

MEMORANDUM

Agenda Item No. 8(L)(1)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: March 5, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution modifying Resolution No. R-552-04 to remove a 6.3 acre portion of Matheson Hammock Park from the area previously approved for management under the Environmentally Endangered Lands (EEL) Program; approving 6.3 acres of other land in Matheson Hammock Park for management under the EEL Program; and authorizing the disbursement of up to \$2,000,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund to restore EEL Program Managed Lands within Matheson Hammock Park

Resolution No. R-160-24

The accompanying resolution was prepared by the Regulatory and Economic Resources Department and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/ks

Date: March 5, 2024

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor



Subject: Resolution Modifying Resolution No. R-552-04 to Remove a 6.3-acre Portion of Matheson Hammock Park from the Area Previously Accepted and Approved for Management under the Environmentally Endangered Lands Program and Adding 6.3 Acres of Other Land in Matheson Hammock Park for Management under the Environmentally Endangered Lands Program

Executive Summary

This item seeks approval from the Board of County Commissioners (Board) to modify Resolution No. R-552-04 to remove a 6.3-acre portion of Matheson Hammock Park from an area previously approved for management under the Miami-Dade County Environmentally Endangered Lands (EEL) Program and add 6.3-acres of other land in Matheson Hammock Park for management under the EEL Program. Based upon history of use in this area of Matheson Hammock Park, County staff conducted an evaluation of the area to determine the feasibility of modifying the EEL boundary to exclude this area from the lands approved for management by the EEL Program. This item also seeks authorization by the Board for a disbursement of up to \$2,000,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund (BBEETF) for restoration of coastal habitat at Matheson Hammock Park. This disbursement will be used to restore mangrove wetlands within the 6.3 acres that will be added for management under the program pursuant to this item. The disbursement will provide the required match previously identified to the Board for the grant agreement between the Florida Department of Environmental Protection and Miami-Dade County, approved by the Board pursuant to Resolution No. R-859-23, to restore coastal habitat in EEL managed areas within Matheson Hammock Park. This project is separate from the resolution of any pending park uses at West Matheson Park. Those uses are still under review.

Recommendation

It is recommended that the Board adopt the attached resolution modifying Resolution No. R-552-04 to remove a 6.3-acre portion of Matheson Hammock Park from an area previously approved for management under the Miami-Dade County Environmentally Endangered Lands (EEL) Program and add 6.3 acres of other land in Matheson Hammock Park for management under the EEL Program. In addition, it is recommended that the Board authorize the disbursement of \$2,000,000.00 from BBEETF to restore mangrove wetlands within the EEL managed areas in Matheson Hammock Park. This restoration will be accomplished through the removal of invasive plants and the scraping down of areas where fill was added many years ago that destroyed mangrove wetlands before the value of these wetlands was realized.

Scope

Matheson Hammock Park is located in Commission District 7, which is represented by Commissioner Raquel A. Regalado.

Delegation of Authority

This item does not provide any delegation of authority to the County Mayor or County Mayor's designee.

Fiscal Impact/Funding Source

The proposed EEL boundary change in and of itself is not anticipated to result in a fiscal impact to Miami-Dade County. However, the boundary change will facilitate a restoration project on the 6.3 acres of land proposed to be added into EEL management. This item requests approval of a disbursement in the amount of up to \$2,000,000.00 from the BBEETF for costs associated with restoration of coastal wetlands at Matheson Hammock Park that are subject to the boundary change. The available balance of the BBEETF as of November 30, 2023, is \$10,509,355.00. The EEL managed lands within the boundaries of Matheson Hammock Park, including the proposed addition, are anticipated to utilize monies from the EEL Trust Fund for long-term maintenance and management. Overall, the long-term management costs for the existing EEL areas adjacent to the proposed additional lands may decrease after the restoration project because it is expected to better manage invasive plant seed sources on lands proposed for addition. The long-term management costs will be provided by EEL Management Trust Fund G2002, which had a total balance of \$11,304,223.00 at the end November 30, 2023.

Track Record / Monitor

The EEL Program Manager within the Department of Regulatory and Economic Resources, Division of Environmental Resources Management (DERM), Janet Gil, will monitor the activities within the areas approved for management by the EEL Program at Matheson Hammock Park.

