and Wildlife Conservation Commission, the United States Army Corps of Engineers, the United States Fish and Wildlife Service and the United States Park Service for Provision of Cooperative Management of Invasive Species within the Everglades Cooperative Invasive Species Management Area (ECISMA).

Scope

The ECISMA Project Areas under the MOU are primarily within Commission Districts 8 and 9.

Fiscal Impact/Funding Source

There is no fiscal impact, as the MOU provides that no monies shall be exchanged between the parties to the MOU. The EEL Management Trust Fund will continue to fund EEL management activities, including those activities that are related to the control of invasive exotic species. As of August 31, 2011, the balance of the EEL Trust Fund GF080 is \$54,366,271 of which \$25,471,930 is reserved for acquisition and \$28,894,341 is reserved for land management.

Track Record/Monitor

The EEL Program Manager in the Department of Permitting, Environment and Regulatory Affairs will monitor this agreement.

Background

Natural areas throughout Miami-Dade County, including County Parks and EEL Preserves, are facing increasing threats from invasive exotic species. These invasive species contribute to the loss of native biodiversity and ecosystem functions, can impact important agricultural areas and can create public safety concerns in urban areas. South Florida's environment is particularly vulnerable to such invasions. Currently, more than 180 non-native animal species have become established in Florida, including carnivorous reptiles such as the Burmese python and the Nile monitor, compromising the long-term survival of native wildlife populations that include threatened and endangered species. Over 1,300 non-native plant species have become established in Florida and at least 67 of those are displacing native species and changing community structures and ecological functions, according to the Florida Exotic Pest Plant Council. The impacts caused by the worst of the invasive plant species, like *Melaleuca*, have resulted in widespread and potentially irreversible damage to some of South Florida's most sensitive ecosystems.

Individual government agencies and non-governmental organizations responsible for land management in South Florida generally lack sufficient financial and staffing resources to develop

comprehensive management programs for the overwhelming number and diversity of established or emerging invasive species. For this reason, increased cooperation across jurisdictions is critical to develop successful management programs and protocols that limit the damage caused by invasive exotic plants and animals. By working together, local agencies and organizations have been able to enhance opportunities to effectively implement solutions, like development of region-wide invasive species monitoring programs, rapid response efforts, standardized data management, and public education and outreach programs.

The Everglades Cooperative Invasive Species Management Area (ECISMA) is a partnership of federal, state, and local government agencies, tribes, individuals and various interest groups that manage invasive species within South Florida. A Memorandum of Understanding (MOU) has been executed between five of the formal partners made up of State and Federal Agencies (Attachment B). The MOU seeks to further the objectives of the partnership to integrate coordination, control and management of invasive species at regional, multi-jurisdictional levels and to enhance opportunities for funding that are only available to CISMA-type organizations. Miami-Dade County has been offered an opportunity to become a formal partner and the amendment adds Miami-Dade County to the MOU (Attachment A).

Miami-Dade County has already benefitted from the existence of the ECISMA and the cooperative work under the MOU. Since December 2010, eradication and monitoring events targeting invasive animals like the dangerous African rock python in the Bird Drive Basin, invasive plants like the exotic mangrove *Lumnitzera* in Matheson Hammock Park, and potentially devastating agricultural pests like laurel wilt have taken place throughout Miami-Dade County, including within County Parks and EEL Preserves. To date, ongoing activities by the Miami-Dade EEL Program and the Natural Areas Management (NAM) Division of the Parks, Recreation and Open Spaces Department have been supplemented and enhanced by a ten-fold investment of resources by other partners at those events. A total of 945 man-hours have been expended at these events, with only 93 hours (less than 10%) being Miami-Dade County EEL and NAM staff.



Deputy Mayor



MEMORANDUM

(Revised)

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

DATE: December 6, 2011

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

SUBJECT: Agenda Item No. 8(I) (1)

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

Agenda Item No. 8(I)(1)

Veto _____

12-6-11

Override _____

RESOLUTION NO. R-1052-11

RESOLUTION AUTHORIZING AN AMENDMENT TO ADD MIAMI-DADE COUNTY TO A 2008 MEMORANDUM OF UNDERSTANDING BETWEEN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT, THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION, THE UNITED STATES ARMY CORPS OF ENGINEERS, THE UNITED STATES FISH AND WILDLIFE SERVICE AND THE UNITED STATES PARK SERVICE FOR PROVISION OF COOPERATIVE MANAGEMENT OF INVASIVE SPECIES WITHIN THE EVERGLADES COOPERATIVE INVASIVE SPECIES MANAGEMENT AREA

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

WHEREAS, this Board desires to accomplish the purposes of Section 24-50 of the Code of Miami-Dade County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby authorizes an amendment to add Miami-Dade County to a 2008 Memorandum of Understanding (MOU) between the South Florida Water Management District, the Florida Fish and Wildlife Conservation Commission, the United States Army Corps of Engineers, the United States Fish and Wildlife Service and the United States Park Service for Provision of Cooperative Management of Invasive Species within the Everglades Cooperative Invasive Species Management Area in substantially the form attached hereto and made a part hereof; authorizes the Mayor or Mayor's designee to execute same for and on behalf of Miami-Dade County; and authorizes the Mayor or Mayor's designee to exercise the provisions contained therein.

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

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

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of December, 2011. 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 *[Signature]*

Robert A. Duvall

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SOUTH FLORIDA WATER MANAGEMENT DISTRICT AMENDMENT

4600001287-A01

AMENDMENT NO. 01

TO MEMORANDUM OF UNDERSTANDING NO. 4600001287

BETWEEN THE

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
AND
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
AND
UNITED STATES ARMY CORPS OF ENGINEERS
AND
UNITED STATES FISH AND WILDLIFE SERVICE
AND
UNITED STATES NATIONAL PARK SERVICE**

This **AMENDMENT NO. 01**, is entered into on _____, to that **MEMORANDUM OF UNDERSTANDING (MOU)** dated December 24, 2008, between "the Parties," the South Florida Water Management District (**DISTRICT**), Florida Fish and Wildlife Conservation Commission (**FFWCC**), United States Army Corps of Engineers (**USACE**), United States Fish and Wildlife Service (**USFWS**) and United States National Park Service (**USNPS**).

WITNESSETH THAT:

WHEREAS, the **MEMORANDUM OF UNDERSTANDING** may be amended with the prior written approval of the **PARTIES**; and

WHEREAS, the **PARTIES** wish to amend the **MEMORANDUM OF UNDERSTANDING** in order to add Miami-Dade County (**MDC**) as a Party and amend Item 3 of the **MOU**;

NOW THEREFORE, the **DISTRICT** and the **PARTIES**, in consideration of the mutual benefits flowing from each to the other, do hereby agree as follows:

1. Miami-Dade County (**MDC**) has benefitted from and participated in cooperative management of invasive species with the **PARTIES** and is hereby added as a party to this **MOU**.

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SOUTH FLORIDA WATER MANAGEMENT DISTRICT AMENDMENT

2. Item 3 of the MOU is hereby revised to add MDC as follows:

MIAMI-DADE COUNTY:
Cynthia Guerra, Program Director
Miami-Dade County
Department of Environmental Resources Management
Environmentally Endangered Lands Program
701 NW 1st Court, 6th Floor
Miami, FL 33136

3. All other terms and conditions of the MOU, remain unchanged.

IN WITNESS WHEREOF, the Parties or their duly authorized representatives hereby execute this **AMENDMENT NO. 01** on the date first written above.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

By: _____
Dorothy A. Bradshaw, Procurement Bureau Chief

SFWMD PROCUREMENT APPROVED

By: _____

DATE: 7/19/11 _____

MIAMI-DADE COUNTY BY ITS BOARD OF COUNTY COMMISSIONERS

By: _____

Title: _____

County Attorney Approved: _____



SOUTH FLORIDA WATER MANAGEMENT DISTRICT AMENDMENT

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

By: _____

Title: _____

Date: _____

UNITED STATES ARMY CORPS OF ENGINEERS

By: _____

Title: _____

Date: _____

UNITED STATES FISH AND WILDLIFE SERVICE

By: _____

Title: _____

Date: _____

UNITED STATES NATIONAL PARK SERVICE

By: _____

Title: _____

Date: _____

ATTACHMENT B



MEMORANDUM OF UNDERSTANDING NO. 4600001287

BETWEEN THE

ORIGINAL

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
AND
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
AND
UNITED STATES ARMY CORP OF ENGINEERS
AND,
UNITED STATES FISH AND WILDLIFE SERVICE
AND
UNITED STATES NATIONAL PARK SERVICE

THIS MEMORANDUM OF UNDERSTANDING (MOU) is entered into on DEC 24 2008
by and between the South Florida Water Management District (DISTRICT), Florida Fish and Wildlife Conservation Commission (FFWCC), United States Army Corp of Engineers (USACE), United States Fish And Wildlife Service (USFWS), and United States National Park Service (USNPS).