Background

The historic loss, fragmentation, and degradation of native wetland and forest communities in Miami-Dade County has been well recognized. In May 1990, with the knowledge that remaining wetland and forest communities were endangered, the electorate of Miami-Dade County authorized the County to levy an ad valorem tax for two years to create the EEL Program and Trust Fund. The purpose of the EEL Program is to acquire, preserve, enhance, restore, conserve, and maintain environmentally endangered lands for the benefit of present and future generations. The County, in partnership with the South Florida Water Management District, the State of Florida, and other funding partners, has acquired approximately 24,099 acres of land in Miami-Dade County since the inception of the EEL Program through December 31, 2023.

On May 11, 2004, the Board approved Resolution No. R-552-04, which approved the natural areas of five Miami-Dade County parks, including 393 acres of Matheson Hammock Park, for management under the EEL Program, meaning that EEL funds could be used for management of such natural areas. During 2020, the Parks, Recreation, and Open Spaces Department (PROS) coordinated with the EEL program on a planning exercise that involved this 6.3-acre area of land that is now being proposed for removal shown on Attachment 1 to the proposed resolution. Based on this coordination, DERM staff conducted an evaluation of the area to determine the feasibility of modifying the EEL boundary to exclude this area from the lands approved for management by the EEL Program. As part of DERM staff's consultation with PROS, it was determined that removal of this 6.3 acres portion of lands previously approved for management under the EEL Program could be offset by the addition of other lands of an equivalent sized area elsewhere in Matheson Hammock Park. DERM staff performed an evaluation to determine if alternate areas within the Matheson Hammock Park outside of the areas currently approved for management under the EEL Program could be added for management by EEL. DERM's evaluation indicated that the area of Matheson Hammock Park, which is being recommended in this item to be approved for management under the EEL Program, meets the evaluation criteria in

Section 24-50.8 of the Code for environmental land and ancillary land, respectively, for EEL management.

DERM has confirmed that no EEL funds were expended on the lands proposed to be taken out of the EEL portion of the property. In addition, no EEL funds were spent to acquire any portion of this property, including this 6.3-acre area as the property was already owned by the County.

The 6.3-acre area of the property has been managed by PROS as part of Matheson Hammock Park since its acquisition in 1930. The 6.3-acre area has been maintained by PROS utilizing PROS funding and did not include any EEL Trust Fund dollars.

Therefore, this resolution proposes to remove the 6.3-acre area approved for management by the EEL Program, and to modify Resolution No. R-552-04 accordingly, and to add a total of 6.3 acres of other land in Matheson Hammock Park, consisting of 4.4 acres of high-quality environmental land that is more worthy of the EEL Program and the associated 1.9 acres of ancillary land necessary for the management of the environmental land. The recommended EEL boundaries in Matheson Hammock Park are shown as Attachment A to this memorandum and reflect these proposed changes.

Pursuant to Section 24-50.7(2) of the Code, lands that meet the evaluation criteria in Section 24-50.8 of the Code may be accepted and approved for management under EEL by the Board of County Commissioners via resolution. The attached resolution accomplishes these goals and is recommended for approval.

The resolution is also requesting approval of a disbursement in the amount of up to \$2,000,000.00 from the BBEETF for costs associated with restoration of coastal wetlands at Matheson Hammock Park that are part of the 6.3 additional acres of lands described above. This project will improve hydrology and water quality in Biscayne Bay by restoring approximately 6 acres of filled in coastal wetlands to include planting of mangroves and coastal marsh and full invasive vegetation removal/hydrological improvements on the remaining 283 acres of coastal wetlands within Matheson Hammock Park. Therefore, use of the BBEETF for this project is consistent with Chapter 24 requirements for disbursements from the BBEETF. As described in the grant agreement brought before the Board in Resolution No. R-859-23, this current disbursement request will bring an additional \$2,000,000.00 to match the \$2,500,000.00 from Florida Department of Environmental Protection's Resilient Florida Program.

Please note that approval of this item does not commit to the development of any particular park improvements. It would simply make available for park uses the 6.3-acre area that is proposed for removal from EEL and facilitate environmental restoration within the area that is proposed for addition into the EEL program.



Jimmy Morales
Chief Operations Officer

ATTACHMENT A



Memorandum



Date: January 26, 2024

To: Daniella Levine Cava
Mayor

From: Lourdes M. Gomez, Director 
Department of Regulatory and Economic Resources

Subject: Recommendation for the Disbursement of Up to \$2,000,000.00 From the Biscayne Bay Environmental Enhancement Trust Fund to the Miami-Dade County Department of Regulatory and Economic Resources for Coastal Zone Restoration at Matheson Hammock Park

Pursuant to Section 24-40 of the Code of Miami-Dade County (Code), I am recommending the disbursement of up to \$2,000,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund (BBEETF) to the Department of Regulatory and Economic Resources, Division of Environmental Resources Management (DERM) for restoration of coastal habitat at Matheson Hammock Park. This disbursement will be used to restore mangrove wetlands within the Environmentally Endangered Lands Program (EEL) managed areas at Matheson Hammock Park. The disbursement will provide the required match previously identified to the Board for the grant agreement between the Florida Department of Environmental Protection and Miami-Dade County approved by the Board pursuant to Resolution No. R-859-23, to restore coastal habitat in EEL managed areas within Matheson Hammock Park.

Chapter 24-40 of the Code allows BBEETF funds to be used for environmental enhancement of Biscayne Bay such as restoration of coastal wetlands. The Code defines environmental enhancement as those alterations in hydrodynamics, water and sedimentary chemistry that may be necessary to establish or reestablish natural and indigenous biotic communities within Biscayne Bay or its foreshore. This project will improve hydrology and water quality in Biscayne Bay by restoring approximately 6 acres of filled in coastal wetlands to include planting of mangroves and coastal marsh and full exotic removal/hydrological improvements on the remaining 283 acres of coastal wetlands within Matheson Hammock Park. Therefore, use of the BBEETF for this project is consistent with Chapter 24 requirements for disbursements from this trust fund.

DERM has conducted various environmental enhancement activities for over two decades using County and outside resources. The up to \$2,000,000.00 requested for disbursement will be drawn from funds deposited into the Biscayne Bay Environmental Enhancement Trust Fund for the purpose of restoration and enhancement of Biscayne Bay and its tributaries.

There are sufficient unencumbered funds currently available in the BBEETF to fulfill this request.



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: March 5, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(L)(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
- ☐ Statement of social equity 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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved *Danielle Leme Carr* Mayor
Veto _____
Override _____

Agenda Item No. 8(L)(1)
3-5-24

RESOLUTION NO. R-160-24

RESOLUTION MODIFYING RESOLUTION NO. R-552-04 TO REMOVE A 6.3 ACRE PORTION OF MATHESON HAMMOCK PARK FROM THE AREA PREVIOUSLY APPROVED FOR MANAGEMENT UNDER THE ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM; APPROVING 6.3 ACRES OF OTHER LAND IN MATHESON HAMMOCK PARK FOR MANAGEMENT UNDER THE EEL PROGRAM; AND AUTHORIZING THE DISBURSEMENT OF UP TO \$2,000,000.00 FROM THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND TO RESTORE EEL PROGRAM MANAGED LANDS WITHIN MATHESON HAMMOCK PARK

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:

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. This Board hereby modifies Resolution No. R-552-04 to remove a 6.3 acre portion of Matheson Hammock Park, as shown on Attachment 1 to this resolution, from the area previously approved for management under the Miami-Dade County Environmentally Endangered Lands (EEL) Program.

Section 3. This Board approves the addition of 6.3 other acres, as shown on Attachment 1 to this resolution, for management under the EEL Program, in accordance with the purposes and requirements of the EEL Program.

Section 4. This Board, pursuant to section 24-40 of the Code of Miami-Dade County, authorizes the disbursement of up to \$2,000,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund, to restore mangrove wetlands within the EEL Program managed areas of Matherson Hammock Park.

The foregoing resolution was offered by Commissioner **Kionne L. McGhee**, who moved its adoption. The motion was seconded by Commissioner **Marleine Bastien** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	aye		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	absent	Eileen Higgins	absent
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 5th day of March, 2024. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



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

JUAN FERNANDEZ-BARQUIN, CLERK

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Abbie Schwaderer-Raurell

Recommended Addition and Deletion to EEL-Managed Areas at Matheson Hammock Park