WHEREAS, the DISTRICT, FFWCC, USACE, USFWS, and USNPS may hereinafter also be referred to individually as "party" and collectively as "parties"; and

WHEREAS, each party to this MOU has invasive species control responsibilities on lands within the Everglades region, which include but are not limited to; maintaining personnel and equipment for the purpose of controlling invasive plants and/or animals within their jurisdiction; administering programs involving invasive species control; and making recommendations for treatment; and

WHEREAS, the parties agree that it is to their mutual benefit and interest to work cooperatively to exchange views, information and advice concerning efforts to inventory, monitor, control, and prevent the spread of invasive species across jurisdictional boundaries within the Everglades region; and

WHEREAS, the parties desire to enter into a cooperative arrangement to share views information and advice to effectively coordinate and implement invasive species management within the Everglades region.

NOW, THEREFORE, in consideration of the covenants and representations set forth herein and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

1. Each party agrees to the establishment of the Everglades Cooperative Invasive Species Management Area (CISMA) as shown on the map hereby incorporated as Exhibit A.
2. Each party agrees to the formation of steering committee (COMMITTEE) to provide expertise and recommendations on invasive species management activities within the CISMA.
3. Each party agrees to designate a COMMITTEE representative who shall be the person designated responsibility for the interface between the Parties as well as all day-to-day coordination during the term of this MOU. The designated COMMITTEE representatives for each party are as follows:

DISTRICT:

LeRoy Rodgers, Lead Scientist
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, Florida 33406
561-682-2773

FFWCC:

Scott Hardin, Exotic Species Coordinator
Florida Fish and Wildlife Conservation
Commission
620 South Meridian Street
Tallahassee, Florida 32399-1600
850-488-4068

USACE:

Jon Lane, Biologist
USACE-Invasive Species Management
Section
701 San Marco Blvd.
Jacksonville, Florida 32207
904-232-1044

USFWS:

Lisa Jameson, Biologist
Arthur R. Marshall Loxahatchee National
Wildlife Refuge
10216 Lee Road
Boynton Beach, Florida 33437
561-735-6039

USNPS:

Tony Pernas, Coordinator
FL/Caribbean Exotic Plant Mgmt. Team
National Park Service
18001 Old Cutler Rd., Suite 419
Palmetto Bay, Florida 33157
305-252-0347

4. Each party agrees to participate in annual meetings intended to facilitate communication and coordination on invasive species control efforts within the **CISMA**, including the development of annual plans to develop and implement mutual short-term goals.
5. To facilitate the exchange of information and advice, each party agrees to participate in the development of guidelines, prepared by the **COMMITTEE**, to foster coordination, cooperation and implementation of invasive species management activities including: early detection/rapid response, monitoring, program assessments, education, prevention, cross-cut resource/budget planning & coordination with the National Invasive Species Council planning efforts.
6. Consistent with applicable law, each party agrees to provide opportunities for involvement by outside interest groups and the public in the advancement of the goals of the **CISMA**.
7. Parties may consider separate agreement(s) to implement management activities. Such arrangement(s) shall be independently authorized by appropriate statutory authority, and may include, but are not limited to: Collection Agreements, Challenge Cost Share Agreements, Participating Agreements, Volunteer Agreements, Grants, Cooperative Agreements, and Procurement.
8. All parties recognize that other entities may assist in endeavors critical to the purpose of the **MOU** under separate formal agreements. Such assistance may include but not be limited to: managing funds, writing grant applications, providing consultation, education and facilitation.

9. Any party may withdraw their entity from this MOU at any time for convenience upon thirty (30) calendar days prior written notice to the other parties.
10. The period of performance of this MOU shall commence on the last date of execution of this MOU and shall continue for a period of five year(s).
11. All parties hereby agree to assume liability for funding their respective responsibilities as set forth in this MOU subject to the availability of funds and in accordance with their respective authorities. Except as otherwise provided by law, no monies shall be exchanged between the parties during the term of this MOU.

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IN WITNESS WHEREOF, the parties or their duly authorized representatives hereby execute this MOU on the date first written above.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Scotty Brackman, Deputy Dir. Procurement
Signature *SBM*

12/24/08
Date

SFWMD PROCUREMENT APPROVED

Marilyn Ivory
Signature *MI*

SFWMD OFFICE OF COUNSEL APPROVED

Cathy Hunter 8/5/08

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

Ken Haddad
Signature

Ken Haddad, Executive Director
Name and Title

12-11-08
Date

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
James V. Givens
Commission Attorney

UNITED STATES ARMY CORP OF ENGINEERS

Paul L. Grosskruger
Signature

Col. Paul L. Grosskruger, District Commander
Name and Title

23/9/08
Date

Exhibit A

Map of the Everglades Cooperative Invasive Species Management Area.

